

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-20220 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-20216, ZON-20217, WVR-20568, VAR-20219 AND VAR-20419 - PUBLIC HEARING - APPLICANT/OWNER: CENTEX HOMES - Request for Site Development Plan Review FOR A PROPOSED 65-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 4.91 acres 300 feet south of Lake Mead Boulevard and the west side of Rock Springs Drive (APN 138-22-701-009), U (Undeveloped) Zone under Resolution of Intent to R-4 (High Density Residential) Zone [PROPOSED: R-PD14 (Residential Planned Development - 14 Units Per Acre) Zone], Ward 1 (Tarkanian).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

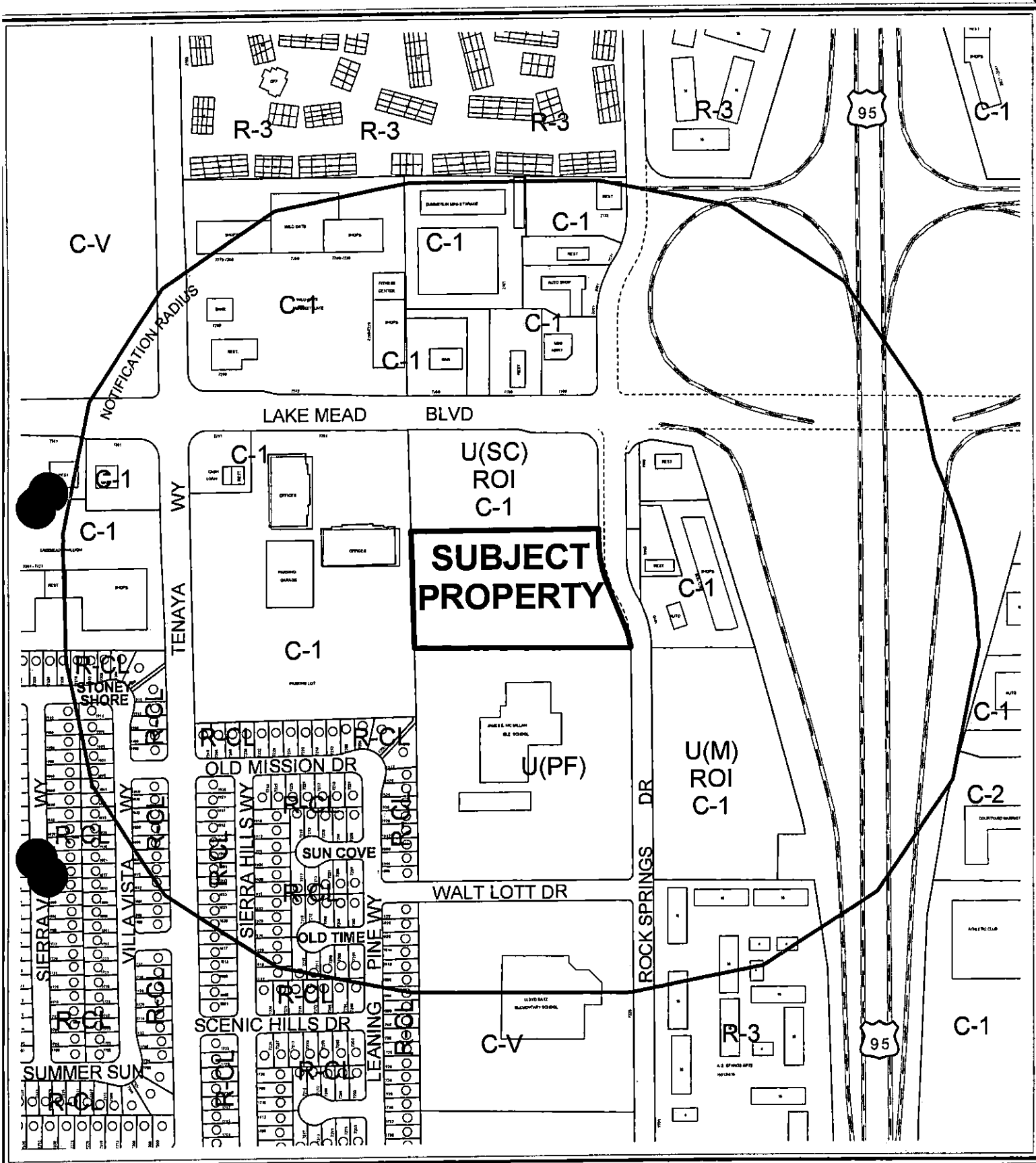
MOTION:

GOYNES – HOLD IN ABEYANCE Items 56-61 to 4/26/2007; Items 25 and 84 to 5/10/2007; Items 26-29 and 62 to 5/24/2007; Item 4 to 7/12/2007; and WITHDRAW WITHOUT PREJUDICE Item 12 – UNANIMOUS with EVANS excused

MINUTES:

ATTORNEY STEPHANIE ALLEN, 3800 Howard Hughes Parkway, appeared on behalf of the applicant for Items 56-61 and requested they be held to 4/26/2007 for a minor revision to the plan.

(6:02 – 6:07)



CASE: SDR-20220

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-4 (HIGH DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 12, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-20220 - APPLICANT/OWNER: CENTEX HOMES**

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

1. Conformance to the conditions for General Plan (GPA-20216), Rezoning (ZON-20217), Variance (VAR-20419), Variance (VAR-20219), Waiver (WVR-20568) 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 02/27/07, except as amended by conditions herein.
4. Site Development Plan Review (SDR-14323) and Variance (VAR-14322) are hereby expunged.
5. The standards for this development shall include a Minimum lot size of 1,440 square feet and Building height shall not exceed three stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of five feet to the front of the house, zero feet on the side, five 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.

JM

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April 12, 2007 - Planning Commission Meeting

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. For all developments/projects.
10. 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).
11. Air conditioning units shall not be mounted on rooftops.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
13. 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.
14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. A Waiver of Title 18.12.130, such as WVR-20568, shall be approved to allow Dolphins Court to terminate with a dead-end. If a Waiver is not approved, construction of a cul-de-sac meeting current City Standards at the end of Dolphins Court will be required concurrent with development and a revised site plan shall be submitted to the City reflecting these improvements.
17. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from Rock Springs Drive.
18. The proposed entry drive shall not be gated.

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19. 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.
20. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. The distance from the face of the garage door to the private drive shall be a minimum distance of 18 feet or a maximum distance of 5 feet to prevent a vehicle in the driveway from encroaching into the vehicular or pedestrian travel corridor.
22. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site prior to submittal of a map or any construction drawings, whichever may occur first.
23. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-20217, WVR-20568 and all other applicable site-related actions.
24. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
25. 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for Site Development Plan Review for a proposed 65-lot single family residential subdivision on 4.91 acres 300 feet south of Lake Mead Boulevard and the west side of Rock Springs Drive.

The proposed 65-lot, single-family residential subdivision lacks the required amount of open space and is considered incompatible with development in the area. A Variance (VAR-20219) has been requested to permit the deviation from open space requirements, and in addition, a Variance (VAR-20419) to permit an R-PD (Residential Planned Development) in 4.91 acres where five acres is required. The project also requires a Rezoning (ZON-20217) to R-PD14 (Residential Planned Development – 14 Units per Acre) and a General Plan Amendment (GPA-20216) to M (Medium Density Residential). Due to the incompatibility with the area and lack of required open space, denial of this application is recommended.

BACKGROUND INFORMATION

[Related/Relevant City Actions by P&D, Fire, Bldg., etc.]	
08/07/91	The City Council approved a Rezoning (Z-0056-91) from N-U (Non-urban) to C-V (Civic).
12/02/92	The City Council approved an Extension of Time [Z-0056-91(1)] of an approved Rezoning.
01/19/94	The City Council approved an Extension of Time [Z-0056-91(2)] of an approved Rezoning.
09/06/06	The City Council approved to Amend (GPA-14318) a portion of the Southwest Sector Plan of the Master Plan from PF (Public Facilities) to H (High Density Residential), a Rezoning (ZON-14321) from U (Undeveloped) [PF (Public Facilities) Master Plan Designation] to R-4 (High Density Residential), a Site Development Plan Review (SDR-14323) for a proposed three-story, 92-unit residential condominium development, and a Variance (VAR-14322) to allow three stories where two stories or 35 feet is the maximum height on 4.43 acres adjacent to the west side of Rock Springs Drive, approximately 300 feet south of Lake Mead Boulevard. Staff recommended denial, while the Planning Commission recommended approval.

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Pre-Application Meeting	
02/16/07	A pre-application meeting was held. Staff informed the applicant that the single family detached development proposal required a general plan amendment, rezoning, variance for minimum lot size in a Residential Planned Development zone, and a site development plan review. Submittal requirements were then discussed in detail.
Neighborhood Meeting	
03/15/07	A neighborhood meeting was held at 6:00 pm at Summerlin Lutheran Church, 1911 Pueblo Vista Drive. No citizens attended.

Details of Application Request	
Site Area	
Gross Acres	3.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	H (High Density Residential)	U (Undeveloped) [PF (Public Facilities) Master Plan Designation]
North	Retail	SC (Service Commercial)	U (Undeveloped) Zone under Resolution of Intent to C-1 (Limited Commercial) [SC (Service Commercial) Master Plan Designation]
South	School	PF (Public Facilities)	U (Undeveloped) [PF (Public Facilities) Master Plan Designation]
East	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Offices	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan	X		Y
Airport Overlay Zone (175 feet)	X		Y
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

JM

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DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Provided
Min. Lot Size	1,440 SF
Min. Lot Width	32 Feet
Min. Setbacks from Building • Front • Side • Rear	5 Feet Zero Feet 5 Feet
Max. Building Heights	3 stories, 35 feet

Existing/Zoning	Permitted/Density	Units/Allowed
U (Undeveloped) Under Resolution of Intent to R-4	50 Units Per Acre	245
Proposed/Zoning	Permitted/Density	Units/Allowed
R-PD14	14 Units Per Acre	65
Proposed/General Plan	Permitted/Density	Units/Allowed
M (Medium Density Residential)	25.49 Units per Acre	125

Pursuant to Title 19.12, the following Landscape Standards apply:

Landscape and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer: Min. Trees	1 Tree/ 30 Linear Feet	10 Trees	19 Trees	Y
Min. Zone Width along Rock Springs Road.	6 Feet		6 Feet	Y
Wall Height	8 Feet		Not shown	NA

Open Space - R-PD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
4.91	13.23	1.65	22%	46,688	5%	10,288	N*

**A Variance (VAR-20219) has been requested.*

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. This meets Title 19.10 parking requirements.

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ANALYSIS

- **Zoning**

In separate applications, the applicant is proposing to Rezone (ZON-20217) the property from U (Undeveloped) under a Resolution of Intent to R-4 (High Density Residential) Zone to R-PD14 (Residential Planned Development - 14 units per acre), and Amend the General Plan (GPA-20216) from H (High Density Residential) to M (Medium Density Residential).

The density of the project (13.2 du/ac) will conform to the R-PD14 (Residential Planned Development – 14 Units per Acre) zone density limit of 14 units per acre. However, the proposed rezoning will introduce a level of residential density that would be incompatible with the surrounding uses.

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. This particular development is an infill parcel. 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; therefore, denial of this request is recommended.

- **Site Plan**

The proposed project includes 65-lots with single-family homes. The size of lots range from 1,440 to 2,960 square feet in area. The lots will be accessed from a main entry located along Rock Springs Road. The interior of the project includes private street width of 39 feet which provide access to each residential parking garage and guest parking space areas.

The open space for the proposed development does not meet Title 19.06 requirements and a Variance (VAR-20219) is required, as designed. The applicant is request for a variance to allow 10,288 square feet of open space where 46,718 square feet is the minimum required

- **Waivers**

A Waiver (WVR-20568) of Title 18.12.130 for termination of a private street without a circular cul-de-sac or crash gate has been requested by the applicant as a companion item to this application. Public Works recommends denial.

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- **Landscape Plan**

Title 19.12 requires 10 trees along the landscape buffer along Rock Springs Road of the project. A total of 19 trees, 13 Mondel Pines and six African Sumac, have been provided. In addition, dispersed about the development are Bottle Trees, Japanese Blueberrys, Purple Leaf Plums, Chinese Photinias all 24 inch box in size and 16 inch box Date Palms. Therefore, the proposed landscape plan is sufficient per Title 19.12 standards.

- **Elevation**

The elevations show three-story, single-family detached houses with garages and unit entrances on the first floor. The height is shown at 35 feet.

- **Floor Plan**

The applicant is proposing four separate floor plans for two-story homes that will measure approximately 1,125 to 1,480 square feet in area. Each of the homes will have a balcony and rear yard area. In addition, three of the four proposed units include an attached two car 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 applicant is proposing 65-lot single family detached homes surrounded by SC (Service Commercial) to the north, west and east of the site. The SC (Service Commercial) land use category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. The proposed M (Medium Density Residential) land use designation is inconsistent and not compatible with the adjacent SC (Service Commercial) General Plan designations and land uses to the north, east and west.

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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 rezoning of R-PD14 (Residential Planned Development – 14 Units per Acre) would permit the proposed 65-lot single-family detached homes on 4.91 acres. However, there are multiple factors that make this proposal inconsistent. The proposed R-PD14 (Residential Planned Development – 14 Units per Acre) is not compatible with the adjacent C-1 (Limited Commercial) zoning to the north, east and west.

In addition, the proposed development deviates from Title 19 standards. The proposal requires a Variance (VAR-20219) from the open space requirements of Title 19.06, as well as a Variance (VAR-20419) for minimum acreage required for a Residential Planned Development. Denial of this project is recommended as the lack of open space is due to the overbuilding of the site and is a self-imposed hardship.

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

The site gains access from Rock Springs Road, a 60-foot local street. These streets will provide adequate access to and from the subject property.

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;**

The elevation plans show three-story homes with a maximum height of approximately 35 feet. The design features are unsightly and are they undesirable in context to the surrounding commercial developments; therefore, the proposal is not appropriate for this location.

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

By conformance to conditions, appropriate measures will be taken to secure and protect the public health, safety and general welfare.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 138 (Mailed with GPA-20216, ZON-20217, WVR-20568,
VAR-20419 and VAR-20419)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-20220** APN: 138-22-701-009

Name of Property Owner: Centex Homes

Name of Applicant: Centex Homes

Name of Representative: Triton Engineering

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

☐ Yes

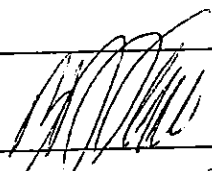
☒ No

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

City Official: _____

Partner(s): _____

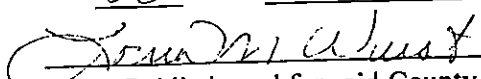
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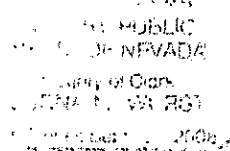
Signature of Property Owner: 

Print Name: Bryce Slade VP of Construction
and of Land Development

Subscribed and sworn before me

This 26 day of Feb, 2007


Notary Public in and for said County and State



VICINITY MAP

Scale: 1 inch = 1 mile

SHORT RANCH RD

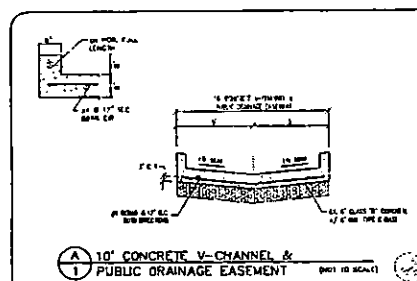
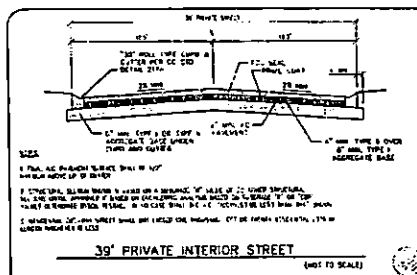
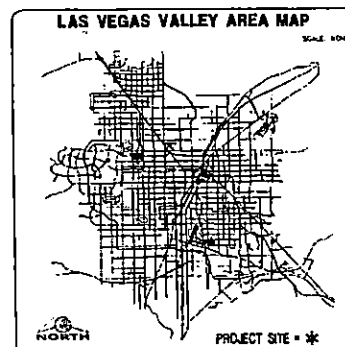
PROJECT SITE

LAVE HEAD BLVD

U.S. 83

VEGAS DR

NORTH



LEGAL DESCRIPTION

THE INFORMATION IN THIS REPORT IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE BY THE MARKING.

BENCHMARK

CITY OF LAS VEGAS RIVER AND BOUND PLATE IN MARSHOT
PAO. AND BONE'S CORNER OF FIRMEN ROAD AND TORREY
PAUL DRIVE STATION 40000000

CLAYTON 3342 3375 FEET (44-046)
792 846 METERS (14-086)

CLARK COUNTY VERTICAL CONTROL POINTS BASED ON
NORTH AMERICAN MEAN SEA LEVEL OF 1929 (NAVD 83)

BASIS OF BEARING

THE BASIS OF DRAWING FOR THIS SURVEY IS THE SOUTH
LINE OF THE QUADRATIC QUARTER OF SECTION 22,
TOWNSHIP 28 SOUTH, RANGE 96 EAST, NDM. AS SHOWN
IN FILE 42, PAGE 33, OF RECORDED SURVEYS, OFFICE
PIEDMONT CLARK COUNTY, N.C. SAID LINE BEARS
N89°30'34"W.

LAND USE TABULATION

LAND USE DESIGNATION

PLANNED ECONOMIC DEVELOPMENT ZONING B-4 (INDUSTRIAL DISTRICTS)
B-4-1 (EXISTING PLANNED DEVELOPMENT DISTRICTS)

SEE SURVEY

LOCAL NAME: BERTHMAN UNITS 400 ACRES
CROSS RIVER 400 ACRES
DOWNEY'S (GRACE) 120.105 / NONE

DOWN SEAS

TOTAL REQUIRED 400 ACRES
TOTAL PROVIDED 400 ACRES

ENGINEER

SYSTEM ENGINEERING
4750 N. CHARLESTON BLVD., SUITE 8
LAS VEGAS, NV 89109
OFFICE: (702) 734-1480
FAX: (702) 734-3268

OWNER

DATE: 11/11/2011
TIME: 11:11:11 AM
PAGE: 11

DEVELOPER

CONTR. NO. 100
3808 N. RANCHO RD. #103
LAS VEGAS NV 89130

SURVEYOR

4715 W. CHARLSTON BLVD., SUITE A
 LAS VEGAS, NV 89148
 OFFICE: (702) 879-1030
 FAX: (702) 879-1030

ASSESSOR'S PARCEL NUMBER

SHEET INDEX

SETBACK REQUIREMENTS

PREVIOUS ZONING	R-1
MINIMUM LOT SIZE (SQ)	ONE (1,000) SQ
FRONT TO BUILDING EASE	2
FRONT TO GARAGE	8
SIDE OF BUILDING ON ROOF EASE	5' AND 6'
SIDE OF CORNER	10
REAR	5' TO BUILDING
FRONT TO EASE	3

GPA-20216 ZON-20217
VAR-20219 SDR-20220
04/12/07 PC

FEB 27 2007



Triton
Engineering

4310 S. Chelmsford Blvd.
Suite 100
Las Vegas, Nevada 89118

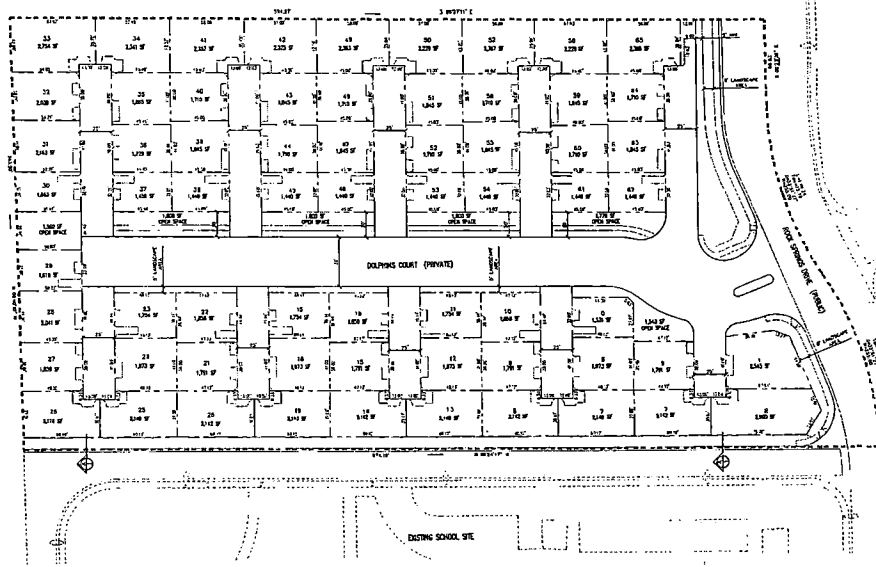
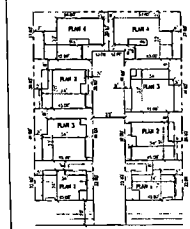
800-982-7118
Fax: (702) 254-2042
www.tritoneng.com

CENTEX HOMES
 LEAD / ROCK SPRINGS
 COVER SHEET

SHEET 1 OF 1



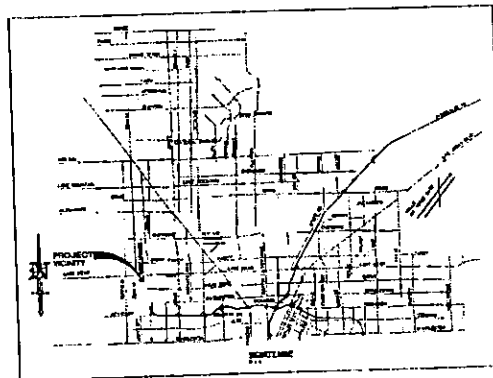
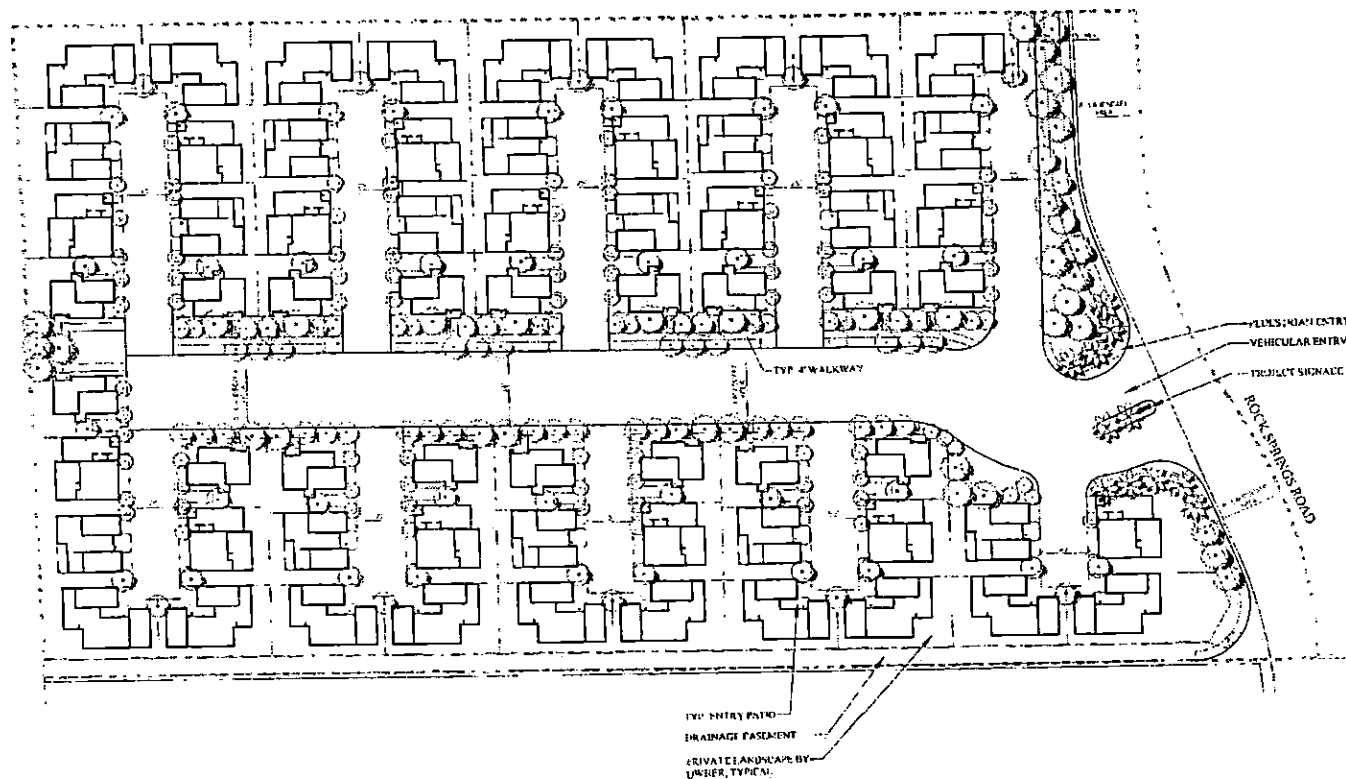
TYPICAL MINIMUM LOT LAYOUT



Triton Engineering  11715 Chantrelle Road Dallas, Texas 75244 Phone: (972) 412-1111 Fax: (972) 412-1112 Email: info@tritoneng.com	
CLIENT: PROJECT: DATE: DRAWN BY: CHECKED BY: SCALE:	SITE PLAN SHEET 2 OF 2 04/12/07

GPA-20216 ZON-20217
 VAR-20219 SDR-20220
 04/12/07 PC

FEB 27 2007



PLANT LEGEND

BOTANICAL NAME COMMON NAME	SIZE
TREES	
BRACHYGYTON POPULNEUS DOTTLE TREE	24" BOX
ELAEOCARPUS DECIPENS JAPANESE BLUEBERRY	24" BOX
PHIBENIX DACTYLIFERA DATE PALM	16" BTH
PRUNUS C. 'KAUTER VESUVIUS' PURPLE LEAF PLUM	24" BOX
PINUS ELDARICA MONDEL PINE	24" BOX
PHOTINIA SPURRATA CHINESE PHOTINIA	24" BOX
RHUS LANCEA AFRICAN SUMAC	26" BOX

SHRUBS

CASSIA NEMPHILA FEATHERY CASSIA	5 GAL
COTONASTER DAMERI 'CORAL BEAUTY' BEARFERRY COTONEASTER	1 GAL
DIETES VEGATA FORTNIGHT LILY	1 GAL
HESPERALOE PARVIFLORA RED YUCCA	1 GAL
LIQUIDUM TEXANUM TEXAS PRIVET	5 GAL
MYRTUS COMMUNIS 'COMPACTA' DWARF MYRTLE	1 GAL
PHOTINIA FRASERI PHOTINIA	5 GAL
PITTOSPORUM TOBIRA 'WHEELER' WHEELERS DWARF	5 GAL
PITTOSPORUM TOBIRA 'VARI-GATED' VARI-GATED TOBIRA	5 GAL
PYRACANTHA 'RED ELF' RED ELF PYRACANTHA	5 GAL
RIAPHIOLEPIS INDICA 'PINK LADY' INDIA DWARF HAWTHORN	5 GAL
RIAPHIOLEPIS INDICA 'PINK DANCE' INDIA DWARF HAWTHORN	5 GAL
ROSMARINUS 'HUNTINGTON CARPET' DWARF ROSEMARY	1 GAL
XYLOSMA CONGESTUM 'COMPACTA' DWARF XYLOSMA	5 GAL

SOODED TURF

Preliminary Landscape Plan

Rock Springs

Las Vegas, Nevada

Centex Homes



NUVIS
LANDSCAPE ARCHITECTURE
AND PLANNING
LA 1226 NV 396
06-2101 02-26-247

GPA-20216 ZON-20217
VAR-20219 SDR-20220

04/12/07 PC



LEFT



REAR



RIGHT



FRONT

ARCHITECTS

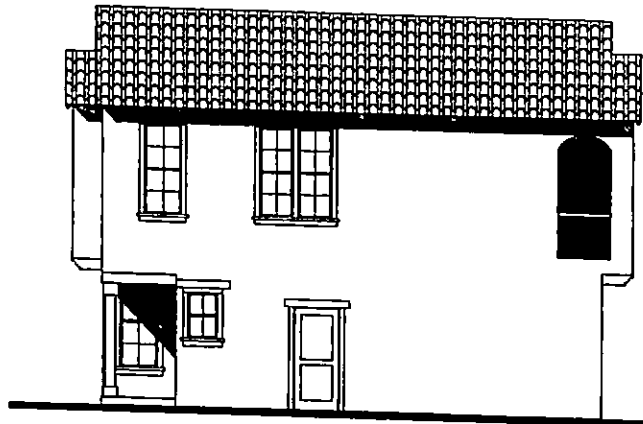
HOVE DESIGN ALLIANCE INC.
HPO@HOMEDSIGN.COM • TEL: 416.740.0817

**CLUSTER HOUSING - PLAN 1
ELEVATIONS**

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

**GPA-20216 ZON-20217
VAR-20219 SDR-20220
04/12/07 PC**

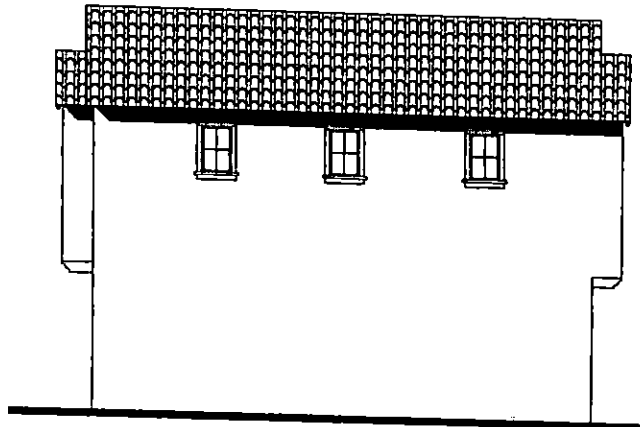
APPROVED
FEB 27 2007



LEFT



REAR



RIGHT



FRONT

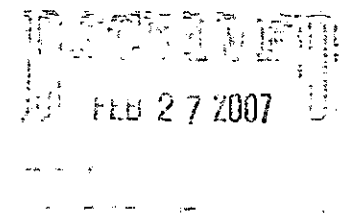
ARCHITECTS

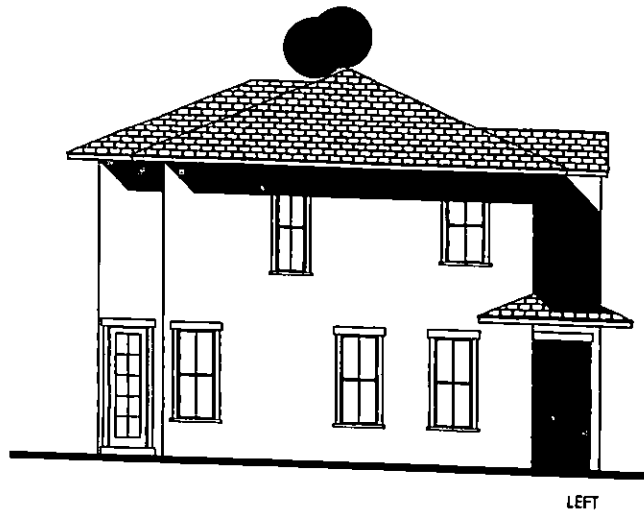
Hove Design Alliance Inc.
HoveDesignAlliance.com • TEL: 949.760.0813

CLUSTER HOUSING - PLAN 2
ELEVATIONS

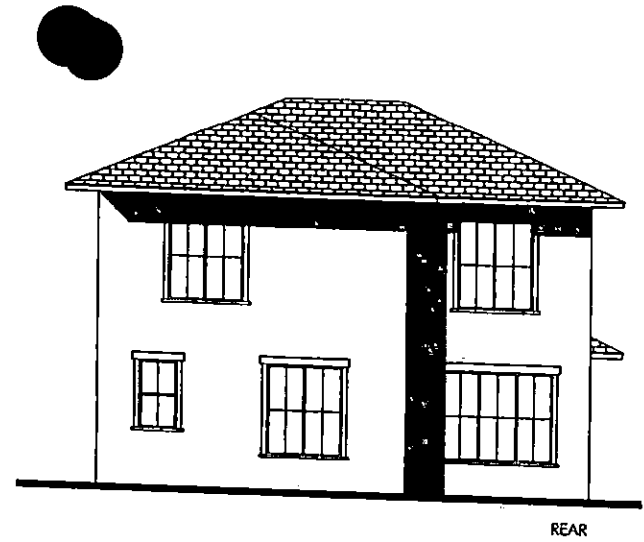
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GPA-20216 ZON-20217
VAR-20219 SDR-20220
04/12/07 PC

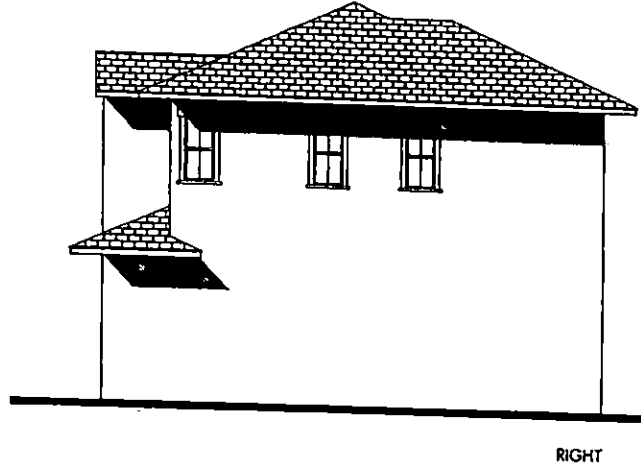




LEFT



REAR



RIGHT



FRONT

ARCHITECTS

HOVE DESIGN ALLIANCE INC.
INFO@HOVEDSIGN.COM • TEL: 949.740.0817

**CLUSTER HOUSING - PLAN 3
ELEVATIONS**

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

**GPA-20216 ZON-20217
VAR-20219 SDR-20220
04/12/07 PC**

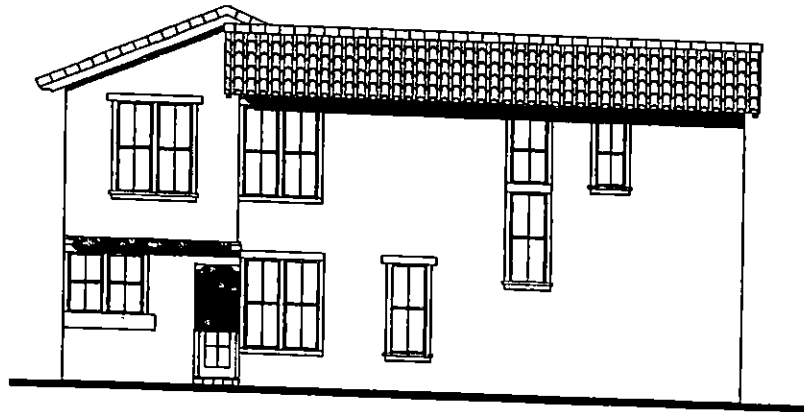
RECEIVED
FEB 27 2007



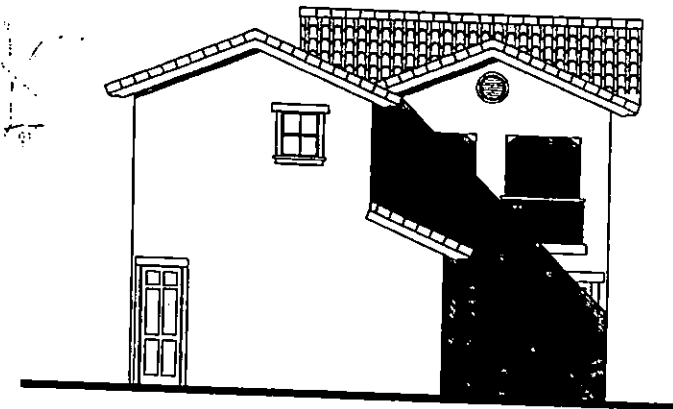
LEFT



REAR



RIGHT



FRONT

ARCHITECTS

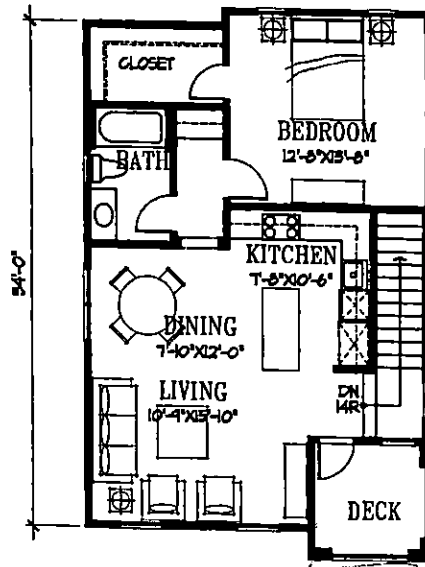
HOVE DESIGN ALLIANCE INC.
INFO@HODESIGN.COM • TEL: 949 740 0813

**CLUSTER HOUSING - PLAN 4
ELEVATIONS**

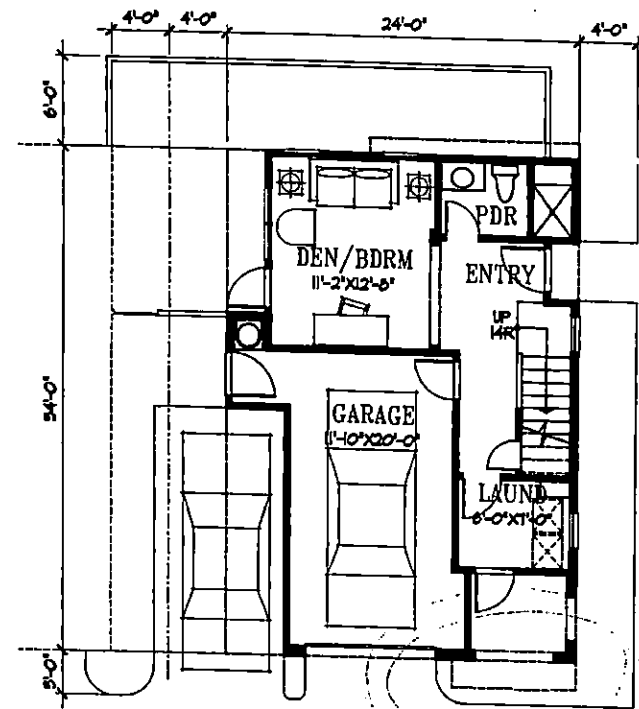
SCALE: 8" = 1'-0"

**GPA-20216 ZON-20217
VAR-20219 SDR-20220
04/12/07 PC**

THE CITY OF SAN JOSE
FEB 27 2007



SECOND FLOOR
716 SF



FIRST FLOOR
409 SF

TOTAL SF: 1,125

ARCHITECTS

Hove Design Alliance Inc.
INFO@HOVEDSIGN.COM • TEL: 713.766.0112

CLUSTER HOUSING - PLAN 1
FLOOR PLAN

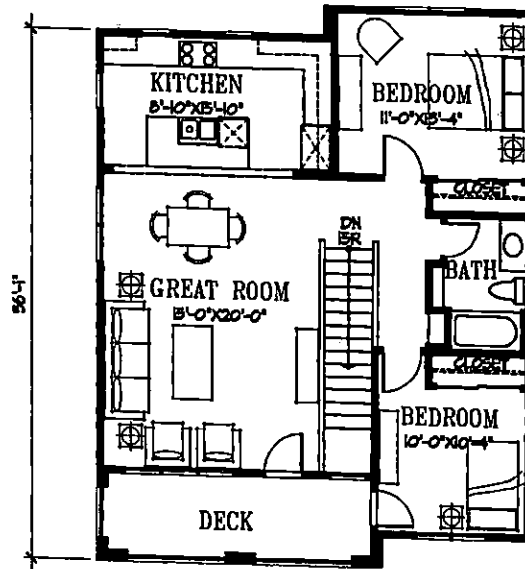
MARCH 8, 2006

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

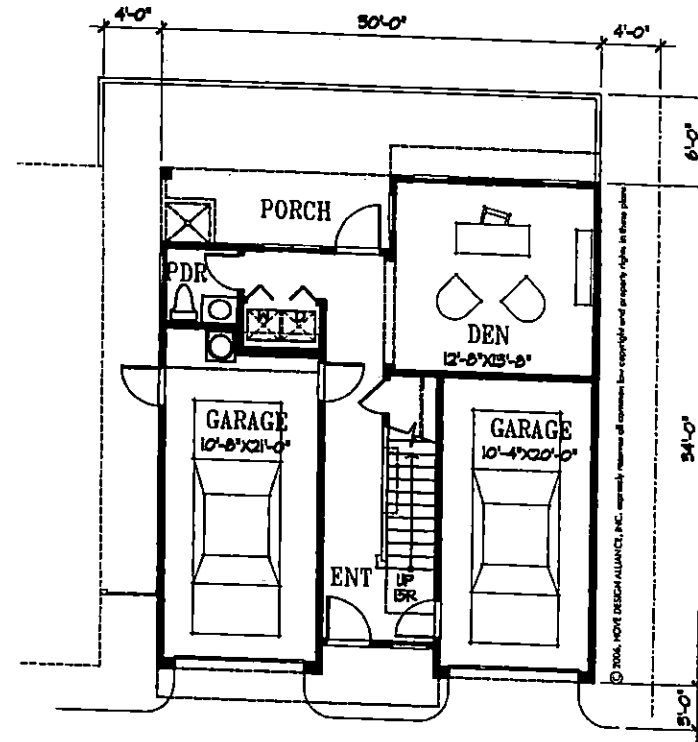
CENTEX
HOMES

GPA-20216 ZON-20217
VAR-20219 SDR-20220
04/12/07 PC

APPROVED
FEB 27 2007



SECOND FLOOR
912 SF



FIRST FLOOR
457 SF

TOTAL SF: 1,369

ARCHITECTS

Hove Design Alliance Inc.
INFO@HODESIGN.COM • TEL: 719.742.0812

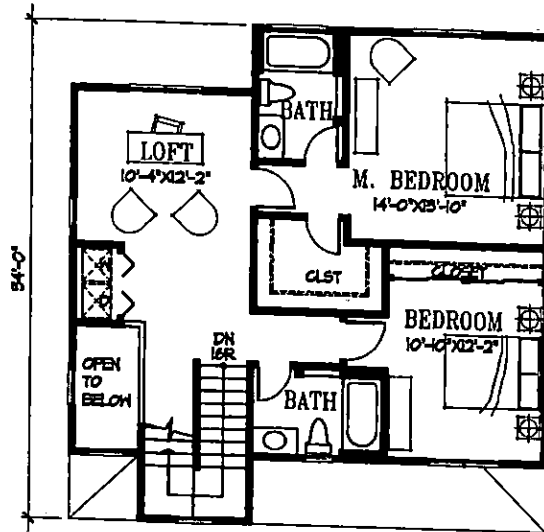
CLUSTER HOUSING - PLAN 2
FLOOR PLAN

MARCH 8, 2006 SCALE: 8" = 1'-0"

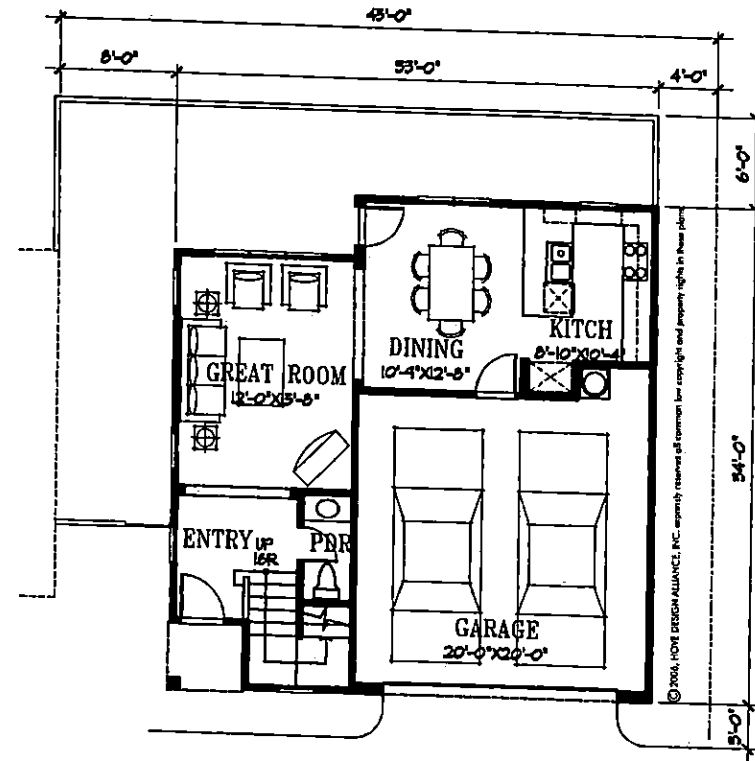
CENTEX
HOMES

GPA-20216 ZON-20217
VAR-20219 SDR-20220
04/12/07 PC

FEB 27 2007



SECOND FLOOR
833 SF



FIRST FLOOR
609 SF

TOTAL SF: 1,442

ARCHITECTS

HOVE DESIGN ALLIANCE INC.
HDA@HOVEDSIGN.COM • TEL: 649.740.0817

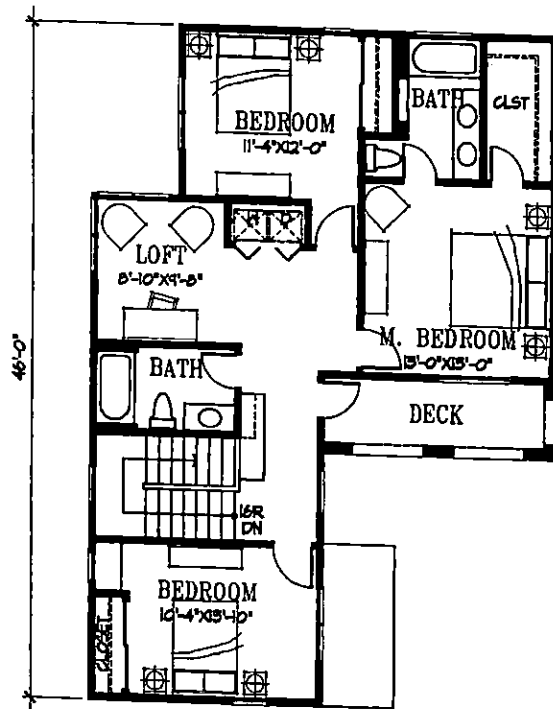
CLUSTER HOUSING - PLAN 3
FLOOR PLAN

MARCH 8, 2006 SCALE: 1/8" = 1'-0"

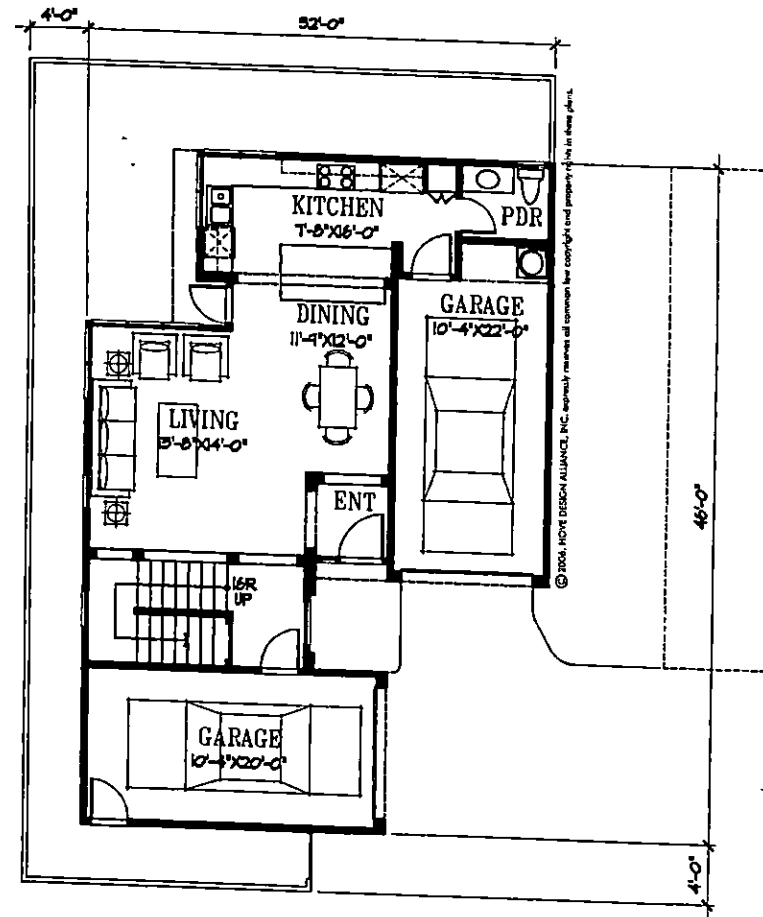
CENTEX
HOMES

GPA-20216 ZON-20217
VAR-20219 SDR-20220
04/12/07 PC

RECEIVED
FEB 27 2007



SECOND FLOOR
793 SF



FIRST FLOOR
687SF
TOTAL SF: 1,480

ARCHITECTS

Hove Design Alliance Inc.
info@hovealliance.com • TEL: 813.740.0112

CLUSTER HOUSING - PLAN 4
FLOOR PLAN

MARCH 8, 2006

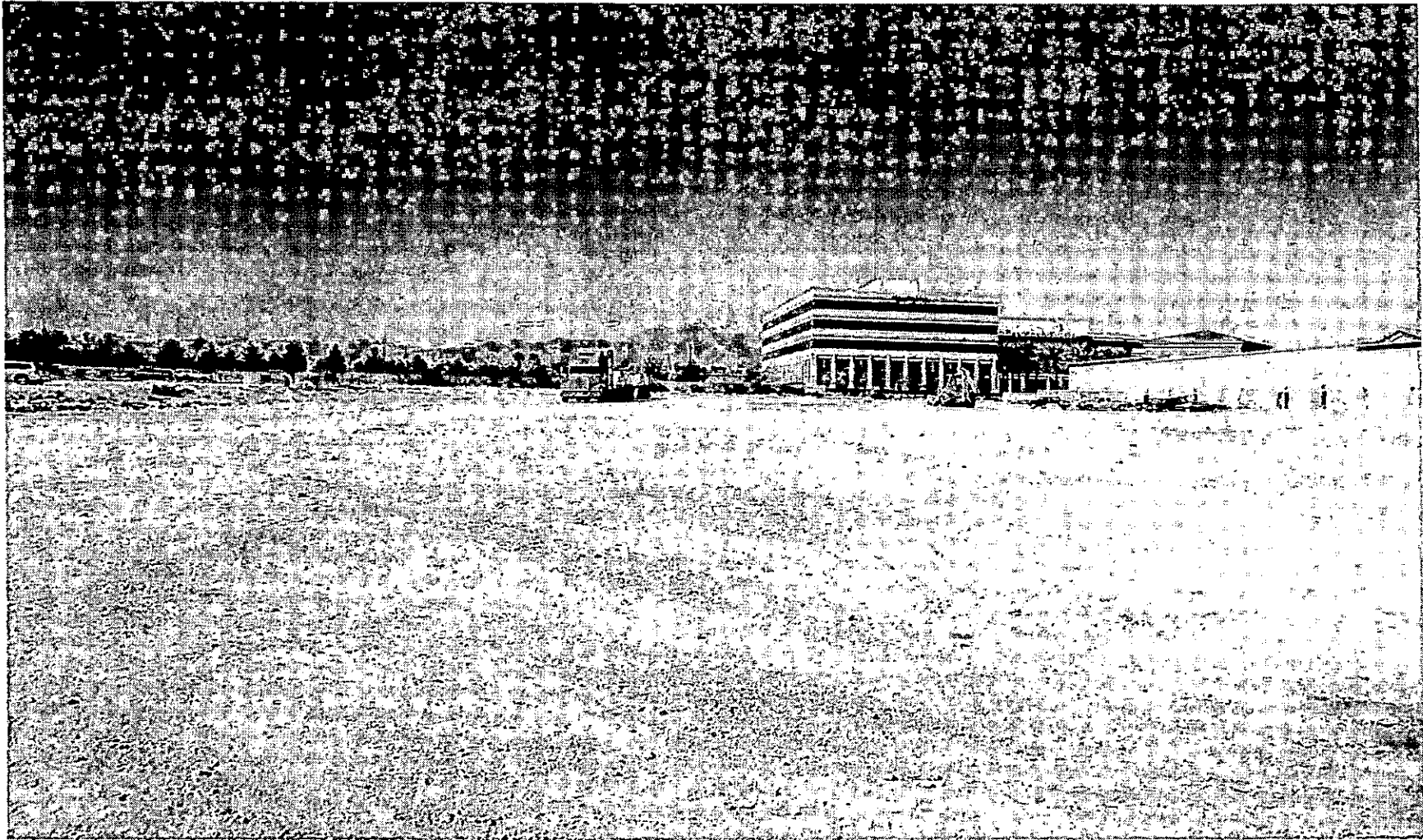
SCALE: 1/8" = 1'-0"

CENTEX
HOMES

GPA-20216 ZON-20217
VAR-20219 SDR-20220
04/12/07 PC

FEB 27 2007

APPLICATION	SCHEME #1	SCHEME #2	SCHEME #3	SCHEME #4	SCHEME #5	SCHEME #6
LIGHTEST STUCCO & TRIM COLOR	Frazee 182	Frazee 307	Frazee CZ 15-8855	Frazee CZ 15-8674	Frazee CZ 15-7792	Frazee CZ 15-9565
MEDIUM STUCCO & TRIM COLOR	Frazee 8723M	Frazee 8223M	Frazee 8232W	Frazee CZ 15-11498	Frazee CZ 15-9198	Frazee 8703M
DARKEST STUCCO & TRIM COLOR	Frazee 8724M	Frazee 8224M	Frazee 8234M	Frazee 8714M	Frazee 8674M	Frazee 8734M
MEDIUM TRIM & ACCENT COLOR	Frazee 8825D 	Frazee 524 	Frazee 8775D 	Frazee 8765D 	Frazee 8665D 	Frazee 8315D 
STAIN-EMULATE TRIM & ACCENT	Frazee 8726N 	Frazee 8725A 	Frazee 8756N 	Frazee 8306N 	Frazee CZ 15-10143 	Frazee CZ 15-11288 
DARK ACCENT COLOR	Frazee AC140N 	Frazee 8696N 	Frazee 8536N 	Frazee 8796N 	Frazee 8656N 	Frazee 8746N 



GPA-20216, ZON-20217, WVR-20568, VAR-20219, VAR-20419 AND SDR-20220 - APPLICANT/OWNER:
CENTEX HOMES
300 FEET SOUTH OF LAKE MEAD BOULEVARD AND ROCK SPRINGS DRIVE
APRIL 12, 2007 PLANNING COMMISSION

03/12/07



GPA-20216, ZON-20217, WVR-20568, VAR-20219, VAR-20249 AND SDR-20220 - APPLICANT/OWNER:
CENTEX HOMES
300 FEET SOUTH OF LAKE MEAD BOULEVARD AND ROCK SPRINGS DRIVE
APRIL 12, 2007 PLANNING COMMISSION

03/12/07

Triton

Engineering

February 27, 2007

City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89102

**Reference: Request for Site Development Review
Justification Letter
Lake Mead / Rock Springs
APN # 138-22-701-009**

To Whom It May Concern:

On behalf of our client, Centex Homes, we respectfully submit this letter of justification for a Site Development Review request for a proposed 65 lot single family project called "Lake Mead / Rock Springs".

The applicant is requesting a Site Development Review for a proposed 65 lot single-family residential development. Parcels adjacent to the proposed site have the following land use and zoning:

NEC – Service Commercial & NDOT Highway 95 (C-1)
NWC – Service Commercial (C-1)
SEC – Public Facilities & Service Commercial (PF & C-1)
SWC – Service Commercial & Residential Compact Lot (C-1 & R-CL)

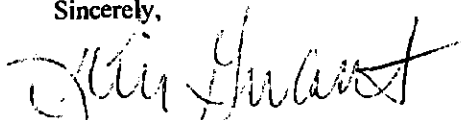
We are requesting the following setbacks for the RPD-14:

Typical Lot Size:	1,400 sq ft Minimum
Front to Roof Eave/Building:	3' Minimum
Front to Garage:	5' Minimum
Side Yard to side of building or roof eave:	0' and 8' feet
Side on Corner to Side of building	10' feet
Rear Yard to Building	5' feet
Rear to Eave	3' feet

Centex Homes believes that the proposed development of a 65 lot single family residential subdivision will act as a buffer between the existing C-1 commercial uses and the Public Facilities use, and an appropriate transition to the existing community to the Southwest. This project will enhance the overall community by occupying the currently vacant site.

Please place the attached request on the April 12, 2007 Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,


Krjs Givant
Project Coordinator

**GPA-20216 ZON-20217
VAR-20219 SDR-20220
04/12/07 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

GPA-20227 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: REI NEON LLC - OWNER: K.M. BAILEY & T. PARTO 2003 LIVING TRUST, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: C (COMMERCIAL) AND L/R (LIGHT INDUSTRIAL/RESEARCH) TO: MXU (MIXED USED) on approximately 73.5 acres generally located south of Charleston Boulevard, west of Main Street, north of Wyoming and east of UPRR Right of Way (Multiple APNs), Ward 3 (Reese).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the May 24, 2007 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report – Not Applicable
3. Supporting Documentation
4. Justification Letter
5. Abeyance Letter by Jill Ferrari

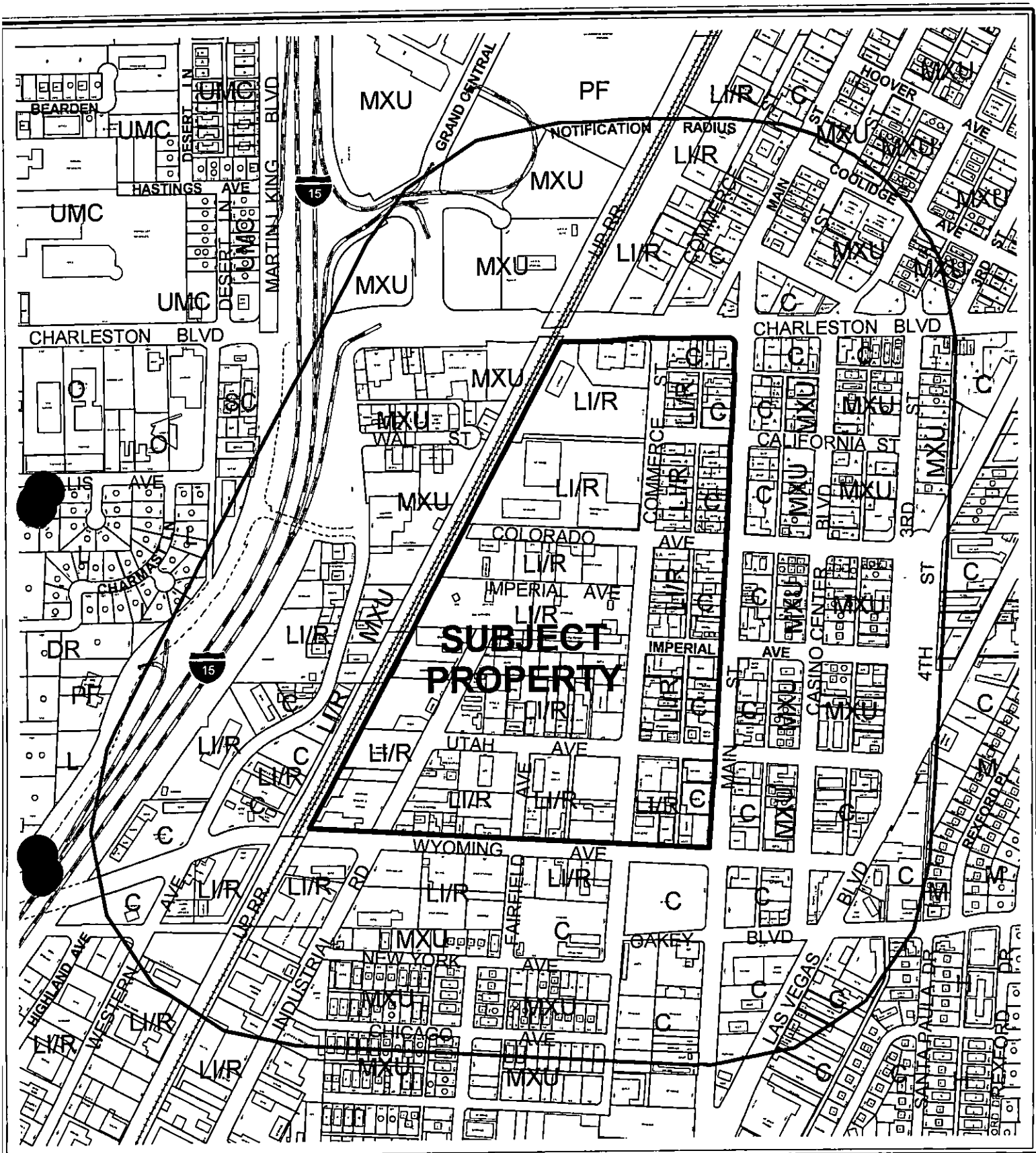
MOTION:

GOYNES – HOLD IN ABEYANCE Items 56-61 to 4/26/2007; Items 25 and 84 to 5/10/2007; Items 26-29 and 62 to 5/24/2007; Item 4 to 7/12/2007; and WITHDRAW WITHOUT PREJUDICE Item 12 – UNANIMOUS with EVANS excused

MINUTES:

The applicants for Items 26-29 and 62 requested to hold these items to 5/24/2007.

(6:02 – 6:07)



CASE: GPA-20227

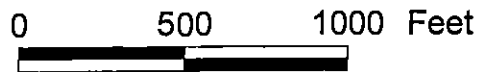
RADIUS: 1000

GENERAL LAND USE OF SUBJECT PROPERTY:

C (COMMERCIAL) AND LI/R (LIGHT INDUSTRIAL/ RESEARCH)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:

MXU (MIXED USED)





CASE: GPA-20227

RADIUS: 1000

GENERAL LAND USE OF SUBJECT PROPERTY:

C (COMMERCIAL) AND LI/R (LIGHT INDUSTRIAL/ RESEARCH)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:

MXU (MIXED USED)

0 500 1000 Feet



City of Las Vegas

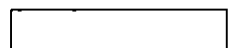
AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 12, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-20227 - APPLICANT: REI NEON LLC - OWNER: K.M.
BAILEY & T. PARTO 2003 LIVING TRUST, ET AL

***APPLICANT REQUESTS THIS ITEM BE HELD
IN ABEYANCE TO THE MAY 24, 2007 PLANNING
COMMISSION MEETING***





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-20227** APN: _____

Name of Property Owner: Various

Name of Applicant: REI Neon LLC

Name of Representative: Jill Ferrari, Authorized Agent

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: Jill Ferrari, Auth. Agent

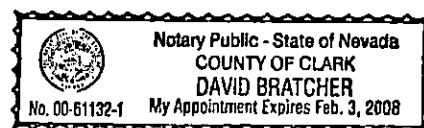
Print Name: JILL FERRARI

Subscribed and sworn before me

This 27th day of February, 2007

David Bratcher

Notary Public in and for said County and State



General Plan Amendment GPA-20227



- | | | |
|---------------------------------|--------------------------------------|--------------------------------|
| Rural Neighborhood Preservation | Service Commercial | Public Facility - School |
| Rural Estates | General Commercial | Public Facility - Clark County |
| Desert Rural | Tourist Commercial | Town Center |
| Rural | Las Vegas Medical District | Resource Conservation |
| Low | Light industrial / Research | Downtown - Commercial |
| Medium - Low | Planned Community Development | Downtown - Mixed Use |
| Medium - Low Attached | Traditional Neighborhood Development | Not in City |
| Medium | Downtown Redevelopment Area | Right - of - Way |
| High | Parks/Recreation/Open Space | GPA-20227 Boundary |
| Office | Public Facility | |

GPA Boundary Area



M:\Planning\GIS\projects\GIS\GPA-Zone-Aerial\project_neon_highlights\Neon_Lights_GPA.mxd

GPA-20227
04/12/07 PC

REI NEON LLC
40900 Woodward Avenue, Suite 130
Bloomfield Hills, Michigan 48304

February 27, 2007

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

**RE: Justification Letter for General Plan Amendment
+/- 70 acres in the City of Las Vegas**

Dear Sirs/Madam:

The proposed General Plan Amendment includes approximately 70 acres south of Charleston Boulevard, west of Main Street, north of Wyoming Avenue, and east of the Union Pacific railroad tracks. The property is easily accessible from the Charleston Boulevard I-15 interchange. The property currently has multiple designations in the General Plan, including light industrial research (LIR) and commercial (C). The proposed General Plan Amendment to mixed use (MXU) would support the variety of uses proposed for the site.

The property currently consists of various industrial and commercial uses. The industrial uses include trucking companies, warehousing and light manufacturing. The commercial uses include storefront retail and restaurants. The area is located within the Redevelopment Area and the Downtown Centennial Plan. It is neighbored by the Arts District and new residential developments to the east. It is the largest assemblage of land within the city limits that is currently proposed for redevelopment.

The proposed project is a mixed use, master planned area consisting of casinos, hotels, residential, office space, retail, entertainment venues and potential conference/exhibition space. The project incorporates public open spaces with entertainment venues next to cafes, restaurants and retail. The project will result in a walkable, synergistic development that feeds into its adjacent neighborhoods. The project will include multiple housing options as well as office space to accommodate corporate headquarters as well as local small businesses. The General Plan Amendment to MXU will allow these uses to be integrated in a master planned development.

The proposed project is a major redevelopment that will change the face of downtown. The increase to the tax base for the City of Las Vegas will be significant. The project will create and retain jobs for the area that would normally go outside the city limits, including construction, professional and service employment. The overall financial impact of this project to the City of Las Vegas will be unprecedented. This project will also act as a giant catalyst for other redevelopment

**GPA-20227
04/12/07 PC**

projects, spurring redevelopment in the neighboring Arts District as well as the area to the south near the Stratosphere Hotel.

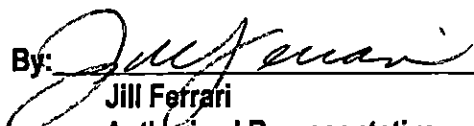
The tourism industry continues to grow downtown as evidenced by the increase in visitors reported by the Las Vegas Convention and Visitors Authority. The project supports this growing trend and will create a unique destination that will attract both local and regional residents and for tourists of all ages.

The adjacent land use designations include commercial and residential uses, as well as industrial uses across the railroad tracks and further west. The MXU designation allows for multiple uses that are compatible with these neighboring areas, which are also undergoing revitalization and redevelopment. The project density conforms to the Downtown Centennial Plan, which promotes redevelopment and more intense land uses downtown. A MXU designation will accommodate higher density in this area, and provide the ability to create an urban center, vibrant with activity. Zoning designations allowed by the proposed amendment are all supported by the Downtown Centennial Plan, and are encouraged in the Redevelopment Area. The proposed project will include infrastructure improvements that will support the development.

This project highlights the goals and objectives of both the Downtown Centennial Plan and the Redevelopment Authority by creating a large, high density, mixed use project that successfully links downtown areas together, attracts Valley residents and acts as a unique destination for tourists. The project will catalyze other redevelopment projects and have a significant impact on tax revenue. Therefore, we believe that the General Plan Amendment from LIR/C to MXU is justified.

Sincerely,
REI NEON LLC

By:


Jill Ferrari
Authorized Representative

GPA-20227
04/12/07 PC

Mr. Doug Rankin
Planning Manager
Current Planning Division
City of Las Vegas
731 S. 4th Street
Las Vegas, NV 89101

March 16, 2007

RE: GPA-20227 – Request for Abeyance

Mr. Rankin:

I, Jill Ferrari, represent REI NEON, LLC. REI NEON, LLC has filed a General Plan Amendment, GPA-20227, with the City of Las Vegas Planning Department.

The General Plan Amendment is currently scheduled for the April 12th Planning Commission meeting. On behalf of REI NEON, I would like to formally request an abeyance of GPA-20227.

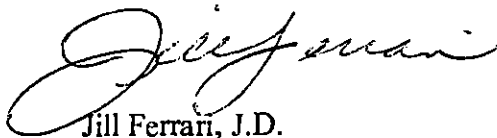
This request is necessary to allow our team additional time to develop the other required land use entitlement applications for your review. Our organization anticipates filing the other required land use entitlements with the Planning Department by the April 10, 2007 filing deadline.

I would like to request the GPA hearing be held until the May 24th Planning Commission meeting. This would allow the GPA application to be heard with the other required land use entitlement applications during a single Planning Commission meeting.

We intend to mail the GPA meeting notices and hold the required GPA meeting prior to the May 24th Planning Commission in accordance with the time lines associated with the original General Plan Amendment request.

Please contact me if you have any questions. Thank you for your assistance with this matter.

Sincerely,



Jill Ferrari, J.D.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ZON-19210 - REZONING - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION CO. - OWNER: TOWNE VISTAS, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION] on 4.62 acres on the south side of Echelon Point Drive, 350 feet east of Campbell Road (APN 125-20-301-015), Ward 6 (Ross).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – APPROVED subject to conditions – UNANIMOUS with EVANS excused and TRUESELL abstaining as he represents a property within the notice area

To be heard by City Council on 5/16/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Items 63-65.

DOUG RANKIN, Planning and Development Department, stated the zone change request and site plan are appropriate for the area and recommended approval of both items. Noting the unusual topography in the area, he also recommended approval of the Variance.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 63 – ZON-19210

MINUTES – Continued:

ATTORNEY TONY CELESTE, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He accepted all conditions and respectfully requested approval.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Items 63-65.

(9:52 – 9:58)

3-1040

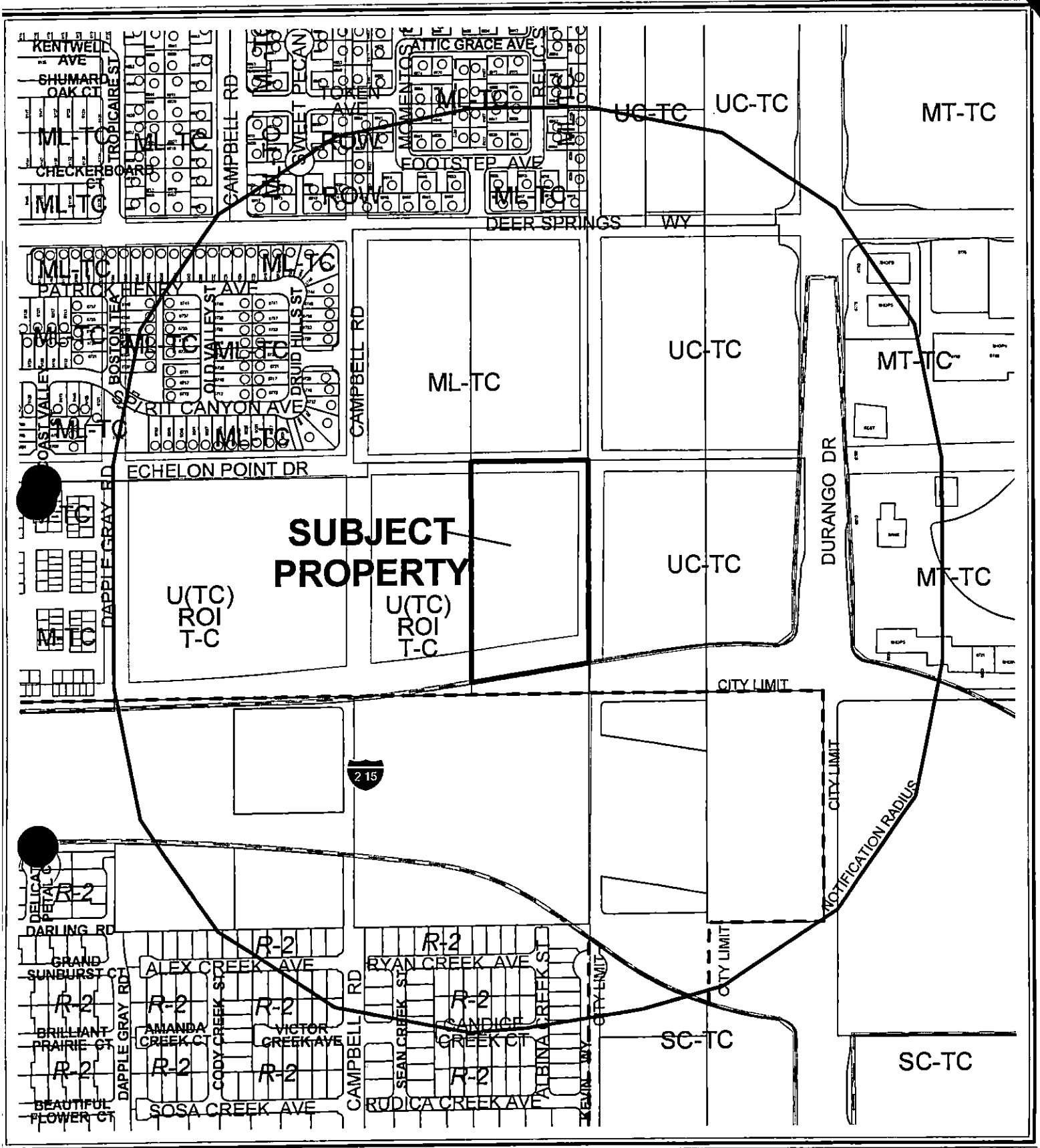
CONDITIONS:

Planning and Development

1. A Site Development Plan Review (SDR-19211) and a Variance (VAR-19853) 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.
2. A Rezoning from the U (Undeveloped – Town Center) zoning classification to the TC (Town Center) Zoning District is hereby granted.

Public Works

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



CASE: ZON-19210

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

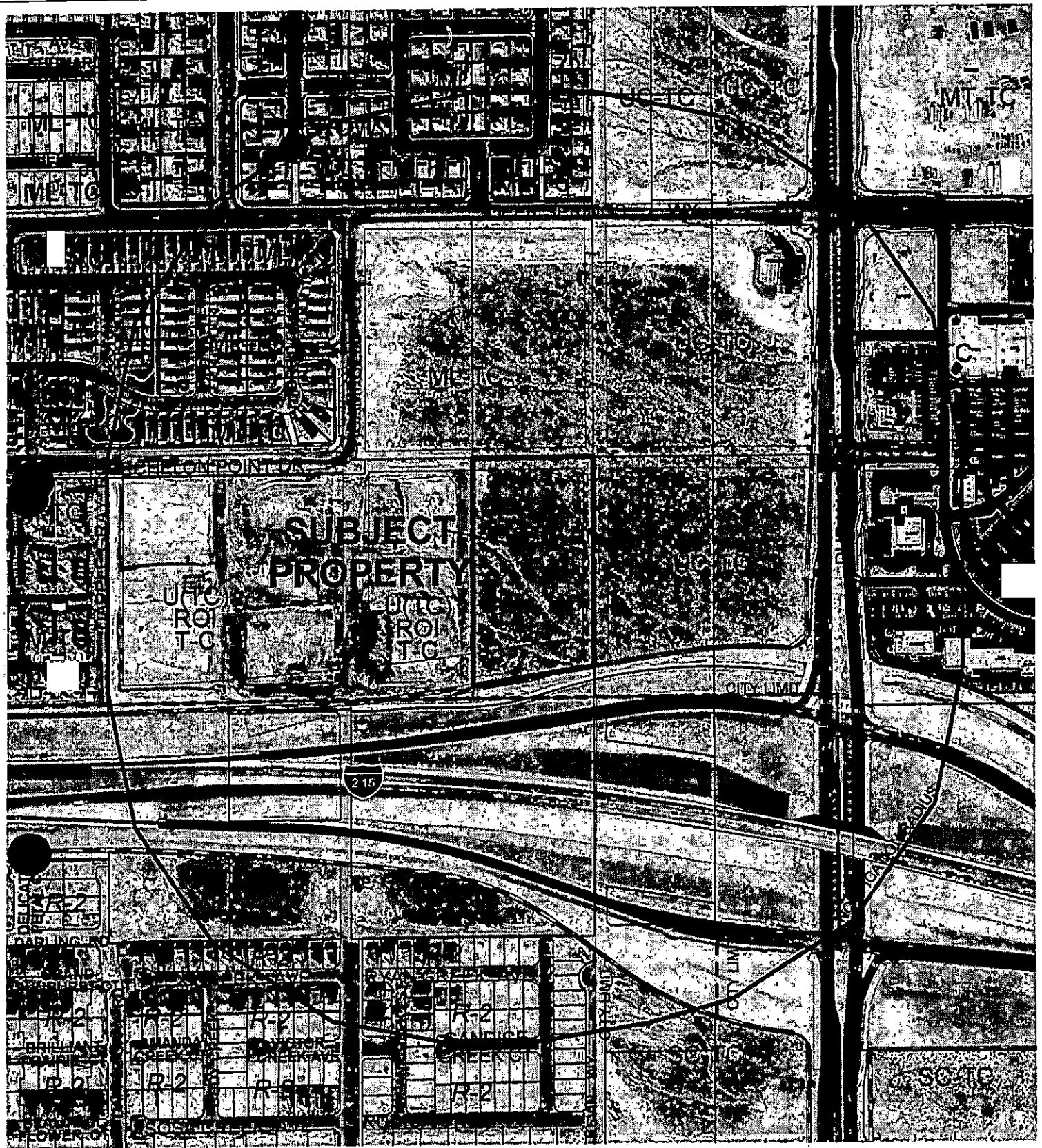
U (UNDEVELOPED) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER)
GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER)
SPECIAL LAND USE DESIGNATION]

0 500 Feet





CASE: ZON-19210

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER)
GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER)
SPECIAL LAND USE DESIGNATION]

0 500 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 12, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ZON-19210 - APPLICANT: ROYAL CONSTRUCTION CO. -
OWNER: TOWNE VISTAS, LLC**

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

1. A Site Development Plan Review (SDR-19211) and a Variance (VAR-19853) 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.
2. A Rezoning from the U (Undeveloped – Town Center) zoning classification to the TC (Town Center) Zoning District is hereby granted.

Public Works

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

ZON-19210 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Rezoning from the U (Undeveloped) Zone [TC (Town Center) General Plan designation] to the T-C (Town Center) Zone [M-TC (Medium Density Residential - Town Center)] special land use designation] on 4.62 acres approximately 350 feet east of the corner of Echelon Point Drive and North Campbell Road.

This application will be considered in conjunction with a Site Development Plan Review (SDR-19211) for a 115-unit condominium development composed of two five-story (four floors plus one level with lofts) buildings and a Variance (VAR-19853) from the residential adjacency setback standard. Staff recommends approval of the proposed Rezoning to Town Center – Medium Density Residential- as it complies with the Centennial Hills Town Center Land Use Map Four.

BACKGROUND INFORMATION

<i>Related/Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
1/17/01	The City Council approved the Annexation [A-19-02(A)] of this property. The annexation became effective on January 31, 2001.
11/05/03	The City Council approved the request for a Rezoning (ZON-2970) from U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to T-C (Town Center) and the related Site Development Plan Review (SDR-2971) for a proposed 39-lot single-family cluster development on 5.06 acres. The Planning Commission and staff recommended approval on 10/9/03.
6/8/04	The Planning Commission approved the request for a Tentative Map (TMP-3791) for a proposed 39-lot single-family residential development. Staff recommended approval.
10/20/04	The City Council approved a Site Development Plan Review (SDR-4992) for a proposed 94-lot single family residential development on 15.17 acres. The Planning Commission and staff recommended approval on 9/23/04.
11/4/04	The Planning Commission approved the request for a Tentative Map (TMP-5118) for a proposed 94-lot single family residential development on 15.17 acres. Staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
There are no licenses or permits related to this request.	
<i>Pre-Application Meeting</i>	
11/15/06	A pre-application meeting was held to discuss the Town Center design standards and allowable uses as required for a 125-unit multi-family development. Staff had the applicant submit revised plans showing the appropriate density of 115 units for 4.62 acres.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

MH

ZON-19210 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	4.62 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	M-TC (Medium Density Residential – Town Center)	U (TC) -Undeveloped (Town Center) Zone
North	Undeveloped	ML-TC (Medium Low Density Residential – Town Center)	T-C (Town Center) Zone
South	CC-215 Beltway Alignment	Right-of-Way	Right-of-Way
East	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center)	U (TC) -Undeveloped (Town Center) Zone
West	372 unit condominium development (under construction)	M-TC (Medium Density Residential – Town Center)	U- (TC) Undeveloped (Town Center) Zone under Resolution of Intent to TC (Town Center)

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

*A Variance (VAR-19853) from the Title 19.08 Residential Adjacency Setback standards has been requested.

ZON-19210 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to the Town Center Design Standards Manual, the following requirements apply:

Standard	Required/Allowed	Provided	Compliance
Min. Distance Between Buildings	10 feet	79 feet	Y
Max. Building Height	7 Stories	5 stories	Y
Trash Enclosure	Screened & enclosed	Screened & enclosed	Y
Mech. Equipment	Screened from view	Screened from view	Y

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

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	173 feet	55 feet	N
Trash Enclosure	50 feet	150 feet	Y

Existing Zoning	Permitted Density	Units Allowed
U	1 DU/AC	1
Proposed Zoning	Permitted Density	Units Allowed
T-C (M-TC)	25 DU/AC	115 units
General Plan	Permitted Density	Units Allowed
T-C	12.1-25 DU/AC	115 units

ANALYSIS

- Zoning/Land Use**

The proposed T-C (Town Center) zoning is in conformance with the General Plan, which designates the subject site as TC (Town Center). The Town Center Design Standards Manual designates the site as M-TC (Medium Density Residential - Town Center). No predetermined development standards, such as minimum lot size, etc., exist for the TC (Town Center) zoning district. As such, the proposed development standards of the subject property will be discussed in Site Development Plan Review (SDR-19211) along with the requested Variance (VAR-19853) from the residential adjacency setback standards.

ZON-19210 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

- **Town Center**

The intent of this district is to enable development with imaginative site and building design and maximize the use of the property. Projects within the M-TC (Medium Density Residential - Town Center) district shall place an emphasis on maximizing usable common open space. The proposed development of the subject site meets the intent of the M-TC special land use designation.

- **Beltway Trail**

A multi-use transportation trail has been designated along the southern boundary of the subject property in accordance with the Joint Parks and Trails Plan for the City of Las Vegas and Clark County. The trail will consist of approximately 12 feet of asphalt paving and will be within the Beltway right-of-way. The City is the responsible agency for constructing this trail. The applicant will not be required to dedicate property for the trail nor will he have to maintain the trail.

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 T-C (Town Center) zoning is in conformance with the General Plan, which designates the subject site as TC (Town Center). The proposed multifamily residential land use is in compliance with the Town Center Design Standards Manual which designates the site as M-TC (Medium Density Residential – Town Center).

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 multifamily residential use of this property is in compliance with the Town Center Development Standards Manual. However, the design of the proposal will require an approved Variance (VAR-19853) from Title 19.08 to address the issue of residential adjacency as the design is not compatible with other surrounding Town Center designated land uses and zoning districts.

ZON-19210 - Staff Report Page Five
April 12, 2007 - Planning Commission Meeting

Staff recommends approval for the requested Variance due to the fact that the applicant has made efforts to follow the exceptional topographic conditions associated with a hillside that slopes northwards at decline greater than 2%. Additional consideration has also been given to the fact that proposed medium density residential use meets the intent of the Town Center Land Use Map Four and the Town Center Building Heights, Stepbacks, and Build to Line Standards Map Five.

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

The proposed TC (Town Center) zoning is appropriate for the community given the special land use designation of M-TC (Medium Density Residential – Town Center). The rezoning will allow the development of a proposed multifamily residential complex that is in accordance with the Town Center Development Standards Manual.

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 will occur from Echelon Point Drive via a cross-access agreement with the Echelon Phase I property to the west coming. Echelon Point Drive is designated by Map Four A of the Town Center Development Standards Manual as a Town Center (80 foot) Collector Street. From the provided plans site access appears to be restricted to only the cross-access from the western property.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 187 (Mailed with VAR-19853 and SDR-19211)

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Property Owner: Towne Vistas, LLC

Name of Applicant: Royal Construction Company

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

Yes

~~X~~ No

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

City Official: _____

Partner(s): _____

APN: _____

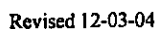
Signature of Property Owner: _____

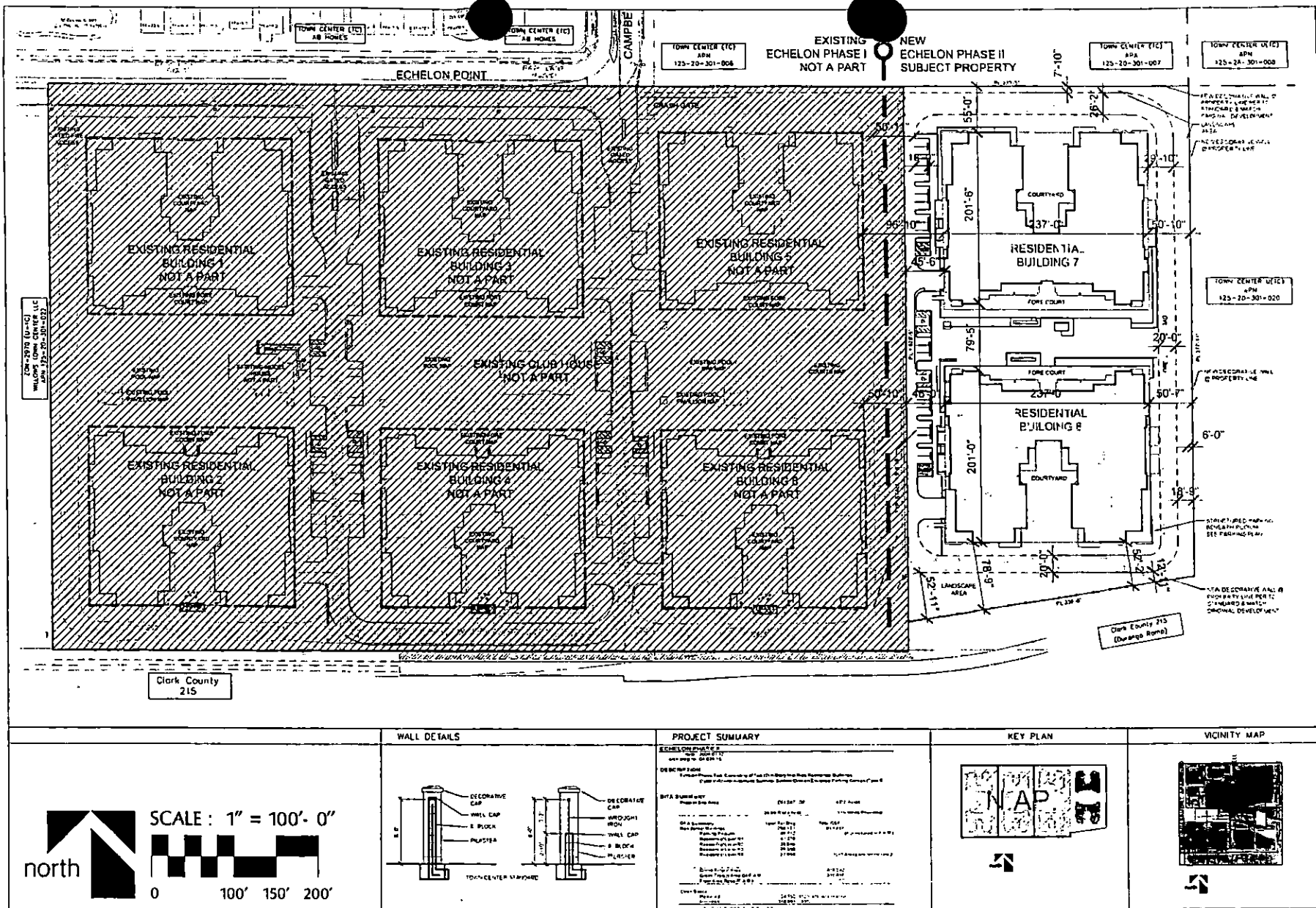
Print Name: Stephen B. Aizenberg

Subscribed and sworn before me

This 22 day of November, 2006

Notary Public in and for said County and State





studio eleven

PR

ECHELON

3007 BATH AVENUE
LAS VEGAS, NV

ARCH 206 101
DATE 03/25
SCALE
1" = 100'
ARCHITECTURAL
SITE PLAN

A 1.00

**KUMMER
KAEMPFER**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE

aceleste@kkbrf.com
702 693 4215

**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

LAS VEGAS OFFICE
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

February 12, 2007

VIA HAND DELIVERY

City of Las Vegas
PLANNING & DEVELOPMENT
731 S. Fourth Street
Las Vegas, NV 89101

**Re: REVISED Justification Letter for Zone Change & Site Development Review
APN: 125-20-301-015**

To Whom It May Concern:

Please be advised that this office represents Towne Vistas, LLC (the "Applicant") with regard to the above-referenced matter. The property is generally located near Durango and 2-15, more particularly known as APN: 125-20-301-015 (hereinafter referred to as the "Site"). In addition, the applicant is requesting a variance from Title 19 residential adjacency standards.

The current general plan designation for the Site is M-TC, which permits up to twenty-five (25) units per acre. The Site is currently zoned Undeveloped Town Center (U-TC). The Applicant is seeking a zone change from U-TC to TC, which conforms to the general plan. In addition, the Applicant is applying for a site development review.

Thank you for your kind consideration of this matter. If you have any questions or concerns, please feel free to contact the undersigned.

Very truly yours,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Anthony J. Celeste

AJC/dmf



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

**VAR-19853 - VARIANCE RELATED TO ZON-19210 - PUBLIC HEARING -
APPLICANT: ROYAL CONSTRUCTION CO. - OWNER: TOWNE VISTAS, LLC -**
Request for a Variance TO ALLOW A PROPOSED CONDOMINIUM BUILDING TO BE 55
FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY
STANDARDS REQUIRE A SETBACK OF 173 FEET on 4.62 acres on the south side of
Echelon Point Drive, 350 feet east of Campbell Road (APN 125-20-301-015), U (Undeveloped)
Zone [M-TC (Medium Density Residential- Town Center) General Plan Designation] To: T-C
(Town Center) [M-TC (Medium Density Residential - Town Center)] Special Land Use
Designation] Ward 6 (Ross).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

**STEINMAN – APPROVED subject to conditions – UNANIMOUS with EVANS excused
and TRUESDELL abstaining as he represents a property within the notice area**

To be heard by City Council on 5/16/2007

MINUTES:

See Item 63 for related discussion.

(9:52 – 9:58)

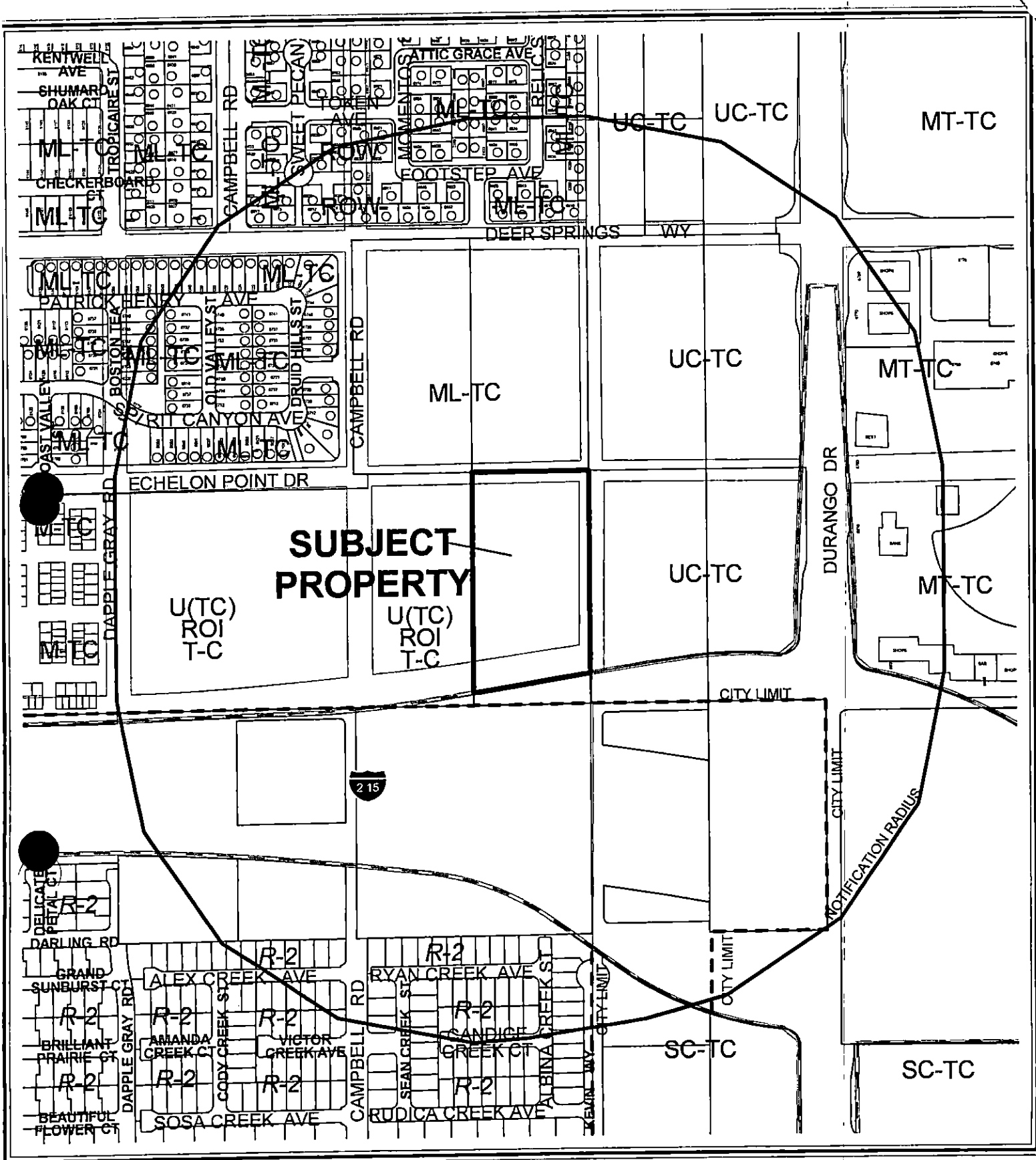
3-1040

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 64 – VAR-19853

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-19210), and Site Development Plan Review (SDR-19211) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



CASE: VAR-19853

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER)
GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER)

SPECIAL LAND USE DESIGNATION]



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 12, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAR-19853 - APPLICANT: ROYAL CONSTRUCTION CO. -****OWNER: TOWNE VISTAS, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL:****Planning and Development**

1. Conformance to the conditions for Rezoning (ZON-19210), and Site Development Plan Review (SDR-19211) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-19853 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow 55-foot setback where residential adjacency standards require a 173-foot setback for a proposed 115 unit residential condominium development composed of 2 five story buildings on 4.62 acres adjacent to the southeast corner of Echelon Point Drive and North Campbell Road.

This application will be considered in conjunction with a Rezoning (ZON-19210) application and a Site Development Plan Review (SDR-19211). Staff recommends approval for the requested Variance due to the exceptional topographic conditions of the site location.

BACKGROUND INFORMATION

Related/Relevant City Actions by P&D, Fire, Bldg., etc.	
1/17/01	The City Council approved the Annexation [A-19-02(A)] of this property. The annexation became effective on January 31, 2001.
11/05/03	The City Council approved the request for a Rezoning (ZON-2970) from U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to T-C (Town Center) and the related Site Development Plan Review (SDR-2971) for a proposed 39-lot single-family cluster development on 5.06 acres. The Planning Commission and staff recommended approval on 10/9/03.
6/8/04	The Planning Commission approved the request for a Tentative Map (TMP-3791) for a proposed 39-lot single-family residential development. Staff recommended approval.
10/20/04	The City Council approved a Site Development Plan Review (SDR-4992) for a proposed 94-lot single family residential development on 15.17 acres. The Planning Commission and staff recommended approval on 9/23/04.
11/4/04	The Planning Commission approved the request for a Tentative Map (TMP-5118) for a proposed 94-lot single family residential development on 15.17 acres. Staff recommended approval.
Related Building Permits/Business Licenses	
There are no licenses or permits related to this request.	
Pre-Application Meeting	
11/15/06	A pre-application meeting was held to discuss the Town Center design standards and allowable uses as required for a 125-unit multi-family development. Staff had the applicant submit revised plans showing the appropriate density of 115 units for 4.62 acres.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

VAR-19853 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	4.62 acres

<i>Surrounding Property</i>	<i>Existing Land Use</i>	<i>Planned Land Use</i>	<i>Existing Zoning</i>
Subject Property	Undeveloped	M-TC (Medium Density Residential – Town Center)	U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
North	Single Family Residential Subdivision Undeveloped	ML-TC (Medium Low Density Residential – Town Center)	T-C (Town Center)
South	CC-215 Beltway Alignment	Right-of-Way	Right-of-Way
East	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center)	U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
West	Under construction [Proposed 372 Unit Condominium Development (SDR-5517)]	M-TC (Medium Density Residential – Town Center)	T-C (Town Center) U (Undeveloped) [TC (Town Center) General Plan Designation] under Resolution of Intent to TC (Town Center)

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Distance Between Buildings	10 feet	79 feet	Y
Max. Building Height	7 Stories	5 stories	Y
Trash Enclosure	Screened & enclosed	Screened & enclosed	Y
Mech. Equipment	Screened from view	Screened from view	Y

VAR-19853 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

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

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	173 feet	55 feet	N
Trash Enclosure	50 feet	150 feet	Y

ANALYSIS

Zoning Code Compliance

- Residential Adjacency Standards**

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

Building 1 is approximately 55 feet from the nearest residential property line to the north. The applicant is proposing two buildings that are approximately 57 feet, 7 inches in height. This would require an approximate 173-foot setback, therefore creating a 315% deviation of the proximity slope. The proposed building locations in regards to the planned residential property to the north fail to meet the residential adjacency standards.

The proposed development is adjacent to a planned 94-lot single-family residential subdivision (SDR-4992) to the east and north. The application of the residential adjacency standards pertains to the subject site as it is a property to be developed for multi-family residential use that is located adjacent to either single-family residential property or property which is designated for such development in the General Plan. Per the Town Center Development Standards Manual, section B.1.C, residential adjacency is applicable to the site as:

“With regard to any issue pertaining to land use and development that may arise in connection with these Development Standards, and that are not addressed or provided for specifically in these standards or a development agreement entered into pursuant to Section 19.18.090 of the City of Las Vegas Zoning Code (Title 19 of the Las Vegas Municipal Code and NRS 278.0201 through NRS 278.0207), the applicable regulations and standards contained in the City of Las Vegas Zoning Code will apply.”

VAR-19853 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

Staff recommends approval for the requested Variance due to the fact that the applicant has made efforts to follow the exceptional topographic conditions associated with a hillside that slopes northwards at decline greater than 2%.

Additional consideration has also been given to the fact that proposed medium density residential use meets the intent of the Town Center Land Use Map Four and the Town Center Building Heights, Stepbacks, and Build to Line Standards Map Five and fits the area with the approved multifamily development to the west.

VAR-19853 - Staff Report Page Five
April 12, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 187 (Mailed with ZON-19210 and SDR-19211)

APPROVALS 0

PROTESTS 0



Case Number: VAR-19853 APN: 125-20-301-015

Name of Applicant: Royal Construction Co.

Yes

 X No

City Official: _____

Partner(s): _____

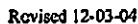
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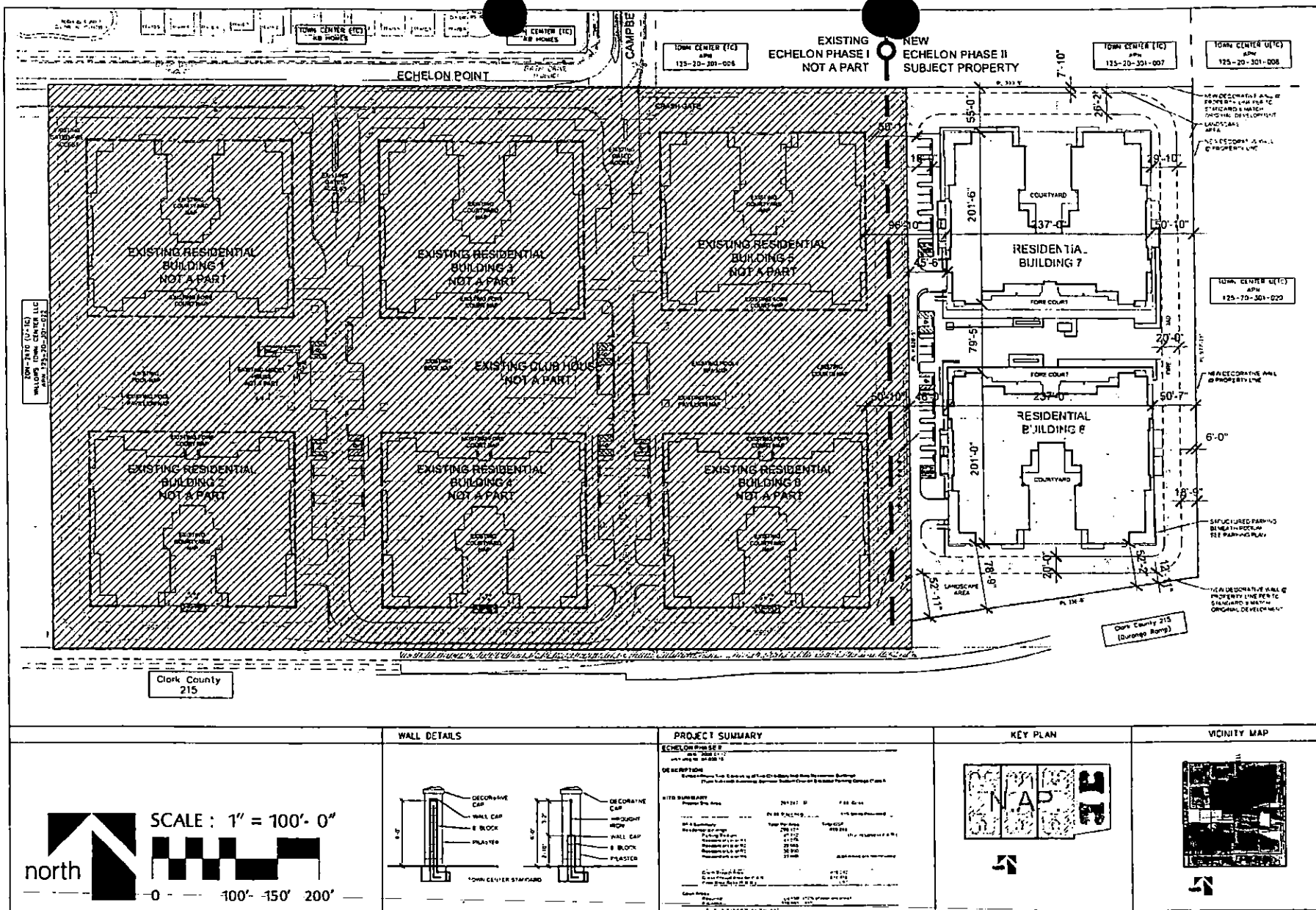
Signature of Property Owner:

Print Name:

This 12 day of February, 2007

Notary Public in and for said County and State





ZON-19210 VAR-19853
 SDR-19211 REVISED
 04/12/07 PC

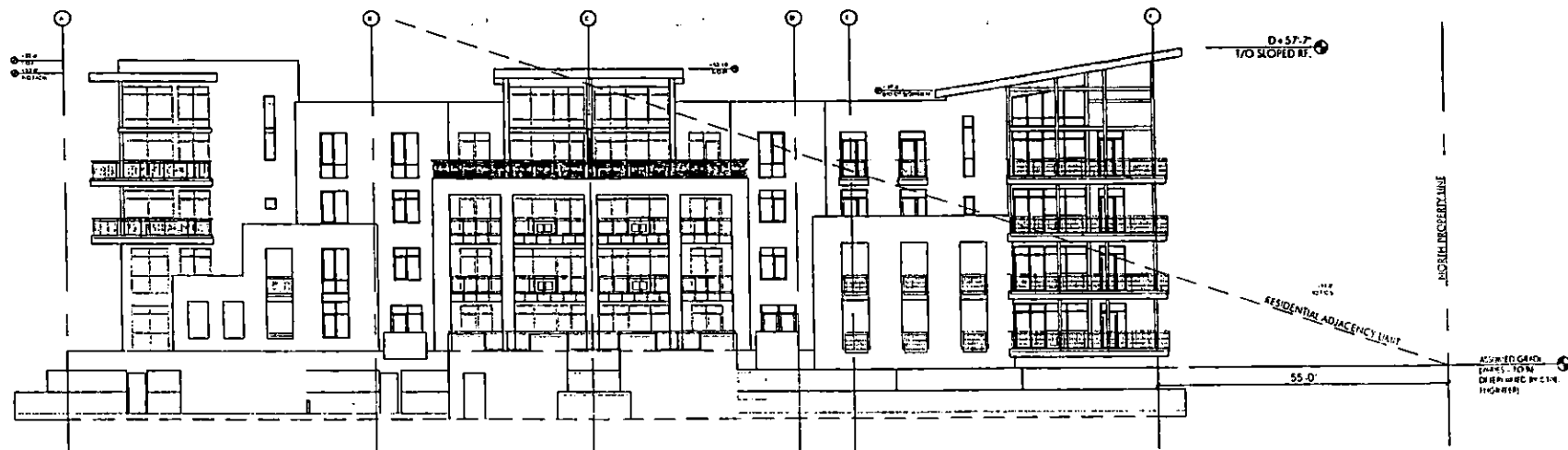
RECEIVED

studio eleven
 ARCHITECTS
 9001 BATH AVENUE
 LAS VEGAS, NV 89123
 (702) 735-1100
 www.studioeleven.com

ECHELON
 9001 BATH AVENUE
 LAS VEGAS, NV 89123
 (702) 735-1100
 www.eche-lon.com

DATE: 04/12/07
 SCALE: 1" = 100'
 ARCH: JON MO
 04/12/07
 ARCHITECTURAL
 SITE PLAN

A 1.00



RESIDENTIAL ADJACENCY HEIGHT LINE

SCALE
1/8" = 1'-0"



1001 BASH AVENUE
LAS VEGAS, NV
701 451-1234

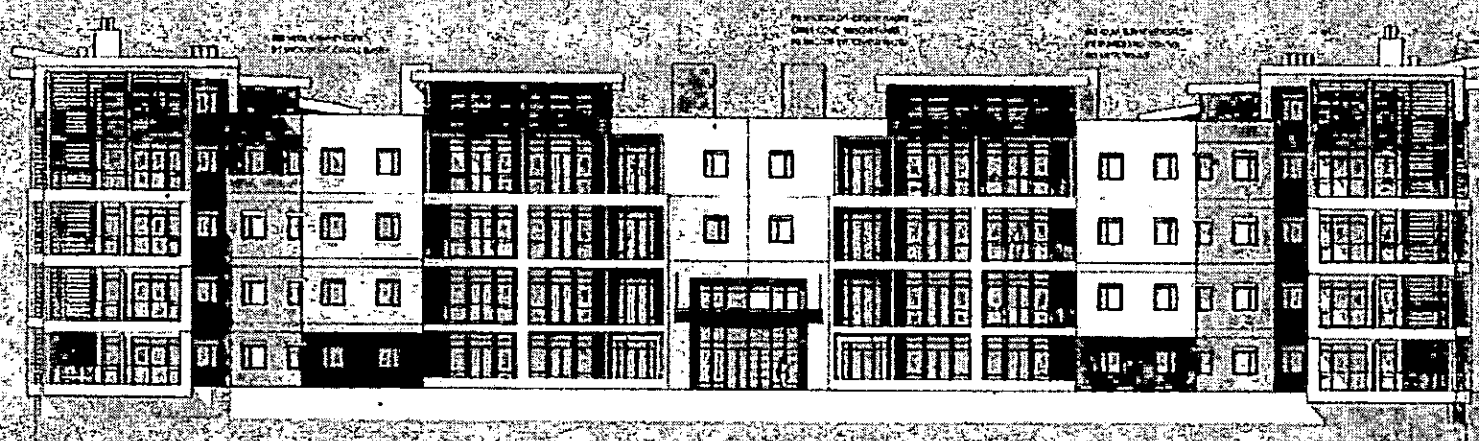
PROJECT NO.
DATE
DRAWN BY
CHECKED BY

DATE
PROJECT
RESIDENTIAL
ADJACENCY

A-0.00

ZON-19210 VAR-19853
SDR-19211 REVISED
04/12/07 PC

RECEIVED
FEB 13 2007

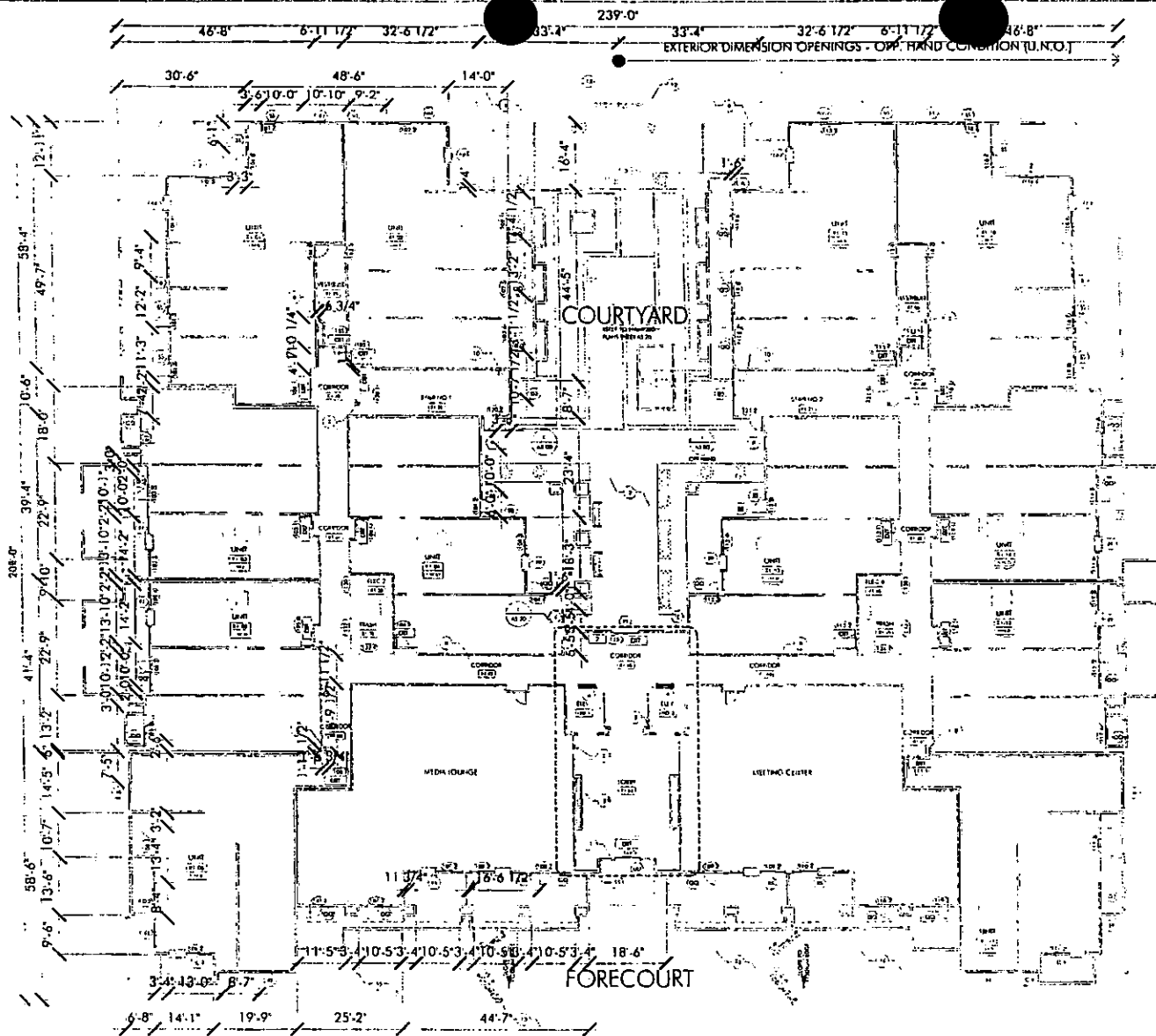


BUILDING ELEVATION
 NORTH + SOUTH

ZON-19210 VAR-19853
 SDR-19211 REVISED
 04/12/07 PC

RECEIVED

FEB 10 2007



FLOOR PLAN - LEVEL RT (58 UNIT BLDG.)

FLYING WITH BLDG-01

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



KEY PLAN

RECEIVED
FEB 11 2007

studio eleven
A Professional Architecture Firm
PR
ARCHITECTS

TOWNE VESTAS LLC



8001 BATH AVENUE
LAS VEGAS, NV

DATE: 01/11/07

BY: [Signature]

FOR: [Signature]

REVISION

NO. 1

DATE

BY

FOR

REVISION

NO. 2

DATE

BY

FOR

REVISION

NO. 3

DATE

BY

FOR

REVISION

NO. 4

DATE

BY

FOR

REVISION

NO. 5

DATE

BY

FOR

REVISION

NO. 6

DATE

BY

FOR

REVISION

NO. 7

DATE

BY

FOR

REVISION

NO. 8

DATE

BY

FOR

REVISION

NO. 9

DATE

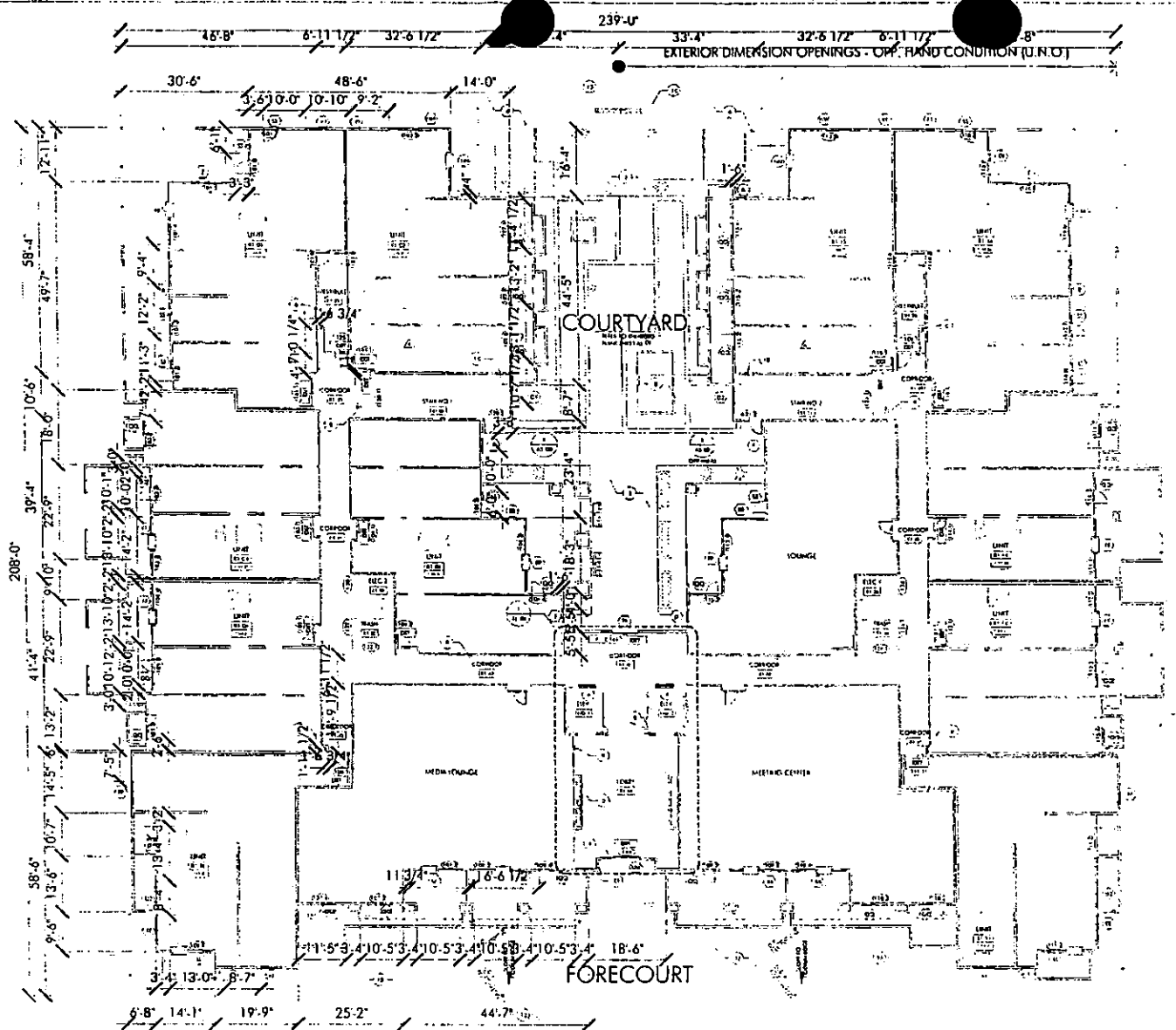
BY

FOR

REVISION

NO. 10

ZON-19210 VAR-19853
SDR-19211 REVISED
04/12/07 PC



EXTERIOR DIMENSION OPENINGS - OPP. HAND CONDITION (U.N.O.)

FLOOR PLAN - LEVEL R1 (57 UNIT BLDG.) - 1

PLANNING BUREAU INC. SCALE: 3/8" = 1'-0"

KEY PLAN

STUDIO 1000
ARCHITECTS

ICHELON
2001 BATH AVENUE
LAS VEGAS, NV

2001 BATH AVENUE
LAS VEGAS, NV

DATE: 01/11/07

BY: [Signature]

PROJECT: [Signature]

DATE: 01/11/07

BY: [Signature]

PROJECT: [Signature]

DATE: 01/11/07

BY: [Signature]

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BY: [Signature]

ZON-19210 VAR-19853
SDR-19211 REVISED
04/12/07 PC

**KUMMER
KAEMPFER**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kkbrf.com
702.693.4215

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Fax: 702.939.8457

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Fax: 775.882.0257

February 12, 2007

VIA HAND DELIVERY

City of Las Vegas
PLANNING & DEVELOPMENT
731 S. Fourth Street
Las Vegas, NV 89101

**Re: REVISED Justification Letter for Zone Change & Site Development Review
APN: 125-20-301-015**

To Whom It May Concern:

Please be advised that this office represents Towne Vistas, LLC (the "Applicant") with regard to the above-referenced matter. The property is generally located near Durango and 2-15, more particularly known as APN: 125-20-301-015 (hereinafter referred to as the "Site"). In addition, the applicant is requesting a variance from Title 19 residential adjacency standards.

The current general plan designation for the Site is M-TC, which permits up to twenty-five (25) units per acre. The Site is currently zoned Undeveloped Town Center (U-TC). The Applicant is seeking a zone change from U-TC to TC, which conforms to the general plan. In addition, the Applicant is applying for a site development review.

Thank you for your kind consideration of this matter. If you have any questions or concerns, please feel free to contact the undersigned.

Very truly yours,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Anthony J. Celeste

AJC/dmf



283501_1 DOC

**ZON-19210 VAR-19853
SDR-19211 REVISED
04/12/07 PC**

6933.30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-19211 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-19210 AND VAR-19853 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION CO. - OWNER: TOWNE VISTAS LLC - Request for a Site Development Plan Review FOR A 115-UNIT CONDOMINIUM DEVELOPMENT COMPOSED OF TWO FIVE-STORY BUILDINGS on 4.62 acres on the south side of Echelon Point Drive, 350 feet east of Campbell Road (APN 125-20-301-015), U (Undeveloped) Zone [M-TC (Medium Density Residential- Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [M-TC (Medium Density Residential - Town Center)] Special Land Use Designation], Ward 6 (Ross).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – APPROVED subject to conditions – UNANIMOUS with EVANS excused and TRUESDELL abstaining as he represents a property within the notice area

To be heard by City Council on 5/16/2007

MINUTES:

See Item 63 for related discussion.

(9:52 – 9:58)
3-1040

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 65 – SDR-19211

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-19210) and Variance (VAR-19853), 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 parking plan date stamped: 1/12/06, and the site plan, landscape plan, floor plans, and building elevations date stamped: 2/15/06, except as amended by conditions herein.
4. The minimum distance between buildings shall be 10 feet.
5. The provided accessible parking spaces located in the subterranean parking garages shall be properly striped in accordance with Title 19.10.010, Figure #4.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. All 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.

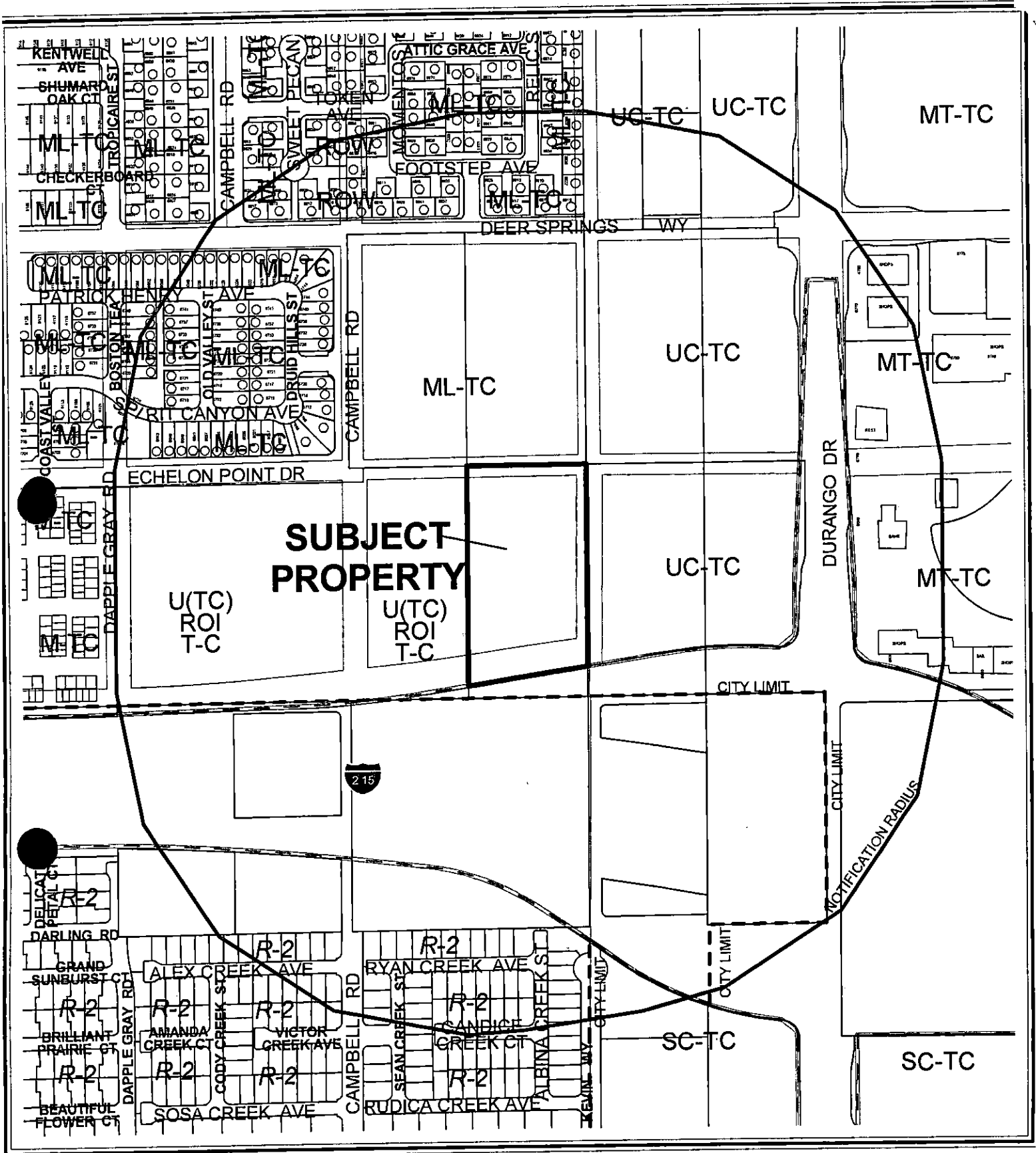
PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 65 – SDR-19211

CONDITIONS – Continued:

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

Public Works

13. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All 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.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. Site development to comply with all applicable conditions of approval for ZON-19210 and all other site-related actions.
16. 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.



CASE: SDR-19211

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER)
GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER)
SPECIAL I AND USE DESIGNATION]

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 12, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-19211 - APPLICANT: ROYAL CONSTRUCTION CO. -****OWNER: TOWNE VISTAS LLC**

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

1. Conformance to the conditions for Rezoning (ZON-19210) and Variance (VAR-19853), 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 parking plan date stamped: 1/12/06, and the site plan, landscape plan, floor plans, and building elevations date stamped: 2/15/06, except as amended by conditions herein.
4. The minimum distance between buildings shall be 10 feet.
5. The provided accessible parking spaces located in the subterranean parking garages shall be properly striped in accordance with Title 19.10.010, Figure #4.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

SDR-19211 - Conditions Page Two
April 12, 2007 - Planning Commission Meeting

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

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13. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All 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.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. Site development to comply with all applicable conditions of approval for ZON-19210 and all other site-related actions.
16. 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.

SDR-19211 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review for a 115-unit condominium development composed of two five-story buildings on 4.62 acres approximately 350 feet east of the corner of Echelon Point Drive and North Campbell Road.

A request for a Rezoning (ZON-19210) and Variance (VAR-19853) has been filed in conjunction with this Site Development Plan Review.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg, etc.</i>	
1/17/01	The City Council approved the Annexation [A-19-02(A)] of this property. The annexation became effective on January 31, 2001.
11/05/03	The City Council approved the request for a Rezoning (ZON-2970) from U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to T-C (Town Center) and the related Site Development Plan Review (SDR-2971) for a proposed 39-lot single-family cluster development on 5.06 acres. The Planning Commission and staff recommended approval on 10/9/03.
6/8/04	The Planning Commission approved the request for a Tentative Map (TMP-3791) for a proposed 39-lot single-family residential development. Staff recommended approval.
10/20/04	The City Council approved a Site Development Plan Review (SDR-4992) for a proposed 94-lot single family residential development on 15.17 acres. The Planning Commission and staff recommended approval on 9/23/04.
11/4/04	The Planning Commission approved the request for a Tentative Map (TMP-5118) for a proposed 94-lot single family residential development on 15.17 acres. Staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
There are no licenses or permits related to this request.	
<i>Pre-Application Meeting</i>	
11/15/06	A pre-application meeting was held to discuss the Town Center design standards and allowable uses as required for a 125-unit multi-family development. Staff had the applicant submit revised plans showing the appropriate density of 115 units for 4.62 acres.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

SDR-19211 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	4.62 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	M-TC (Medium Density Residential – Town Center)	U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
North	Single Family Residential Subdivision Undeveloped	ML-TC (Medium Low Density Residential – Town Center)	T-C (Town Center)
South	CC-215 Beltway Alignment	Right-of-Way	Right-of-Way
East	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center)	U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
West	Under construction [Proposed 372 Unit Condominium Development (SDR-5517)]	M-TC (Medium Density Residential – Town Center)	T-C (Town Center) U (Undeveloped) [TC (Town Center) General Plan Designation] under Resolution of Intent to TC (Town Center)

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

*A Variance (VAR-19853) from the Title 19.08 Residential Adjacency Setback standards has been requested.

SDR-19211 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to the Town Center Design Standards Manual, the following requirements apply:

Standard	Required/Allowed	Provided	Compliance
Min. Distance Between Buildings	10 feet	79 feet	Y
Max. Building Height	7 Stories	5 stories	Y
Trash Enclosure	Screened & enclosed	Screened & enclosed	Y
Mech. Equipment	Screened from view	Screened from view	Y

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

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	173 feet	55 feet	N
Trash Enclosure	50 feet	150 feet	Y

Existing Zoning	Permitted Density	Units Allowed
U	1 DU/AC	1
Proposed Zoning	Permitted Density	Units Allowed
T-C (M-TC)	25 DU/AC	115 units
General Plan	Permitted Density	Units Allowed
T-C	12.1-25 DU/AC	115 units

Open Space - Town Center Multifamily						
Total Acreage	Density	Required		Provided		Compliance
		Percent	Area	Percent	Area	
4.62 acres	12.1+	12%	24,150 SF	41%	118,691 SF	Y

SDR-19211 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
2-BR	72 units	1.75 space/unit	126				
3-BR	43 units	2.0 spaces/unit	86				
subtotal			212		224	2	Y
Visitor parking		1 space/6 units	20		24	2	Y
TOTAL	115 units	1	232	4	248	4*	Y

*The provided parking plans show Handicapped Parking spaces in the subterranean parking lots that are not to the CLV Standards. The handicapped accessible space must have a five-foot loading zone on each side of the parking space. Since there is ample parking, staff has conditioned that

ANALYSIS

- Zoning**

The subject site is proposed as becoming zoned T-C (Town Center) via Rezoning application [ZON-19210]. Once the subject site becomes part of the Town Center Special Planned Area it will be held to the M-TC (Medium Residential) Special Land Use Designation, which allows for a density of 25 Dwelling Units per Gross Acre. The proposed condominium development, having a density of 24.88 dwelling units per gross acre, is in conformance with the intent and density requirements set forth by the General Plan and the Town Center Development Standards.

- Site Plan**

The proposed site plan indicates a 115-unit residential condominium development on 4.62 acres located adjacent to the southeast corner of Bath Drive and Dapple Gray Road. The proposed development will consist of 57-unit and 58-unit five-story buildings, which results in a density of 24.88 Dwelling Units Per Acre (DU/AC). The proposed site plan indicates the development will have one access point from a cross access agreement with the adjacent property. Interior to the site the plan indicates 24-foot private drives with parking. The site plan illustrates a Multi-Use Transportation

SDR-19211 - Staff Report Page Five
April 12, 2007 - Planning Commission Meeting

Trail abutting the southern alignment of the subject parcel for a distance of approximately 1,000 feet. The site plan indicates an areas of open space being located around the entire site and being accessible to the residents of the development. The site plan also calls out a six-foot block wall along the entire perimeter of the development.

- **Residential Adjacency**

The proposed condominium development has requested a Variance (VAR-19853) to allow a 55-foot setback where residential adjacency standards require a 173-foot setback from the northern property under the Town Center Medium-Low Land Use code.

- **Beltway Trail**

A multi-use transportation trail has been designated along the southern boundary of the subject property in accordance with the Joint Parks and Trails Plan for the City of Las Vegas and Clark County. The City is the responsible agency for constructing this trail. The applicant will not be required to dedicate property for the trail nor will he have to maintain the trail.

The trail will consist of approximately 12 feet of asphalt paving and will be within the Beltway right-of-way.

- **Landscape Plan**

The landscape plan indicates some tree species not listed within the Town Center Design Standards. As this property is not located along any Town Center Designated Streets, there are no streetscape standards, per se. The perimeter landscaping is depicted as a mixture of masses of shrubs, without trees. The landscape plan also indicates the use of desert-appropriate garden materials.

- **Elevations**

The proposed elevations are contemporary in design and utilize interesting horizontal and vertical patterns expressed by architectural features such as cornices, windows, doors and variations in massing. The building façade is enhanced by the use of both vertical and horizontal reveals, offsets and the use of three-dimensional surface planes to create shadow lines and break up flat surface areas.

The submitted floorplans only show four levels; however, the additional loft spaces on the fourth-story suites constitute an additional floor.

SDR-19211 - Staff Report Page Six
April 12, 2007 - Planning Commission Meeting

- **Floor Plans**

The submitted floor plans illustrate multiple two, three, and four bedroom layouts available within the proposed development. Although floorplans for a one-bedroom studio were originally submitted, the revised floorplans do not show studios on any of the four levels.

FINDINGS

The following findings must be made for an SDR:

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

The surrounding area, with the exception of single-family residences to the north and the condominium development to the west is undeveloped. The proposed use of the property is consistent with Town Center special land use designation of M-TC (Medium Density Residential – Town Center). However, the proposed development does not take into account the adjacent land uses, which is evident by the required Variance from the Residential Adjacency Standards. Therefore, the proposed development is not 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;**

The proposed development complies with the Town Center Development Standards Manual and is within the permissible density allowed, but is not in conformance with Title 19 as is evident by the required Variance (VAR-19853) application for Residential Adjacency.

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

The proposed access to the development is from a cross-access agreement with the Echelon Phase I property which provides access to Echelon Point Drive. Site access will be composed of two ingress/egresses located at the northwest and southwest corners of the property, one of which is a right-in, right-out only. The amount of traffic to be created by the 115-units may have an adverse impact on the surrounding neighborhood.

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

The building and landscape materials are appropriate for the area and conform to such materials as direct by the Town Center Development Standards Manual and the Urban Design Guidelines and Standards.

SDR-19211 - Staff Report Page Seven
April 12, 2007 - Planning Commission Meeting

- 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;**

With an approved Variance to the Residential Adjacency Setback Standards, the proposed design characteristics and overall architecture of the proposed buildings create an orderly environment and are not unsightly, undesirable or obnoxious in appearance.

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

The proposed development will be subject to the International Building Code, and therefore the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

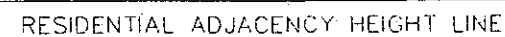
ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 187 (Mailed with ZON-19210 and VAR-19853)

APPROVALS 0

PROTESTS 0

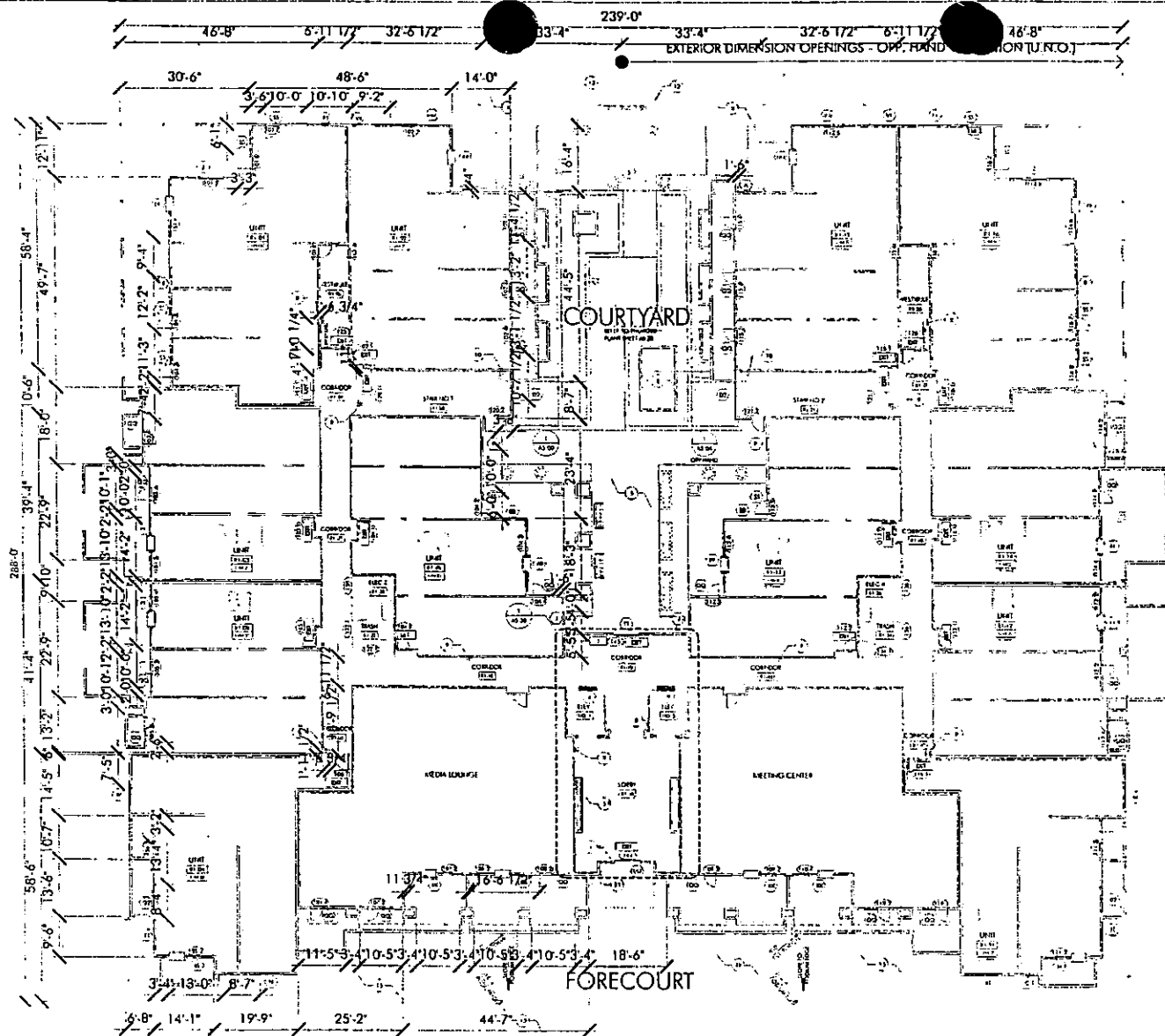


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ZON-19210 VAR-19853
SDR-19211 REVISED
04/12/07 PC

RECEIVED

FEB 19 2007



EXTERIOR DIMENSION OPENINGS - OPP. HAND CONDITION (J.N.O.)

FLOOR PLAN - LEVEL R1 (58 UNIT BLDG.) 1

1/8" = 1'-0"

SCALE 1/8" = 1'-0"



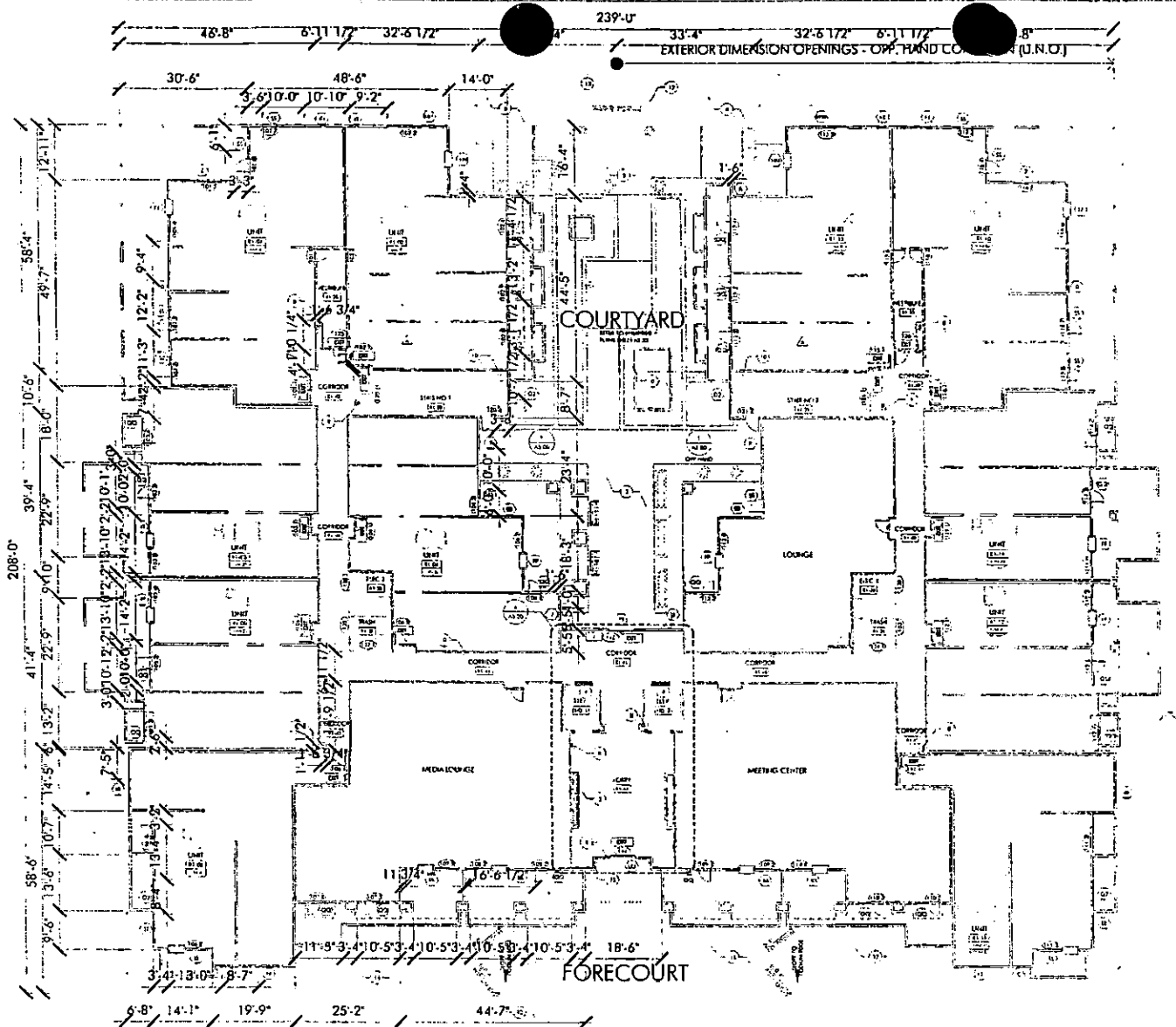
KEY PLAN

RECEIVED

FEB 16 2007

ZON-19210 VAR-19853
SDR-19211 REVISED
04/12/07 PC

A 2.10



EXTERIOR DIMENSION OPENINGS - OFF. HAND CONDITION (U.N.O.)

FLOOR PLAN - LEVEL R1 (57 UNIT BLDG.)

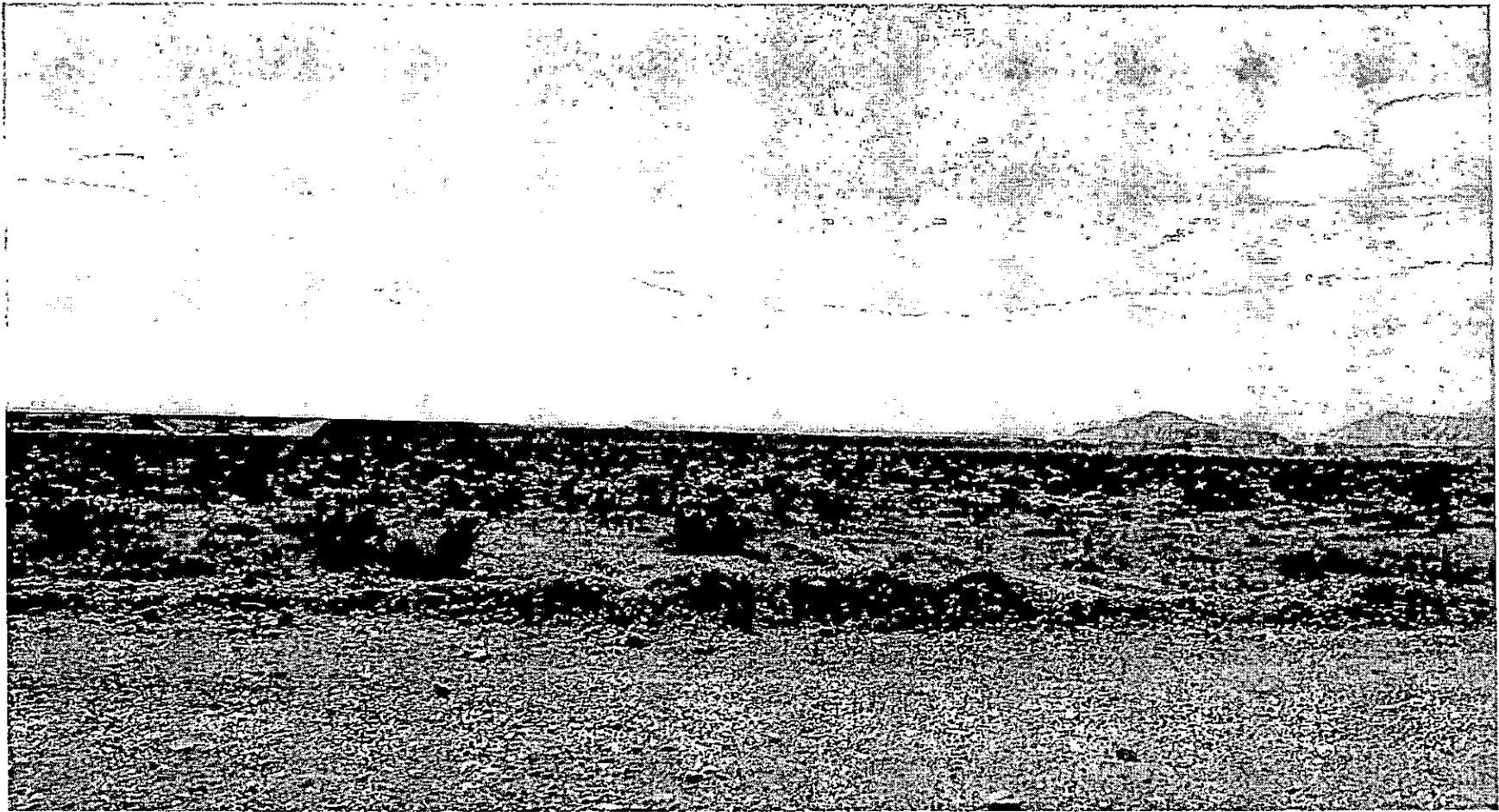
1
SCALE - 1/8" = 1'-0"



KEY PLAN

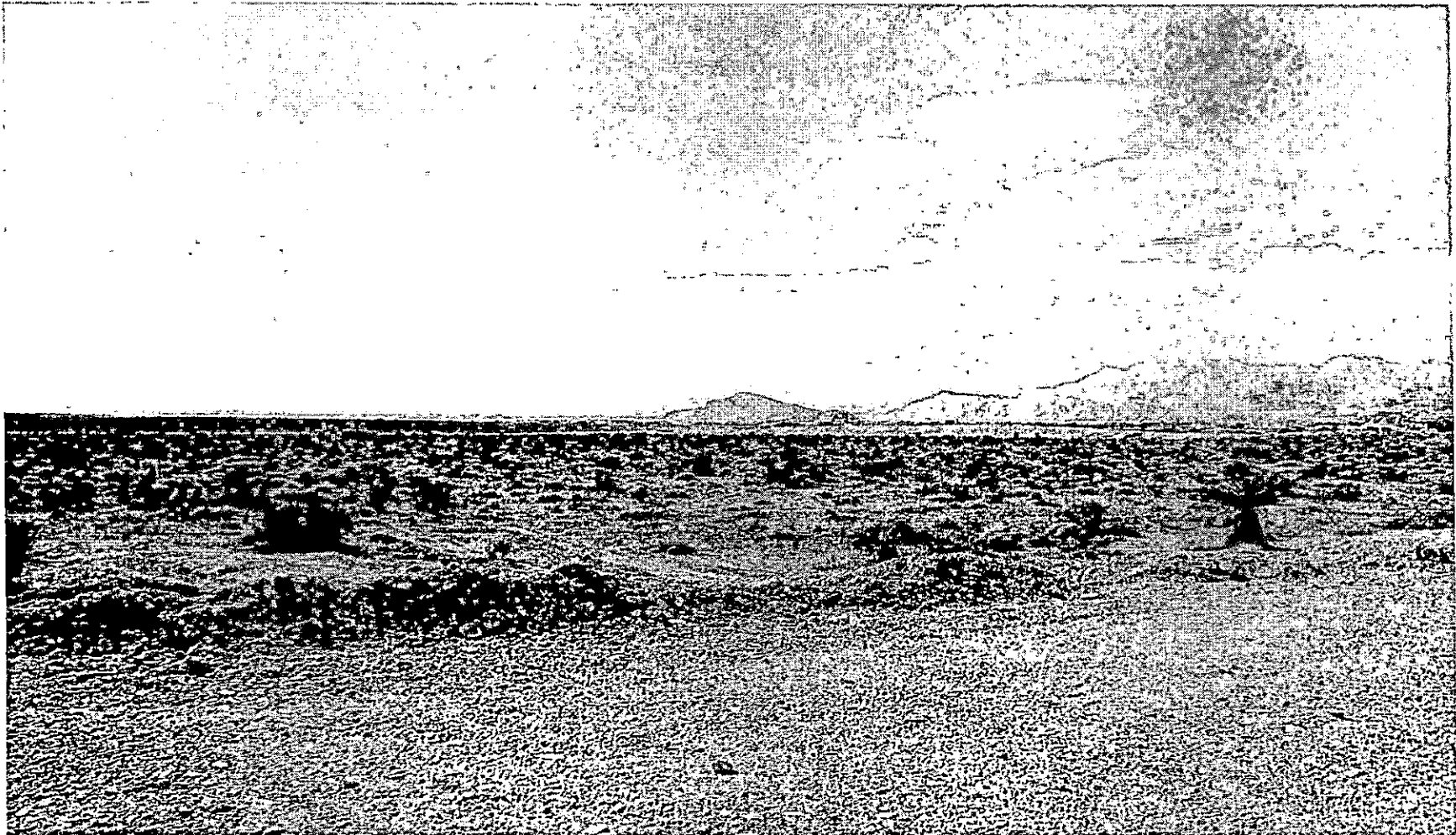
RECEIVED
FEB 15 2007

ZON-19210 VAR-19853
SDR-19211 REVISED
04/12/07 PC



ZON-19210, VAR-19853 AND SDR-19211 - APPLICANT: ROYAL CONSTRUCTION CO. - OWNER:
TOWNE VISTAS, LLC
350 FEET EAST OF THE CORNER OF ECHELON POINT DRIVE AND NORTH CAMPBELL ROAD
APRIL 12, 2007 PLANNING COMMISSION

01/31/07



ZON-19210, VAR-19853 AND SDR-19211 - APPLICANT: ROYAL CONSTRUCTION CO. - OWNER:
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350 FEET EAST OF THE CORNER OF ECHELON POINT DRIVE AND NORTH CAMPBELL ROAD
APRIL 12, 2007 PLANNING COMMISSION

01/31/07

**KUMMER
KAEMPFER**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

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702.693.4215

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RENSHAW & FERRARIO**

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February 12, 2007

VIA HAND DELIVERY

City of Las Vegas
PLANNING & DEVELOPMENT
731 S. Fourth Street
Las Vegas, NV 89101

**Re: REVISED Justification Letter for Zone Change & Site Development Review
APN: 125-20-301-015**

To Whom It May Concern:

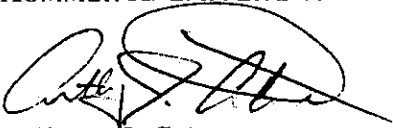
Please be advised that this office represents Towne Vistas, LLC (the "Applicant") with regard to the above-referenced matter. The property is generally located near Durango and 2-15, more particularly known as APN: 125-20-301-015 (hereinafter referred to as the "Site"). In addition, the applicant is requesting a variance from Title 19 residential adjacency standards.

The current general plan designation for the Site is M-TC, which permits up to twenty-five (25) units per acre. The Site is currently zoned Undeveloped Town Center (U-TC). The Applicant is seeking a zone change from U-TC to TC, which conforms to the general plan. In addition, the Applicant is applying for a site development review.

Thank you for your kind consideration of this matter. If you have any questions or concerns, please feel free to contact the undersigned.

Very truly yours,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Anthony J. Celeste

AJC/dmf



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ZON-20397 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: LUIS ROJAS -
Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R
(PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 802 East Bonneville Avenue
(APN 139-34-810-050), Ward 3 (Reese).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Approval Letters by Mickey Vaca and Marlene Walshin

MOTION:

TRUEDELL – APPROVED subject to conditions – Motion carried with DUNNAM voting NO and EVANS excused

NOTE: COMMISSIONER STEINMAN disclosed that he has a professional relationship with Mr. Bryan and he will vote on this matter.

To be heard by City Council on 5/16/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Items 66-69.

DOUG RANKIN, Planning and Development Department, stated this proposal is an attempt to overbuild the site and noted the post-modern design is inappropriate for the Las Vegas High School Historic District. He recommended denial of all items.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 66 – ZON-20397

MINUTES – Continued:

DEAN BRYAN, appeared on behalf of the applicant, who was also present. MR. BRYAN suggested the narrow nature of the lot presented a hardship and then briefly described the building. He stated parking would be provided on the first floor with offices on the second floor. MR. BRYAN also explained that the required number of trees could not be provided without losing a parking space or negatively affecting traffic visibility, but emphasized the proposed landscaping and building would be attractive and appropriate for the area.

MICHAEL HERON, 4102 Avoyer Place, California, adjacent property owner, observed that his proposed building was very similar to these applications and, due to vociferous opposition from the neighborhood, had been withdrawn. He requested the applications be held in order to address his concerns with the project. DENISE WADDELL-CONTI, 9704 Winter Palace Drive, adjacent property owner, stated she was not opposed to the project, but expressed concern with the variances and the potential impact on her property. CHRISTOPHER CONTI, 9704 Winter Palace Drive, adjacent property owner, concurred and also expressed concern with the building's style. MICKI VACA, 1524 Hendrix Place, San Diego, California, complimented the building's design, but expressed concern with the zero setbacks. She requested the applications be held in order to allow her to meet with the applicant.

DANNY FOLEY, 1901 South 15th Street, neighboring property owner, appeared in opposition and stated the proposal is inappropriate for the subject site and the neighborhood. He quoted from staff's report and emphasized the existing parking problems in the area.

MR. BRYAN confirmed that his neighbors' proposal had been opposed by the majority of the neighborhood and pointed out the majority of the neighbors supported this proposal. He also noted that he had met with the adjacent property owners to discuss this project and they had supported it.

ATTORNEY LUIS ROJAS acknowledged the neighborhood's opposition to his neighbors' proposal and pointed out his project was enjoying the neighborhood's support because he had met with most of the affected property owners. He emphasized that he had not opposed their project and had thought they would support his project. He then submitted a letter showing they had supported the project previously and expressed his surprise at their opposition. He noted the building's style had been inspired by other modern architecture in the downtown area and stated the building would provide ample parking for its uses. ATTORNEY STEVE STEIN pointed out Bonneville Avenue was planned for use as a major thoroughfare, making this site an appropriate location for this building.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 66 – ZON-20397

MINUTES – Continued:

COMMISSIONER TRUESDELL observed that the downtown area is a mix of architectural styles and recognized the neighbors' concerns, but observed that this proposal is one of the most attractive projects to be presented to the Commissioners. He expressed his support, stating the building is compatible with the area and the location is appropriate. MR. BRYAN informed COMMISSIONER TRUESDELL that the parking garage door would be an open-screen, stainless steel door.

COMMISSIONER TROWBRIDGE stated this proposal is too much for the site, noting the style is inconsistent with the neighborhood, the parking is inadequate, the landscaping is limited and the parking is inadequate.

COMMISSIONER GOYNES expressed his support, based on the applicant's long-term commitment and investment in the community. He encouraged the neighbors to meet with the applicant, but suggested the proposal would not significantly impact their property.

MARGO WHEELER, Director of Planning and Development Department, informed COMMISSIONER STEINMAN that the property was listed on the registry for Federal Historic Districts, but noted these applications were not required to go before the local Historic Preservation Committee.

COMMISSIONER STEINMAN expressed his support, stating that this building is appropriate for this corner lot and not a lot in the middle of the block.

CHAIRMAN DAVENPORT stated he had originally opposed this application, but the lack of opposition from the majority of the neighborhood had changed his position since the neighbors are very vocal. COMMISSIONER GOYNES concurred. CHAIRMAN DAVENPORT also expressed concern with the lack of parking, but expressed his support since the building would be owner-occupied.

MR. BRYAN pointed out a typographical error subject line of Item 68 and MS. WHEELER suggested the Commissioners allow the applications to move forward and staff would research this issue prior to the City Council hearing.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Items 66-69.

(10:08 – 10:51)

3-1165

CONDITIONS:

Planning and Development

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

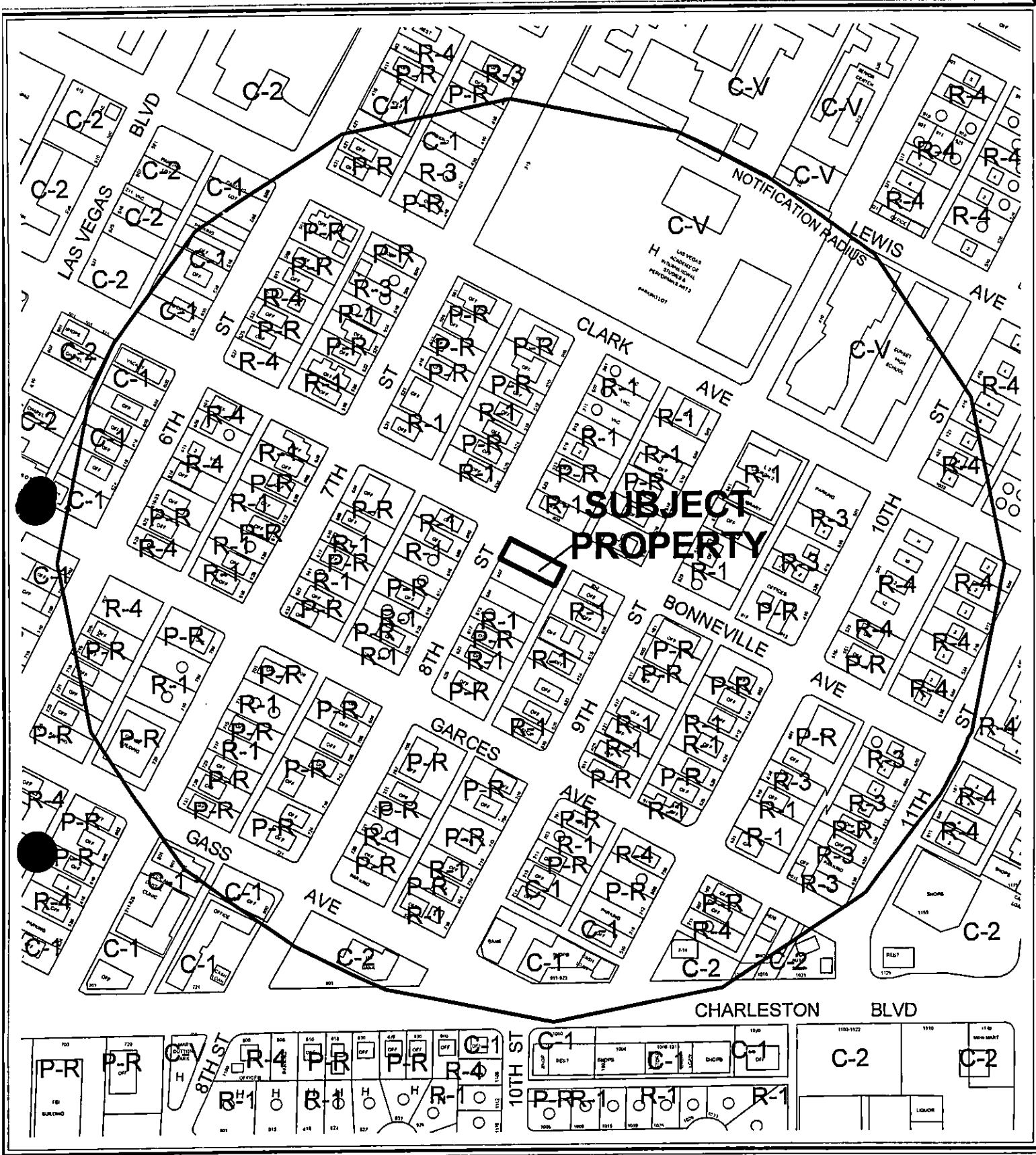
PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 66 – ZON-20397

CONDITIONS – Continued:

2. A Site Development Plan Review (SDR-19675) 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 a 10 foot radius on the southeast corner of Bonneville Avenue and 8th Street prior to the issuance of any permits.
4. 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 of this site.
5. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
6. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
7. Coordinate improvements adjacent to this site along Bonneville Avenue with the Engineering Design Section of the Department of Public Works to mitigate conflicts between this site and the Bonneville/Clark One Way Couplet project.



CASE: ZON-20397

RADIUS: 1000 FT

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

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

0 300 600 Feet





CASE: ZON-20397

RADIUS: 1000 FT

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

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

0 300 600 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 12, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ZON-20397 - APPLICANT/OWNER: LUIS ROJAS**

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

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-19675) 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 a 10 foot radius on the southeast corner of Bonneville Avenue and 8th Street prior to the issuance of any permits.
4. 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 of this site.
5. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
6. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
7. Coordinate improvements adjacent to this site along Bonneville Avenue with the Engineering Design Section of the Department of Public Works to mitigate conflicts between this site and the Bonneville/Clark One Way Couplet project.

ZON-20397 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose for this Rezoning is to reclassify this property from R-1 (Single-family Residential) to P-R (Professional Office & Parking).

A related Site Development Plan Review (SDR-19675) for a proposed 5,376 square-foot office building with a waiver of the perimeter landscape buffer standards to allow a four foot landscape buffer on the corner side where a 15 foot landscape buffer is required and a zero foot landscape buffer on the side and rear yards where an eight foot landscape buffer is required, and related Variances (VAR-20398 & VAR-20399) to allow eight parking spaces where 18 parking spaces are required and to allow a 50-foot lot width where 60 feet is required, a side yard setback of zero feet where eight feet is required, a rear yard setback of 13.33 feet where 15 feet is required, and a corner setback of 6.5 feet where 15 feet is required will be heard concurrently with this application.

The applicant is attempting to significantly overdevelop this parcel with a building that doesn't meet setbacks, landscaping standards, parking standards, and is proposing a modernist building in the Las Vegas High School Historic District.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Eire, Bldg., etc.</i>	
Month/date/year	Action
09/25/05	The City Council accepted a withdrawal without prejudice of a Variance (VAR-6937) to allow a five-foot setback where residential adjacency standards require 105 feet, a Variance (VAR-6938) to allow 24 parking spaces where 43 spaces are required, and a Site Development Plan Review (SDR-6934) for a 12,857 square-foot office building, and a Rezoning (ZON-7254) of this property and the adjacent two parcels to the south from R-1 (Single-family Residential) to P-R (Professional Office & Parking). These applications were for the two adjacent parcels to the south. Staff recommended approval of the Rezoning and denial of the Variances and Site Development Plan Review. The Planning Commission recommended approval of all applications.

ZON-20397 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

Related Building Permits/Business Licenses	
Month/date/year	Description
11/19/04	Demolition permit 31045-R-04 was approved by Planning & Development and by Building & Safety.
Pre-Application Meeting	
1/5/07	At the pre-application meeting the applicant was informed about the setback and landscape requirements for the proposed development. The applicant was also informed about the parking requirements and was asked by Public Works to revise their parking layout to meet ADA requirements.
Neighborhood Meeting	
A pre-application meeting is not required for this application type, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	0.16 ac

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped*	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
North	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
South	Undeveloped & Single-family Residential	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
East	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
West	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)

ZON-20397 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

<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	
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

This parcel is located in the Downtown Redevelopment Plan Area and has a land-use designation of **MXU (Mixed Use)**. The Mixed-Use category allows for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories.

The proposed Rezoning to the P-R (Professional Office & Parking) zoning district is a permitted zoning designation in the O(Office) land-use category, which is a supported land-use designation within the MXU land-use designation.

The P-R District is intended to allow for office uses in an area which is predominantly residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional offices. These uses are characterized by a low volume of direct daily client and customer contact. To decrease the impact to adjacent residential uses, single family structures should be retained or new development in the P-R District should be constructed to maintain a residential character. The P-R District is consistent with the Office category of the General Plan.

The proposed development is located within the Las Vegas High School Historic District, which is dominated by Revival styles such as Tudor, Spanish and Colonial, and several Ranch style buildings. All development within this area, regardless of the zoning district, should maintain building styles that maintain the character of the Las Vegas High School Historic District.

FINDINGS

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

ZON-20397 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

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

The proposed Rezoning does conform to the General Plan. Staff recommended approval of a prior Rezoning (ZON-7254) which included the subject site as part of a larger request.

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."

While the use proposed in a related Site Development Plan Review (SDR-19675) is not compatible with the surrounding land uses, a compatible use could be designed for this site in the P-R (Professional Office & Parking) Zoning District.

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

The changing nature of the area with 27, R-1 (Single-family Residential) and P-R (Professional Office & Parking) zoned offices within a block of this site indicate a rezoning may be appropriate.

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."

Both Eighth Street and Bonneville Avenue should experience little impact from this development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 191 (Mailed with VAR-20398, VAR-20399 and SDR-19675)

APPROVALS 2

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-20397** APN: 139-34-810-050

Name of Property Owner: Luis Rojas

Name of Applicant: Luis Rojas

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: Luis Rojas

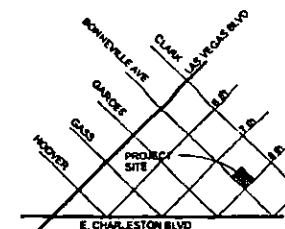
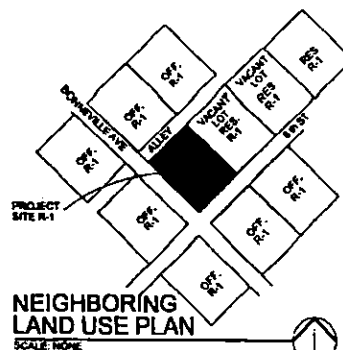
Subscribed and sworn before me

This 8th day of March, 2007

Karen Elizabeth Wilson
Notary Public in and for said County and State



RECEIVED



PROJECT INFORMATION

AP N: 139-34-810-050
EXISTING ZONING: R-1
GROSS LAND AREA: 7,000 S.F. (100 AC)
TOTAL BUILDING AREA: 4,268 S.F.
LOT COVERAGE: 60%

BUILDING INFORMATION

1st FLOOR	
LOBBY / ATRIUM:	476 S.F.
ELEV. / STAIR #1:	176 S.F.
STAIRWAY #2:	12 S.F.
STORAGE #A:	72 S.F.
STORAGE #B:	263 S.F.
STORAGE #C:	43 S.F.
TOTAL:	937 S.F.

2nd FLOOR	
OFFICE:	4,430 S.F.
TOTAL:	4,378 S.F.
TOTAL BUILDING:	5,378 S.F.
PARKING:	3,331 S.F.

PARKING ANALYSIS

REQUIRED PARKING	
1st FLOOR	937 S.F.
2nd FLOOR	4,430 S.F.
TOTAL:	5,378 S.F.
5,378 S.F. / 300 SF = 17.92 OR 18 SPACES	

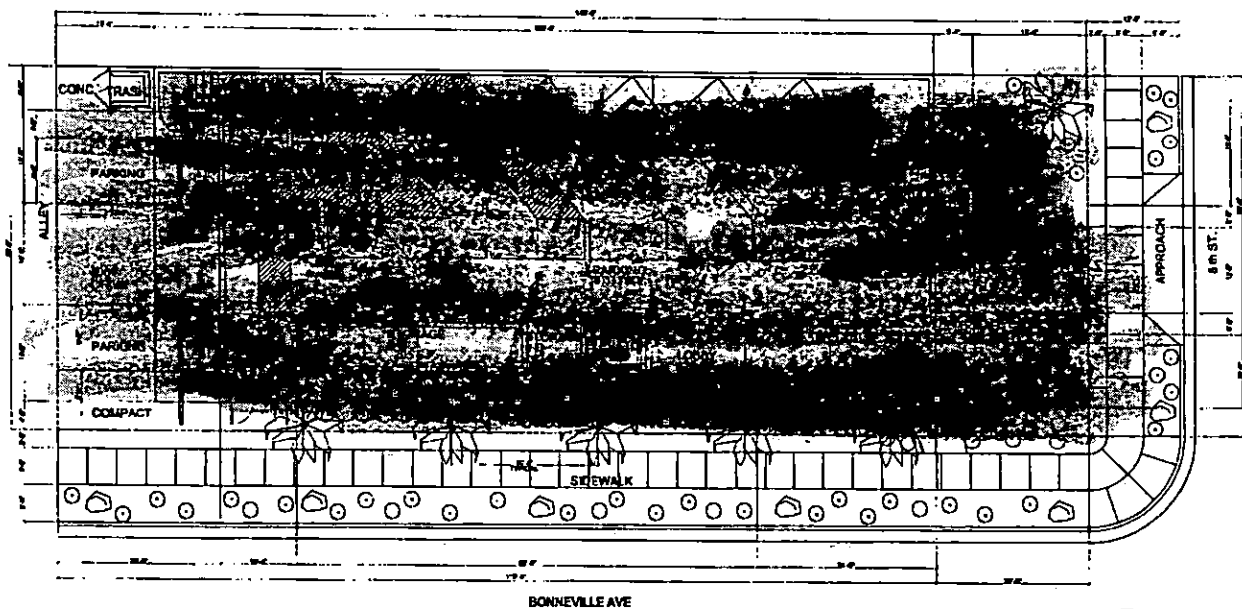
PROVIDED PARKING	
COVERED PARKING:	3 FULL SIZE 1 H.C. VAN 1 COMPACT
ALLEY PARKING:	2 FULL SIZE 1 COMPACT
TOTAL:	8 SPACES

PLANTING LEGEND

	PHOENIX DACTYLIFERA	DATE PALM - FRUITLESS	25'
	SAK TREES	INDOOR - ORNAMENTAL	24" BOX
	PHOTINIA FRASERI	FRASERS PHOTINIA	8 GAL.
	RAPHIOLEPIS INDICA	INDIAN HAWTHORN	5 GAL.
	LANTANA MONTEVIDEUSIS	TRAILING LANTANA	8 GAL.
	LAGERSTROEMIA INDICA	GRAPE MYRTLE	5 GAL.

HARD SCAPE MATERIAL

DECOMPOSED COLORED GRAVEL
3/8" MINUS SCREENED DESERT GOLD
IN ALL PLANTING AREAS
BOULDER - 10" MIN.



ZON-20397 VAR-20398
VAR-20399 SDR-19675

04/12/07 PC

RECEIVED

MAR 08 2007

REVISIONS	BY

BRYAN CONSTRUCTION INC.
STATE LICENSE # 218744
300 S. 11th
LAS VEGAS, NEVADA
(702) 382-1127
Fax (702) 382-2076

CONCEPT PLANS
LUIS ROJAS LAW OFFICES
802 E. BONNEVILLE AVE.
LAS VEGAS, NEVADA

12/26/2006
DATE SHOWN
11/2/03

C1



March 8, 2007

TO: Department of Planning & Development
731 South Fourth Street
Las Vegas, NV 89101

REFERENCE: Rojas Law Office
802 E. Bonneville
APN 139-34-810-050
Las Vegas, NV 89101

SUBJECT: Justification Letter For Proposed New Law Office
Building

To Whom it May Concern:

The applicant, Luis Rojas, here with request your support in approving of the following Zone Change, Site Development Review (SDR) and Variances.

We are requesting a zone change from R-1 to P-R.

We also have various items which we are requesting approval and are under ^{two} ~~one~~ variance applications.

1. Lot width of 50'0" in a P-R zone where 60'0" is the minimum
- 2.a. Rear set back of 13'4" where 15'0" is the minimum. This is shown on the plans as the second floor offices cantilever over in this space. The level is 20'0" back from the property line.

ZON-20397 VAR-20398

VAR-20399 SDR-19675

04/12/07 PC

2.b. Side yard set back of 0'0" where 5'0" is required. This is on the South Property Line. See attached a letter from our neighbor who reviewed our plans and is in support.

2.c. Corner side yard set back of 4'0" where 15'0" is required. As shown on our parking and building layout, we have no office space on the first floor but merely parking and an entrance to the building.

2.d. Parking – We are requesting 8 spaces where 18 are required. This number of spaces is influenced by counting in the gross space of the building. This is including both sets of stairs on the first level as well as all storage, elevator space and entry vestibule.

3. Landscaping waivers:

~~North: Provided accept for the rear of the lot where the back alley~~
parking is adjacent to the right of way.

South: Building being built along the property line.

East: This is along the alley where it will be all parking, trash enclosure, and drive aisle

West: This is the front drive entrance. Along with the parking and front sidewalk entry landscaping is limited to what is shown.

4. Lot Coverage:

We are proposing 59% lot coverage where 50% is allowed.

Upon your review of the plans, the building we are requesting approval for has only six offices requiring parking. This building with its dynamic glass front street appeal will enhance the corner where it is located. We respectfully request your approval for this application.

Should you have any questions regarding this pre-application request, please call Dean Bryan at 362-7127.

Sincerely,



R. Dean Bryan

Enclosures (1) Agreement from southern neighbor.

RECEIVED

ZON-20397 VAR-20398

VAR-20399 SDR-19675

04/12/07 PC

September 20, 2005

Luis J. Rojas, Esq.
520 South 4th Street
Las Vegas, NV 89101

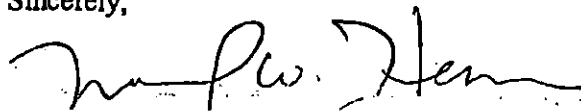
RE: Letter of Approval for 802 E. Bonneville

Dear Mr. Rojas:

This letter is written to memorialize today's meeting between Michael Herron and Mickey Vaca, the property owners of 607 and 609 S. 8th Street, Las Vegas, NV, and Luis Rojas, the property owner of 802 E. Bonneville, Las Vegas, NV. At this meeting, drawings of the proposed office to be built at 802 E. Bonneville, dated July 2005, were presented by Luis J. Rojas. After the presentation of the drawings for said building, which consisted of approximately 4,100 feet of office space with associated storage and parking area, Mr. Rojas answered any and all questions regarding any variances and/or waivers necessary for the completion of the project.

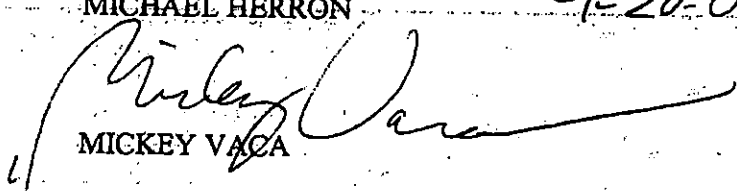
Based upon a complete review of the project, both Mickey and I have no objection to any variances or waivers which you may require in order to complete the specific project as provided on this date.

Sincerely,



MICHAEL HERRON

9-20-05



MICKEY VACA

ZON-20397 VAR-20398
VAR-20399 SDR-19675
04/12/07 PC

RECEIVED

SEP 20 2005

Marlene Walshin
2812 Botticelli Drive, Henderson, NV 89052
702-897-8255, cell 702-274-3866, fax 702-897-8655
email: mjwalshin@yahoo.com

April 2, 2007
Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nv 89010

Re: Attached Notices, ZON 20397, VAR-20398, VAR-20399, SDR-19675

I own the property at 520 South Seventh Street.

APPROVAL: ZON-20397 Rezone to Professional. I approve of this request.

OJBECTION: VAR-20398 – variance to allow 8 parking spaces instead of 18.

I OBJECT to this variance as this will result in an increased parking problem on the streets in the area. The 5,376 Square-foot office building would probably have at least approximately 18 employees, as well as clients who would need to park in the area. I feel the proposed building site should be approved with 18 parking spaces which seems an appropriate number to accommodate the number of anticipated employees. A further problem in the area is that only one vehicle is allowed in front of each 50-ft. property where two could easily park.

OBJECTION: VAR-20399 –

I OBJECT to allowing a side setback of ZERO FEET where 15 feet is required, and I object to the setback of 6.5 feet where 15 feet is required. By allowing the setbacks to be decreased, I feel this feel tend to change the character and integrity of this neighborhood.

OBJECTION: SDR-19675

I OBJECT to the wavier of the perimeter landscape buffer standard to allow a four foot landscape buffer on the corner side where a 15 foot landscape buffer is required and a zero foot landscape buffer on the side and rear where an eight foot landscape buffer is required.

I feel the waivers and variances requested will diminish the present character and integrity of this area, and cause parking problems and congestion for the existing property owners and businesses in the area. Thank you for your attention to this.

ITEM # 66-69
CASE # See above
PC MTG 4-12-07

Very truly yours,

Marlene Walshin
Marlene Walshin

14

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-20398 - VARIANCE RELATED TO ZON-20397 - PUBLIC HEARING - APPLICANT/OWNER: LUIS ROJAS - Request for a Variance to ALLOW EIGHT PARKING SPACES WHERE 18 PARKING SPACES ARE REQUIRED on 0.16 acres at 802 East Bonneville Avenue (APN 139-34-810-050), R-1 (Single Family Residential) Zone, [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 3 (Reese).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Four Protest Letters
6. Telephone Protest by Mildred Bush
7. Approval Letter by Mickey Vaca

MOTION:

TRUEDELL – APPROVED subject to conditions – Motion carried with TROWBRIDGE and DUNNAM voting NO and EVANS excused

NOTE: COMMISSIONER STEINMAN disclosed that he has a professional relationship with Mr. Bryan and he will vote on this matter.

To be heard by City Council on 5/16/2007

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 67 – VAR-20398

MINUTES:

See Item 66 for related discussion.

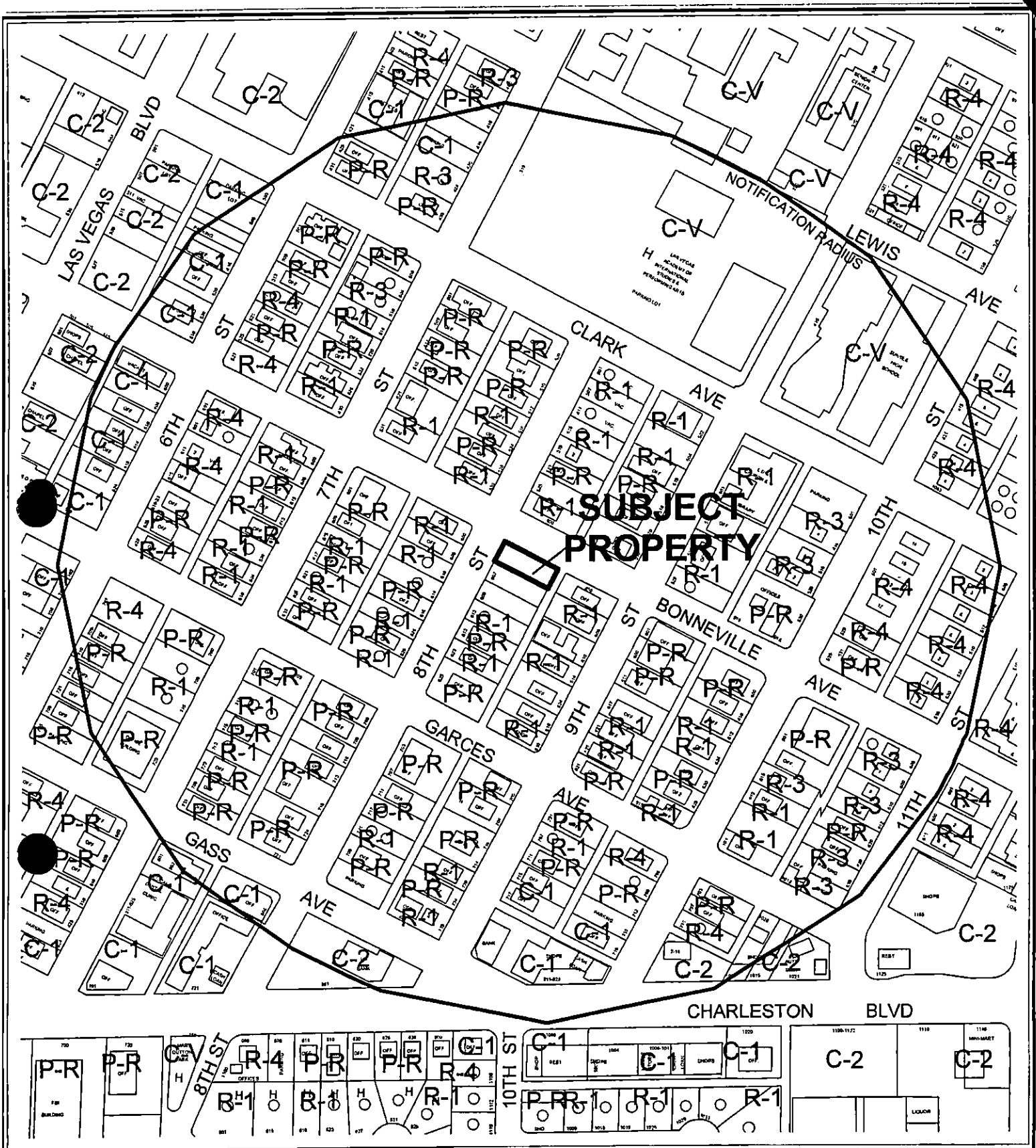
(10:08 – 10:51)

3-1165

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-20397), Site Development Plan Review (SDR-19675) and Variance (VAR-20399) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

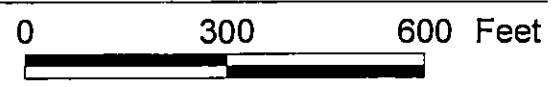


CASE: **VAR-20398**

RADIUS: 1000 FT

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

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 12, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20398 - APPLICANT/OWNER: LUIS ROJAS

**** CONDITIONS ****

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-20397), Site Development Plan Review (SDR-19675) and Variance (VAR-20399) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-20398 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose for this Variance is to allow eight parking spaces where 18 parking spaces are required in conjunction with a proposed 5,376 square-foot office building.

A related Rezoning (ZON-20397) to rezone the property from R-1 (Single-family Residential) to P-R (Professional Office & Parking), Site Development Plan Review for a proposed 5,376 square-foot office building and a waiver of the perimeter landscape buffer standards and related Variance (VAR-20399) to a 50-foot lot width where 60 feet is required, to allow 60% lot coverage where a maximum lot coverage of 50% is allowed, a side yard setback of zero feet where eight feet is required, a rear yard setback of 13.33 feet where 15 feet is required, and a corner setback of 6.5 feet where 15 feet is required will be heard concurrently with this application.

The applicant is attempting to significantly overdevelop this parcel with a building that doesn't meet setbacks, landscaping standards, parking standards, and is proposing a modernist building in the Las Vegas High School Historic District.

BACKGROUND INFORMATION

<i>Related/Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
09/25/05	The City Council accepted a withdrawal without prejudice of a Variance (VAR-6937) to allow a five-foot setback where residential adjacency standards require 105 feet, a Variance (VAR-6938) to allow 24 parking spaces where 43 spaces are required, and a Site Development Plan Review (SDR-6934) for a 12,857 square-foot office building, and a Rezoning (ZON-7254) of this property and the adjacent two parcels to the south from R-1 (Single-family Residential) to P-R (Professional Office & Parking). These applications were for the two adjacent parcels to the south. Staff recommended approval of the Rezoning and denial of the Variances and Site Development Plan Review. The Planning Commission recommended approval of all applications.

VAR-20398 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

<i>Related Building Permits/Business Licenses</i>	
Month/date/year	Description
11/19/04	Demolition permit 31045-R-04 was approved by Planning & Development and by Building & Safety.
<i>Pre-Application Meeting</i>	
1/5/07	At the pre-application meeting the applicant was informed about the setback and landscape requirements for the proposed development. The applicant was also informed about the parking requirements and was asked by Public Works to revise their parking layout to meet ADA requirements.
<i>Neighborhood Meeting</i>	
A pre-application meeting is not required for this application type, nor was one held.	

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

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped*	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
North	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
South	Undeveloped & Single-family Residential	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
East	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
West	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)

VAR-20398 - Staff Report Page Three
 April 12, 2007 - Planning Commission Meeting

<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	
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

Pursuant to Title 19.08, the following development standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size			
Min. Lot Width	60	50	N
Min. Setbacks			
• Front	20	20	N
• Side	8	Zero	N
• Corner	15	6.5	N
• Rear	15	13.33	N
Min. Distance Between Buildings	N/A	N/A	N/A
Max. Lot Coverage	50%	60%	N
Max. Building Height	2 Stories/35 Feet	2 Stories/ 34 Feet, 2 Inches	Y
Trash Enclosure	50 Feet From Residential	7.33 Feet	N/A*
Mech. Equipment	Screened	Screened	Y

* This property is adjacent to R-1 zoned, MXU Master Planned [(Mixed-Use – Downtown Redevelopment Plan Area)] Offices to the east.

Pursuant to Title 19.12, the following development standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	2 Trees	Zero	N
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	9 Trees	6 Trees	N
TOTAL		11 Trees	6 Trees	N
Min. Zone Width	15 Feet & 8 Feet		Zero Feet, 6.5 Feet, & 15 Feet	N*
Wall Height	N/A		N/A	N/A

* The proposed development meets the required landscape buffer width only along the Eighth Street frontage.

VAR-20398 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office	5,376 sq. ft.	1:300	17	1	7	1	N
TOTAL (including handicap)			18		8		
Loading Spaces							
Percent Deviation (VAR only)			55% Parking Deviation				

ANALYSIS

The applicant has proposed a building that greatly exceeds the lots ability to accommodate the necessary parking for a 5,376 square-foot office. With a maximum number of eight parking spaces as proposed by the applicant, the maximum square footage permitted by code is 2,400 square feet.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

VAR-20398 - Staff Report Page Five
April 12, 2007 - Planning Commission Meeting

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by overdeveloping a lot that can't adequately accommodate the size of the building and parking necessary for said building. An alternative design reducing the size of the building 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 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 191 (Mailed with ZON-20397, VAR-20399 and SDR-19675)

APPROVALS 1

PROTESTS 5

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20398** APN: 139-34-870-050

Name of Property Owner: Luis Rojas

Name of Applicant: Luis Rojas

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner:

Print Name:

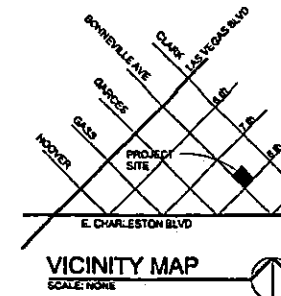
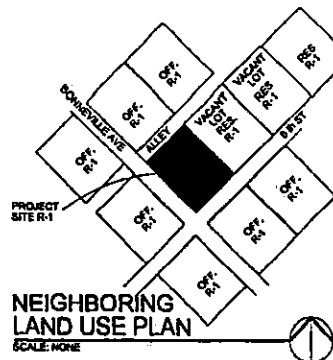
Subscribed and sworn before me

This 8th day of March, 2007

Karen Elizabeth Wilson
Notary Public in and for said County and State



RECEIVED



PROJECT INFORMATION

A.P.N.: 139-34-810-050
EXISTING ZONING: R-1
GROSS LAND AREA: 7,000 S.F. (160 AC.)
TOTAL BUILDING AREA: 4,200 S.F.
LOT COVERAGE: 60%

BUILDING INFORMATION

1st FLOOR	
LOBBY / ATRIUM:	420 S.F.
STAIRWAY #1:	120 S.F.
STAIRWAY #2:	120 S.F.
STORAGE #A:	72 S.F.
STORAGE #B:	72 S.F.
STORAGE #C:	253 S.F.
STORAGE #D:	42 S.F.
TOTAL:	937 S.F.

2nd FLOOR	
OFFICE:	4,439 S.F.
TOTAL:	4,379 S.F.
TOTAL BUILDING:	5,378 S.F.
PARKING:	3,331 S.F.

PARKING ANALYSIS

REQUIRED PARKING	
1st FLOOR	937 S.F.
2nd FLOOR	4,379 S.F.
TOTAL:	5,378 S.F.
8,376 S.F. / 300 SF = 17.92 OR 18 SPACES	

PROVIDED PARKING	
COVERED PARKING:	5 FULL SIZE 1 H.C. VAN 1 COMPACT
ALLEY PARKING:	2 FULL SIZE 1 ALLEY PARKING
TOTAL:	8 SPACES

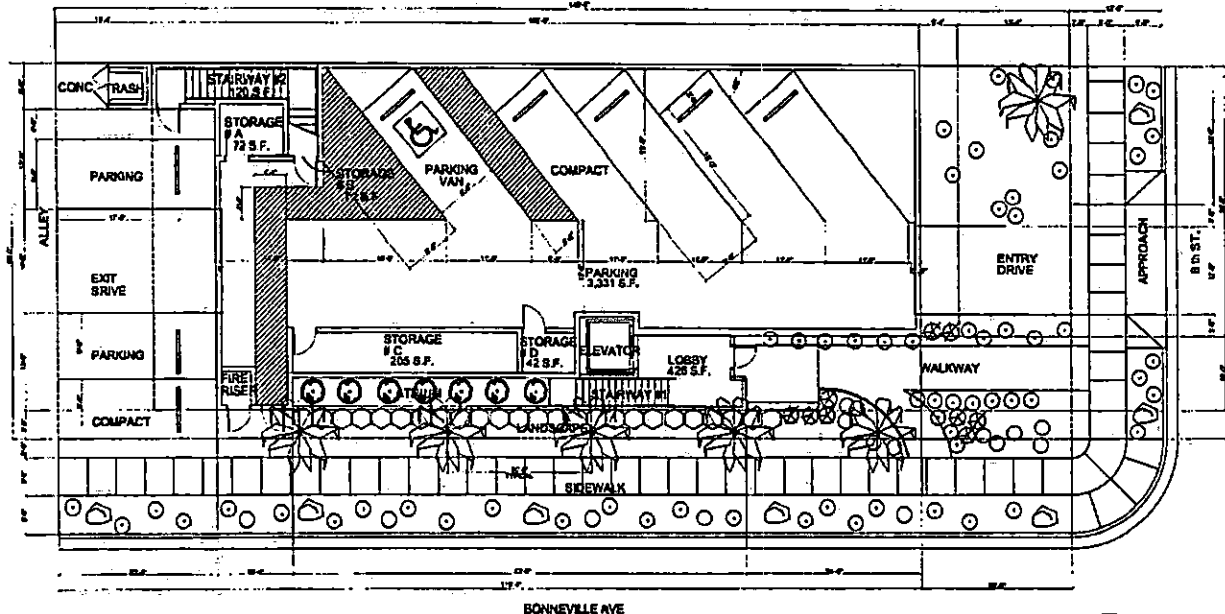
PLANTING LEGEND

	POINCIANA DACTYLIFERA	DATE PALM - FRUITLESS	25'
	SAK TREES	INDOOR - ORNAMENTAL	24" BOX
	PHOTINIA FRASERS	FRASERS PHOTINIA	6 GAL.
	RAPHIOLEPIS INDICA	INDIAN HAWTHORN	5 GAL.
	LANTANA MONTEVIDEENSIS	TRAILING LANTANA	5 GAL.
	LAGERSTROEMIA INDICA	GRAPE MYRTLE	5 GAL.

HARD SCAPE MATERIAL

6" COMPRESSED COLORED GRAVEL
3" SANDS & 3" COARSE DEBRIT GOLD
1" POLY PLANTING AREAS

ENCLOSURE - 100% MAR 08 2007



ZON-20397 VAR-20398
VAR-20399 SDR-19675

04/12/07 PC

REVISIONS	BY

BRYAN CONSTRUCTION INC.
STATE LICENSE # 27874
308 S. 11th
LAS VEGAS, NEVADA
(702) 382-7127
Fax (702) 382-7079

CONCEPT PLANS
LUIS ROJAS LAW OFFICES
802 E. BONNEVILLE AVE.
LAS VEGAS, NEVADA

12 / 20 / 2006
2ND FLOOR
111-225

C1



March 8, 2007

TO: Department of Planning & Development
731 South Fourth Street
Las Vegas, NV 89101

REFERENCE: Rojas Law Office
802 E. Bonneville
APN 139-34-810-050
Las Vegas, NV 89101

SUBJECT: Justification Letter For Proposed New Law Office
Building

To Whom it May Concern:

The applicant, Luis Rojas, here with request your support in approving of the following Zone Change, Site Development Review (SDR) and Variances.

We are requesting a zone change from R-1 to P-R.

We also have various items which we are requesting approval and are under ~~the one~~ variance application.

1. Lot width of 50'0" in a P-R zone where 60'0" is the minimum
- 2.a. Rear set back of 13'4" where 15'0" is the minimum. This is shown on the plans as the second floor offices cantilever over in this space. The 1st level is 20'0" back from the property line

ZON-20397 VAR-20398
VAR-20399 SDR-19675

04/12/07 PC

RECEIVED

2.b. Side yard set back of 0'0" where 5'0" is required. This is on the South Property Line. See attached a letter from our neighbor who reviewed our plans and is in support.

2.c. Corner side yard set back of 4'0" where 15'0" is required. As shown on our parking and building layout, we have no office space on the first floor but merely parking and an entrance to the building.

2.d. Parking – We are requesting 8 spaces where 18 are required. This number of spaces is influenced by counting in the gross space of the building. This is including both sets of stairs on the first level as well as all storage, elevator space and entry vestibule.

3. Landscaping waivers:

North: Provided accept for the rear of the lot where the back alley parking is adjacent to the right of way.

South: Building being built along the property line.

East: This is along the alley where it will be all parking, trash enclosure, and drive aisle

West: This is the front drive entrance. Along with the parking and front sidewalk entry landscaping is limited to what is shown.

4. Lot Coverage:

We are proposing 59% lot coverage where 50% is allowed.

Upon your review of the plans, the building we are requesting approval for has only six offices requiring parking. This building with its dynamic glass front street appeal will enhance the corner where it is located. We respectfully request your approval for this application.

Should you have any questions regarding this pre-application request, please call Dean Bryan at 362-7127.

Sincerely,



R. Dean Bryan

Enclosures (1) Agreement from southern neighbor.

ZON-20397 VAR-20398
VAR-20399 SDR-19675
04/12/07 PC

RECEIVED

APR 8 2007

ROUSE FAMILY PROPERTIES, LLC

523 South Eighth Street
LAS VEGAS, NEVADA 89101
(702) 387-1800

LAWRENCE D. ROUSE
MANAGER

March 31, 2007

City of Las Vegas
Planning and Development Dept.
Current Planning Division
Development Services Center
731 S. Fourth St.
Las Vegas, NV 89101

RE: **VAR-20398--Objection**
802 E. Bonneville Ave. (APN 139-34-810-050)
Related Action: SDR-19675

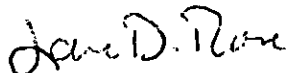
Dear Sir or Madam,

I am writing to object to the above-referenced request for variance to allow 8 parking spaces where 18 parking spaces are required. It appears that the requested variance would result in inadequate space for the persons working at the large building planned for the site (see SDR-19675), as well as for visitors. That will reduce available street parking in the area. Adequate street parking is a prime concern for businesses that operate in the vicinity. Our clients insist on convenient parking, and may take their business elsewhere if easy access no longer exists. If proposals like this one are approved, further pressure will be placed on downtown street parking.

The current parking space requirements have been established as an objective measure of parking needed for use of a building that does not adversely impact neighbors by consuming needed street parking. The proposed change is more than a minor difference in the number of spaces.

I request that the Planning and Development Department and the City Planning Commission disapprove the proposed variance, and require resubmission of a plan providing more parking spaces, as per the existing city plan. Thank you for your consideration.

Yours very truly,


Lawrence D. Rouse

ITEM # 67
CASE # VAR-20398
PC MTG 4-12-07

Marlene Walshin
2812 Botticelli Drive, Henderson, NV 89052
702-897-8255, cell 702-274-3866, fax 702-897-8655
email: mjwalshin@yahoo.com

April 2, 2007
Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nv 89010

Re: Attached Notices, ZON 20397, VAR-20398, VAR-20399, SDR-19675

I own the property at 520 South Seventh Street.

APPROVAL: ZON-20397 Rezone to Professional. I approve of this request.

OJBECTION: VAR-20398 – variance to allow 8 parking spaces instead of 18.

I OBJECT to this variance as this will result in an increased parking problem on the streets in the area. The 5,376 Square-foot office building would probably have at least approximately 18 employees, as well as clients who would need to park in the area. I feel the proposed building site should be approved with 18 parking spaces which seems an appropriate number to accommodate the number of anticipated employees. A further problem in the area is that only one vehicle is allowed in front of each 50-ft. property where two could easily park.

OBJECTION: VAR-20399 –

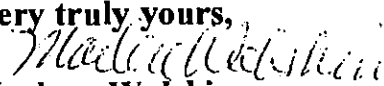
I OBJECT to allowing a side setback of ZERO FEET where 15 feet is required, and I object to the setback of 6.5 feet where 15 feet is required. By allowing the setbacks to be decreased, I feel this feel tend to change the character and integrity of this neighborhood.

OBJECTION: SDR-19675

I OBJECT to the wavier of the perimeter landscape buffer standard to allow a four foot landscape buffer on the corner side where a 15 foot landscape buffer is required and a zero foot landscape buffer on the side and rear where an eight foot landscape buffer is required.

I feel the waivers and variances requested will diminish the present character and integrity of this area, and cause parking problems and congestion for the existing property owners and businesses in the area. Thank you for your attention to this.

ITEM # 66-69
CASE # See above
PC MTG 4-12-07

Very truly yours,

Marlene Walshin



Layton Layton & Tobler LLP

Certified Public Accountants
606 South Ninth Street Las Vegas, Nevada 89101
(702) 384-1995 Fax (702) 384-6949
cpa@lltcpa.com
www.lltcpa.com

Donald R. Layton, CPA
Richard D. Layton, CPA, CFE
Stephen D. Waldron, CPA
Peter G. Gubler, CPA, CVA
Francine M. Miller, CPA
Michael D. Tobler, CPA (Deceased)

April 4, 2007

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

Dear Planning Members:

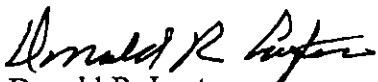
Re: VAR-20398
Applicant Lois Rojas
Variance to allow 8 parking spaces

We are the owners of the building at 606 South Ninth Street and protest this request to allow 8 parking spaces where 18 are required. This request is completely out of line with the available parking in the area. Approval of this request would put ten more vehicles on the street.

We would agree to 15 or 16 parking spaces where 18 are required, but not 8.

The other variance requests for this property are not opposed, but Mr. Rojas needs to reconfigure his building to add off street parking.

Sincerely,


Donald R. Layton
Partner

Enclosure: Copy of variance request VAR-20398 opposed

ITEM # 607
CASE # VAR-20398
PC MTG 4/12/07

Dorothy Marsili

From: Cheryl [crh202@earthlink.net]
Sent: Monday, April 09, 2007 12:03 PM
To: Dorothy Marsili
Subject: VAR-20398 set for April 12 meeting

To Whom It May Concern:

I am writing in opposition to this variance request by Applicant Luis Rojas to allow 8 parking spaces where 18 are required.

I am **strongly opposed** to this as I believe that it is unreasonably expected that a 5,376 square foot office building will require anything less than 18 spaces.

I am one of the owners of the property 4 parcels to the south at 617 S. Eighth Street and parking for our guests and clientele is already at a minimum, so allowing this request will further impose on our available parking.

Former Councilman Weekly stated that he was also strongly opposed to allowing any more parking variances in our area.

Thank you,
Cheryl R. Hall
Manning, Hall & Salisbury, LLC
617 S. Eighth Street
Suite A
Las Vegas, Nevada 89101
(702)382-2898

4/10/2007

Telephone Protest/ Approval Log

Meeting Date: 4-12-07 PC

Case Number: VAR-20398

Date: 3-30-07
Name: Mildred Bush
Address: 7233 Richmond
Heights Drive LY, NV 89128
Phone: 869-8783
☒ PROTEST ☐ APPROVE

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

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

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

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

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

ITEM # 67
CASE # VAR-20398
PC MTG 4-12-07

P

September 20, 2005

Luis J. Rojas, Esq.
520 South 4th Street
Las Vegas, NV 89101

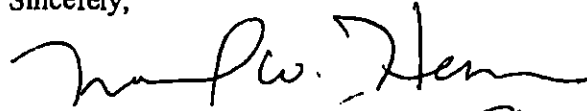
RE: Letter of Approval for 802 E. Bonneville

Dear Mr. Rojas:

This letter is written to memorialize today's meeting between Michael Herron and Mickey Vaca, the property owners of 607 and 609 S. 8th Street, Las Vegas, NV, and Luis Rojas, the property owner of 802 E. Bonneville, Las Vegas, NV. At this meeting, drawings of the proposed office to be built at 802 E. Bonneville, dated July 2005, were presented by Luis J. Rojas. After the presentation of the drawings for said building, which consisted of approximately 4,100 feet of office space with associated storage and parking area, Mr. Rojas answered any and all questions regarding any variances and/or waivers necessary for the completion of the project.

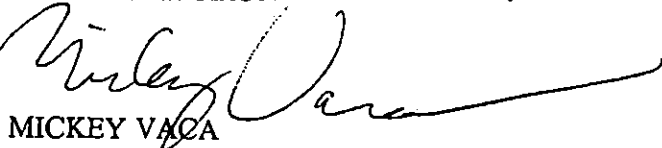
Based upon a complete review of the project, both Mickey and I have no objection to any variances or waivers which you may require in order to complete the specific project as provided on this date.

Sincerely,



MICHAEL HERRON

9-20-05



MICKEY VACA

ZON-20397 VAR-20398
VAR-20399 SDR-19675
04/12/07 PC

RECEIVED

MAR 08 2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-20399 - VARIANCE RELATED TO ZON-20397 AND VAR-20398 - PUBLIC HEARING - APPLICANT/OWNER: LUIS ROJAS - Request for a Variance to ALLOW A LOT WIDTH OF 50 FEET WHERE 60 FEET IS REQUIRED, TO ALLOW 60% LOT COVERAGE WHERE A MAXIMUM LOT COVERAGE OF 50% IS REQUIRED, TO ALLOW A REAR YARD SETBACK OF 13.33 FEET WHERE 15 FEET IS REQUIRED, TO ALLOW A SIDE YARD SETBACK OF ZERO FEET WHERE FIVE FEET IS REQUIRED, AND TO ALLOW A SIDE STREET (CORNER) SETBACK OF 6.5 FEET WHERE 15 FEET IS REQUIRED on 0.16 acres at 802 East Bonneville Avenue (APN 139-34-810-050), R-1 (Single Family Residential) Zone, [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 3 (Reese).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Approval Letter by Mickey Vaca
6. Protest Letter by Marlene Walshin

MOTION:

TRUESDELL – APPROVED subject to conditions – Motion carried with TROWBRIDGE and DUNNAM voting NO and EVANS excused

NOTE: COMMISSIONER STEINMAN disclosed that he has a professional relationship with Mr. Bryan and he will vote on this matter.

To be heard by City Council on 5/16/2007

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 68 – VAR-20399

MINUTES:

See Item 66 for related discussion.

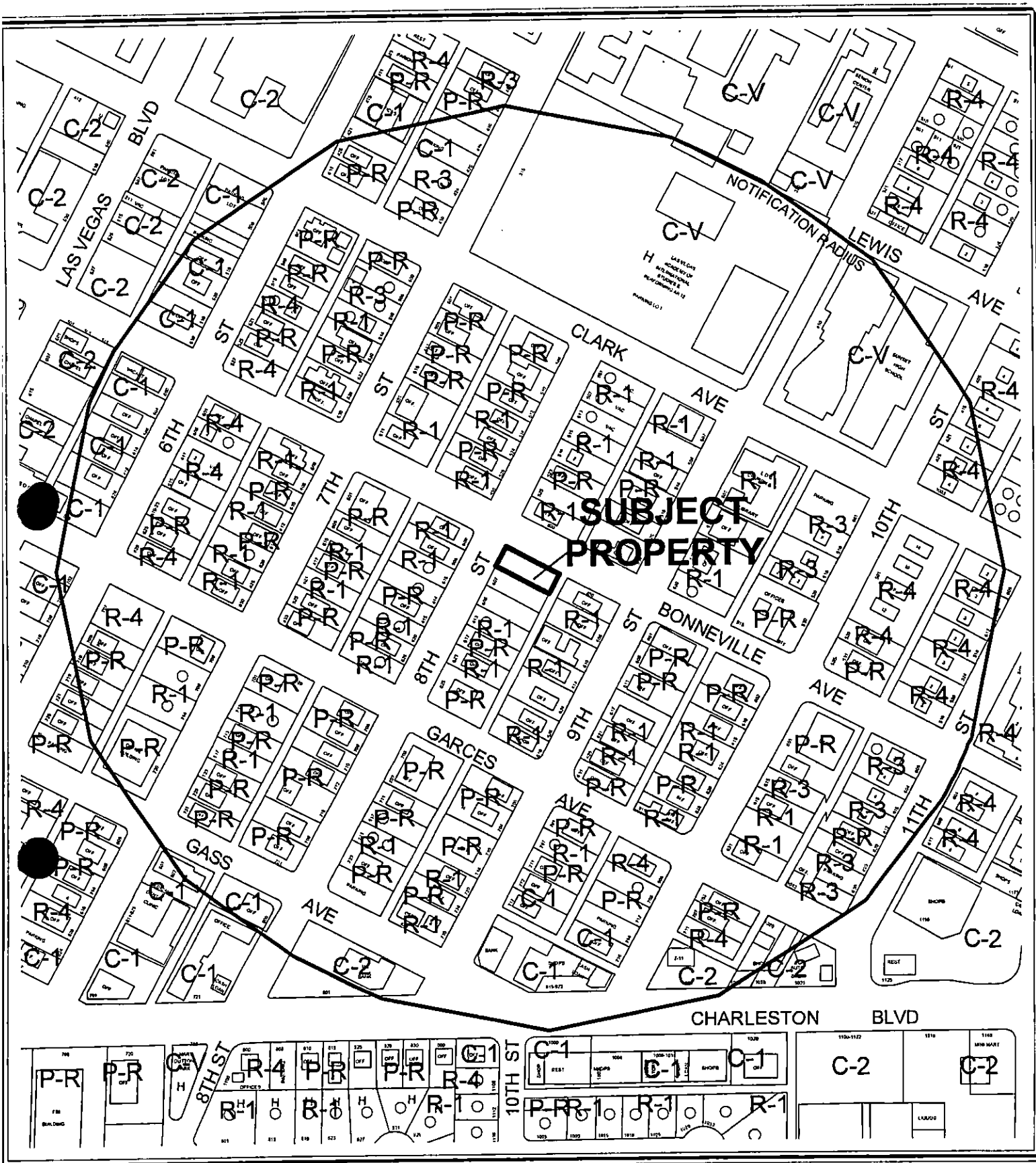
(10:08 – 10:51)

3-1165

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-20397), Site Development Plan Review (SDR-19675) and Variance (VAR-20398) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



CASE: VAR-20399

RADIUS: 1000 FT

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

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 12, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-20399 - APPLICANT/OWNER: LUIS ROJAS

**** CONDITIONS ****

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-20397), Site Development Plan Review (SDR-19675) and Variance (VAR-20398) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-20399 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose for this Variance is to a 50-foot lot width where 60 feet is required, to allow 60% lot coverage where a maximum lot coverage of 50% is allowed, a side yard setback of zero feet where eight feet is required, a rear yard setback of 13.33 feet where 15 feet is required, and a corner setback of 6.5 feet where 15 feet is required in conjunction with a proposed 5,376 square-foot office building.

A related Rezoning (ZON-20397) to rezone the property from R-1 (Single-family Residential) to P-R (Professional Office & Parking), Site Development Plan Review (SDR-19675) for a proposed 5,376 square-foot office building and a waiver of the perimeter landscape buffer standards and related Variance (VAR-20398) to allow eight parking spaces where 18 parking spaces are required will be heard concurrently with this application.

The applicant is attempting to significantly overdevelop this parcel with a building that doesn't meet setbacks, landscaping standards, parking standards, and is proposing a modernist building in the Las Vegas High School Historic District.

BACKGROUND INFORMATION

<i>Related/Relevant City Actions by P&D, Hire, Bldg., etc.</i>	
Month/date/year	Action
09/25/05	The City Council accepted a withdrawal without prejudice of a Variance (VAR-6937) to allow a five-foot setback where residential adjacency standards require 105 feet, a Variance (VAR-6938) to allow 24 parking spaces where 43 spaces are required, and a Site Development Plan Review (SDR-6934) for a 12,857 square-foot office building, and a Rezoning (ZON-7254) of this property and the adjacent two parcels to the south from R-1 (Single-family Residential) to P-R (Professional Office & Parking). These applications were for the two adjacent parcels to the south. Staff recommended approval of the Rezoning and denial of the Variances and Site Development Plan Review. The Planning Commission recommended approval of all applications.

VAR-20399 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

Related Building Permits/Business Licenses	
Month/date/year	Description
11/19/04	Demolition permit 31045-R-04 was approved by Planning & Development and by Building & Safety.
Pre-Application Meeting	
1/5/07	At the pre-application meeting the applicant was informed about the setback and landscape requirements for the proposed development. The applicant was also informed about the parking requirements and was asked by Public Works to revise their parking layout to meet ADA requirements.
Neighborhood Meeting	
A pre-application meeting is not required for this application type, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	0.16 ac

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped*	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
North	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
South	Undeveloped & Single-family Residential	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
East	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
West	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)

VAR-20399 - Staff Report Page Three
 April 12, 2007 - Planning Commission Meeting

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	
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

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size			
Min. Lot Width	60	50	N
Min. Setbacks			
• Front	20	20	N
• Side	8	Zero	N
• Corner	15	6.5	N
• Rear	15	13.33	N
Min. Distance Between Buildings	N/A	N/A	N/A
Max. Lot Coverage	50%	60%	N
Max. Building Height	2 Stories/35 Feet	2 Stories/ 34 Feet, 2 Inches	Y
Trash Enclosure	50 Feet From Residential	7.33 Feet	N/A*
Mech. Equipment	Screened	Screened	Y

* This property is adjacent to R-1 zoned, MXU Master Planned [(Mixed-Use – Downtown Redevelopment Plan Area)] Offices to the east.

Pursuant to Title 19.12, the following development standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	2 Trees	Zero	N
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	9 Trees	6 Trees	N
TOTAL		11 Trees	6 Trees	N
Min. Zone Width	15 Feet & 8 Feet		Zero Feet, 6.5 Feet, & 15 Feet	N*
Wall Height	N/A		N/A	N/A

* The proposed development meets the required landscape buffer width only along the Eighth Street frontage.

VAR-20399 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Office	5,376 sq. ft.	1:300	17	1	7	1	N
TOTAL (including handicap)			18		8		
Loading Spaces							
Percent Deviation (VAR only)			55% Parking Deviation				

ANALYSIS

The applicant has proposed a building that greatly exceeds the lots ability to accommodate the necessary setbacks for a 5,376 square-foot office. The inability of this lot to adequately accommodate this building is evidenced by the number of variances and waivers sought by the applicant.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

VAR-20399 - Staff Report Page Five
April 12, 2007 - Planning Commission Meeting

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a building that greatly exceeds dimensional ability of the lot to physically accommodate the proposed building without seeking variances and waivers. An alternative design that reduces the size of the building 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 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 191 (Mailed with ZON-20397, VAR-20398 and SDR-19675)

APPROVALS 1

PROTESTS 1



04/12/07 PC



March 8, 2007

TO: Department of Planning & Development
731 South Fourth Street
Las Vegas, NV 89101

REFERENCE: Rojas Law Office
802 E. Bonneville
APN 139-34-810-050
Las Vegas, NV 89101

SUBJECT: Justification Letter For Proposed New Law Office
Building

To Whom it May Concern:

The applicant, Luis Rojas, here with request your support in approving of the following Zone Change, Site Development Review (SDR) and Variances.

We are requesting a zone change from R-1 to P-R.

We also have various items which we are requesting approval and are under ~~the~~ variance applications.

1. Lot width of 50'0" in a P-R zone where 60'0" is the minimum
- 2.a. Rear set back of 13'4" where 15'0" is the minimum. This is shown on the plans as the second floor offices cantilever over in this space. The 1st level is 20'0" back from the property line.

ZON-20397 VAR-20398
VAR-20399 SDR-19675

04/12/07 PC

RECEIVED

MAR 08 2007

2.b. Side yard set back of 0'0" where 5'0" is required. This is on the South Property Line. See attached a letter from our neighbor who reviewed our plans and is in support.

2.c. Corner side yard set back of 4'0" where 15'0" is required. As shown on our parking and building layout, we have no office space on the first floor but merely parking and an entrance to the building.

2.d. Parking – We are requesting 8 spaces where 18 are required. This number of spaces is influenced by counting in the gross space of the building. This is including both sets of stairs on the first level as well as all storage, elevator space and entry vestibule.

3. Landscaping waivers:

North: Provided accept for the rear of the lot where the back alley parking is adjacent to the right of way.

South: Building being built along the property line.

East: This is along the alley where it will be all parking, trash enclosure, and drive aisle

West: This is the front drive entrance. Along with the parking and front sidewalk entry landscaping is limited to what is shown.

4. Lot Coverage:

We are proposing 59% lot coverage where 50% is allowed.

Upon your review of the plans, the building we are requesting approval for has only six offices requiring parking. This building with its dynamic glass front street appeal will enhance the corner where it is located. We respectfully request your approval for this application.

Should you have any questions regarding this pre-application request, please call Dean Bryan at 362-7127.

Sincerely,



R. Dean Bryan

Enclosures (1) Agreement from southern neighbor.

ZON-20397 VAR-20398
VAR-20399 SDR-19675
04/12/07 PC

RECEIVED

MAR 08 2007

September 20, 2005

Luis J. Rojas, Esq.
520 South 4th Street
Las Vegas, NV 89101

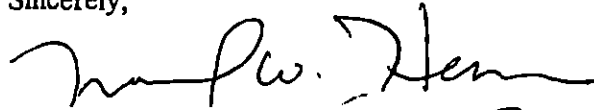
RE: Letter of Approval for 802 E. Bonneville

Dear Mr. Rojas:

This letter is written to memorialize today's meeting between Michael Herron and Mickey Vaca, the property owners of 607 and 609 S. 8th Street, Las Vegas, NV, and Luis Rojas, the property owner of 802 E. Bonneville, Las Vegas, NV. At this meeting, drawings of the proposed office to be built at 802 E. Bonneville, dated July 2005, were presented by Luis J. Rojas. After the presentation of the drawings for said building, which consisted of approximately 4,100 feet of office space with associated storage and parking area, Mr. Rojas answered any and all questions regarding any variances and/or waivers necessary for the completion of the project.

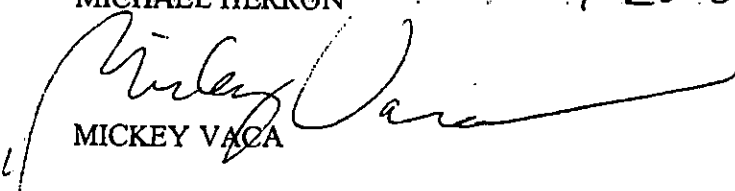
Based upon a complete review of the project, both Mickey and I have no objection to any variances or waivers which you may require in order to complete the specific project as provided on this date.

Sincerely,



MICHAEL HERRON

9-20-05



MICKEY VACA

**ZON-20397 VAR-20398
VAR-20399 SDR-19675
04/12/07 PC**

Marlene Walshin
2812 Botticelli Drive, Henderson, NV 89052
702-897-8255, cell 702-274-3866, fax 702-897-8655
email: mjwalshin@yahoo.com

April 2, 2007
Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nv 89010

Re: Attached Notices, ZON 20397, VAR-20398, VAR-20399, SDR-19675

I own the property at 520 South Seventh Street.

APPROVAL: ZON-20397 Rezone to Professional. I approve of this request.

OJBECTION: VAR-20398 – variance to allow 8 parking spaces instead of 18.

I OBJECT to this variance as this will result in an increased parking problem on the streets in the area. The 5,376 Square-foot office building would probably have at least approximately 18 employees, as well as clients who would need to park in the area. I feel the proposed building site should be approved with 18 parking spaces which seems an appropriate number to accommodate the number of anticipated employees. A further problem in the area is that only one vehicle is allowed in front of each 50-ft. property where two could easily park.

OBJECTION: VAR-20399 –

I OBJECT to allowing a side setback of ZERO FEET where 15 feet is required, and I object to the setback of 6.5 feet where 15 feet is required. By allowing the setbacks to be decreased, I feel this feel tend to change the character and integrity of this neighborhood.

OBJECTION: SDR-19675

I OBJECT to the wavier of the perimeter landscape buffer standard to allow a four foot landscape buffer on the corner side where a 15 foot landscape buffer is required and a zero foot landscape buffer on the side and rear where an eight foot landscape buffer is required.

I feel the waivers and variances requested will diminish the present character and integrity of this area, and cause parking problems and congestion for the existing property owners and businesses in the area. Thank you for your attention to this.

ITEM # 66-69
CASE # See above
PC MTG 4.12.07

Very truly yours,

Marlene Walshin
Marlene Walshin

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-19675 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-20397, VAR-20398, VAR-20399 - PUBLIC HEARING - APPLICANT/OWNER: LUIS ROJAS -
Request for a Site Development Plan Review FOR A PROPOSED 5,376 SQUARE-FOOT OFFICE BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFER STANDARD TO ALLOW A FOUR FOOT LANDSCAPE BUFFER ON THE CORNER SIDE WHERE A 15 FOOT LANDSCAPE BUFFER IS REQUIRED AND A ZERO FOOT LANDSCAPE BUFFER ON THE SIDE AND REAR WHERE AN EIGHT FOOT LANDSCAPE BUFFER IS REQUIRED, AND TO ALLOW SIX PERIMETER LANDSCAPE BUFFER TREES WHERE NINE TREES ARE REQUIRED on 0.16 acres at 802 East Bonneville Avenue (APN 139-34-810-050), R-1 (Single Family Residential) Zone, [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 3 (Reese).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Approval Letter by Mickey Vaca
6. Protest Letter by Marlene Walshin

MOTION:

TRUESDELL – APPROVED subject to conditions – Motion carried with **TROWBRIDGE** and **DUNNAM** voting **NO** and **EVANS** excused

NOTE: COMMISSIONER STEINMAN disclosed that he has a professional relationship with **Mr. Bryan** and he will vote on this matter.

To be heard by City Council on 5/16/2007

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 69 – SDR-19675

MINUTES:

See Item 66 for related discussion.

(10:08 – 10:51)

3-1165

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-20397), Variance (VAR-20398) and Variance (VAR-20399) 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 02/06/07 except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow zero feet of landscaping on the south and east property lines and six feet, six inches of landscaping on the north property line.
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).

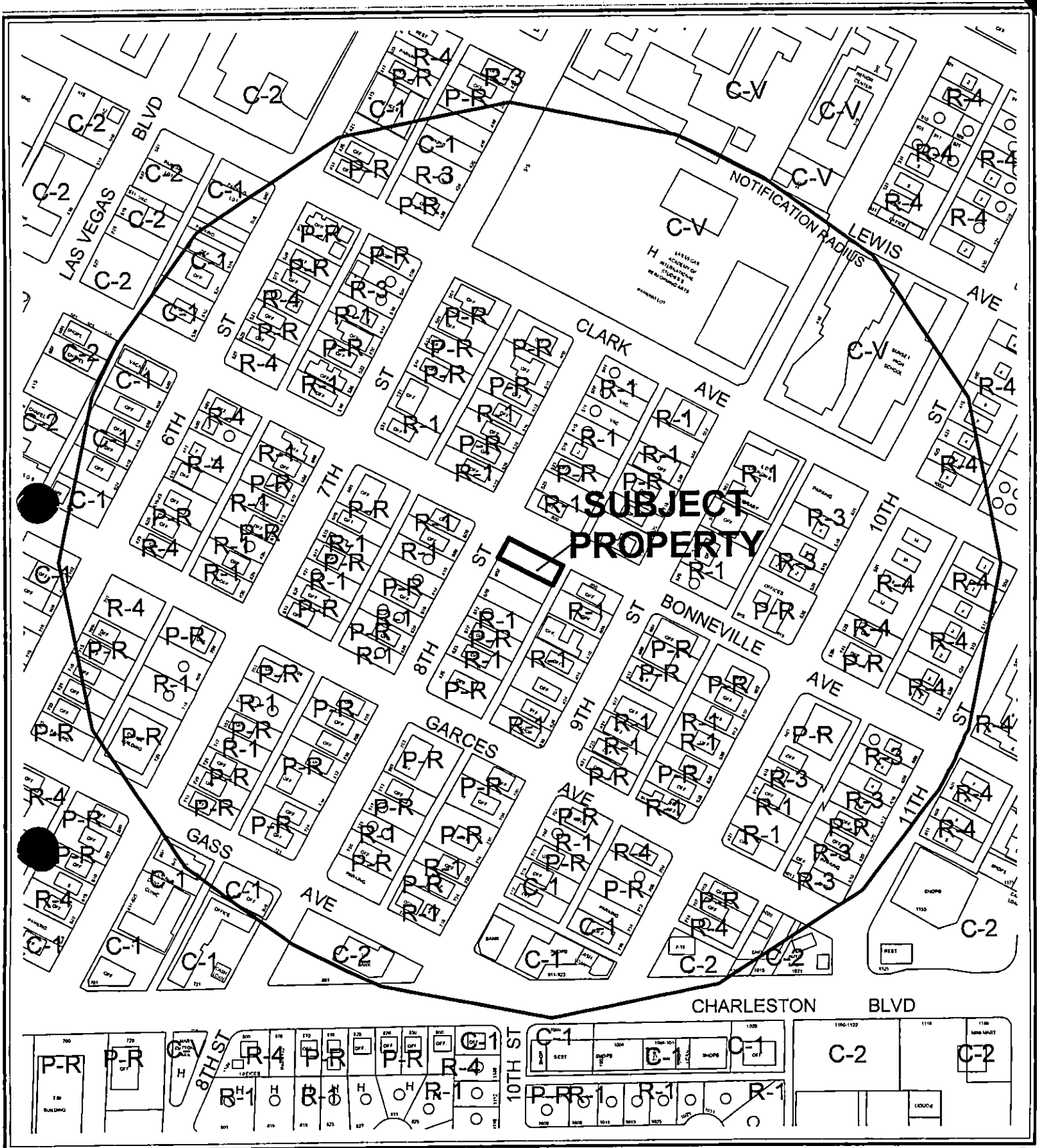
PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 69 – SDR-19675

CONDITIONS – Continued:

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

Public Works

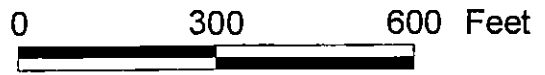
13. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from 8th Street.
14. Landscape and maintain all unimproved rights-of-way, if any, on Bonneville Avenue and Eighth Street adjacent to this site. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Bonneville Avenue and Eighth Street public rights-of-way adjacent to this site prior to occupancy of this site.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
17. Site development to comply with all applicable conditions of approval for ZON-19675 and all other subsequent site-related actions.



CASE: **SDR-19675**

RADIUS: 1000 FT

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



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 12, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-19675 - APPLICANT/OWNER: LUIS ROJAS**

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

1. Conformance to the conditions for Rezoning (ZON-20397), Variance (VAR-20398) and Variance (VAR-20399) 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 02/06/07 except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow zero feet of landscaping on the south and east property lines and six feet, six inches of landscaping on the north property line.
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).

SDR-19675 - Conditions Page Two
April 12, 2007 - Planning Commission Meeting

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

Public Works

13. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from 8th Street.
14. Landscape and maintain all unimproved rights-of-way, if any, on Bonneville Avenue and Eighth Street adjacent to this site. 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.
15. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Bonneville Avenue and Eighth Street public rights-of-way adjacent to this site prior to occupancy of this site.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
17. Site development to comply with all applicable conditions of approval for ZON-19675 and all other subsequent site-related actions.

SDR-19675 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose for this Site Development Plan Review for a proposed 5,376 square-foot office building and a waiver of the perimeter landscape buffer standards to allow a four-foot landscape buffer on the corner side where a 15 foot landscape buffer is required, a zero-foot landscape buffer on the side and rear yards where an eight foot landscape buffer is required, provide six perimeter landscape buffer trees where nine trees are required, and provide zero parking lot trees where two trees are required.

A related Rezoning (ZON-20397) to rezone the property from R-1 (Single-family Residential) to P-R (Professional Office & Parking), and related Variances (VAR-20398 & VAR-20399) to allow eight parking spaces where 18 parking spaces are required and to allow a 50-foot lot width where 60 feet is required, allow a 60% lot coverage where 50% lot coverage is allowed, a side yard setback of zero feet where eight feet is required, a rear yard setback of 13.33 feet where 15 feet is required, and a corner setback of 6.5 feet where 15 feet is required will be heard concurrently with this application.

The applicant is attempting to significantly overdevelop this parcel with a building that doesn't meet setbacks, landscaping standards, parking standards, and is proposing a modernist building in the Las Vegas High School Historic District.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
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<i>Related Building Permits/Business Licenses</i>	
Month/date/year	Description
11/19/04	Demolition permit 31045-R-04 was approved by Planning & Development and by Building & Safety.

SDR-19675 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

Pre-Application Meeting	
1/5/07	At the pre-application meeting the applicant was informed about the setback and landscape requirements for the proposed development. The applicant was also informed about the parking requirements and was asked by Public Works to revise their parking layout to meet ADA requirements.
Neighborhood Meeting	
A pre-application meeting is not required for this application type, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	0.16 ac

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped*	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
North	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
South	Undeveloped & Single-family Residential	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
East	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
West	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	
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

SDR-19675 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size			
Min. Lot Width	60	50	N
Min. Setbacks			
• Front	20	20	N
• Side	8	Zero	N
• Corner	15	6.5	N
• Rear	15	13.33	N
Min. Distance Between Buildings	N/A	N/A	N/A
Max. Lot Coverage	50%	60%	N
Max. Building Height	2 Stories/35 Feet	2 Stories/ 34 Feet, 2 Inches	Y
Trash Enclosure	50 Feet From Residential	7.33 Feet	N/A*
Mech. Equipment	Screened	Screened	Y

* This property is adjacent to R-1 zoned, MXU Master Planned [(Mixed-Use – Downtown Redevelopment Plan Area)] Offices to the east.

Pursuant to Title 19.12, the following development standards apply:

Landscaping and Open Space Standards				
Standards	Ratio	Required	Provided	Compliance
Parking Area	1 Tree/6Spaces	2 Trees	Zero	N
Buffer:				
Min. Trees	1 Tree/20Linear Feet	9 Trees	6 Trees	N
TOTAL		11 Trees	6 Trees	N
Min. Zone Width	15 Feet & 8 Feet		Zero Feet, 6.5 Feet, & 15 Feet	N*
Wall Height	N/A		N/A	N/A

* The proposed development meets the required landscape buffer width only along the Eighth Street frontage.

SDR-19675 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Office	5,376 sq. ft.	1:300	17	1	7	1	N
TOTAL (including handicap)			18		8		
Loading Spaces							
Percent Deviation (VAR only)			55% Parking Deviation				

ANALYSIS

HPO Recommendation SDR – 19675 802 Bonneville

DENIAL

Background

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

Properties listed on the National Register do not fall under the jurisdiction of the city of Las Vegas HPC design review process whereby the HPC approves or disapproves major changes that are planned for the district.

Although this property has been demolished, the Planning & Development Department strongly encourages contextual designs for new development within this neighborhood because the district is listed on the National Register. Planning Staff has worked closely with the Historic Preservation Commission (HPC) to identify the significant architectural and streetscape elements that define the unique character of the district. The typical character-defining elements include one-story, residential homes built from the early 1930s through the 1940s. The styles of the original homes are typically early Revival styles such as Tudor, Spanish and Colonial, and several Ranch style examples.

SDR-19675 - Staff Report Page Five
April 12, 2007 - Planning Commission Meeting

Historic Significance

The demolished house, 802 E. Bonneville Avenue was a two-story Mission Revival style apartment building constructed in 1931. This building was considered a "contributing element," meaning, it retained its architectural integrity and context within the historic neighborhood.

802 E. Bonneville Avenue opened as the Butte Duplex, and aroused considerable attention in August of 1931; the Las Vegas Age devoted a full page to its opening. Dr. J. W. Butte authorized its construction. The first floor apartment was his home, and the second floor was a rental unit. The apartments had wood floors, and the fireplace in Mr. Butte's home had a fireplace built with Yosemite stone. The building was designed and built by the Hampton Brothers.

This was one of many rental properties built to take advantage of the housing shortage with the building of Boulder Dam, and very few remain today.

Recent reviews by the Nevada State Historic Preservation Office have suggested that the Las Vegas High School Historic District is at risk for losing its recognition by the National Register due to significant inappropriate new development. If this were to occur, the financial opportunities and incentives provided to business owners for rehabilitation of their buildings would be lost. Because of this, the Planning & Development Department and the Historic Preservation Officer (HPO) strongly encourage sensitive and contextual design within the neighborhood to preserve its historic character and integrity, with the priority being to preserve the original homes in their original state.

The proposed project includes a new building designed in a contemporary style that is incompatible with the existing historic neighborhood for the following reasons:

- The relatively flat façade has little variation in terms of noticeably recessed planes or celebrated entrance that would provide a more residential appearance.
- The contemporary design of the building is not compatible with existing historic styles of the Las Vegas High School neighborhood.

It is for these reasons that the Historic Preservation Officer recommends denial of this request.

Prior Applications:

A similar request was withdrawn on a prior group of applications for the adjacent two parcels to the south at the City Council. The prior applications were variances for residential adjacency, reduced parking, rezoning to P-R (Professional Office & Parking), and a site development plan review for a 12,857 square-foot office. The proposal was for an office building with a Spanish Mediterranean, Style building, which is more in character with the older buildings in this neighborhood than the building proposed in this application.

SDR-19675 - Staff Report Page Six
April 12, 2007 - Planning Commission Meeting

Site Plan:

The proposed development occupies 60% of the lot, where a maximum lot coverage of 50% is permitted. With the exception of the front setback, the building proposed in this development does not meet the minimum setbacks per Title 19.08. The applicant proposes to reduce the side yard setback to zero feet where eight feet is required. The rear yard and corner setbacks are 13.33 feet and 6.5 feet respectively where a 15-foot setback is required.

In addition to the reduced setbacks, the proposed development is seeking waivers of the side, rear, and corner perimeter landscape buffer requirements analogous with and in one case greater than (east landscape buffer) the requested setback variances. The majority of the parking stalls will be covered parking below the elevated office building. The applicant is also proposing to locate three parking spaces that back onto an alley.

Landscape Plan:

The landscape plans show 25-foot Date Palm Trees for the required trees, the ground cover will include Frasers Photinia, Indian Hawthorn, Trailing Lantana, and Crape Myrtle. The proposed landscaping also includes a turf area between the curb and the detached sidewalk, which is planned to be xeriscaped.

Elevation Plan:

The elevation plan shows modernist building with hard, asymmetrical building with a light bronze/silver glazing on store front window panels along the Bonneville Avenue street frontage. The south elevation is shown as a sand colored stucco finish with grout lines to provide some articulation to the building façade. The Eighth Street frontage has an articulation of windows and stucco. The rear elevation is similar to the Eighth Street frontage in its articulation; however there are fewer windows on the east elevation.

Floor Plan:

The floor plans show the first floor of the building is composed of a covered parking area with some storage areas and an entrance lobby. The entirety of the second floor is dedicated to a reception area, lobby, restrooms, break and copy rooms and offices.

SDR-19675 - Staff Report Page Seven
April 12, 2007 - Planning Commission Meeting

FINDINGS

The following findings must be made for an SDR:

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

Due to the number of variances and waivers of development standards the proposed development is not compatible with the surrounding development.

- 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 the General Plan, Title 19 or the Design Standards for the City of Las Vegas in that the building proposed by the applicant is out of context with buildings in the area. Moreover, the proposed site is being over built as is evidenced by the number of variances and waivers necessary for this development to occur.

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

While Bonneville Avenue and Eighth Street may not be impacted by the proposed development, the applicant proposes to have three parking spaces back onto a dedicated alley.

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

While the landscape materials are appropriate for the area, the building materials are inappropriate because they would locate a modernist designed building within the Las Vegas High School Historic District which is dominated by early Revival styles such as Tudor, Spanish and Colonial, and several Ranch style homes and residential office conversions.

- 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;**

SDR-19675 - Staff Report Page Eight
April 12, 2007 - Planning Commission Meeting

The design characteristics of the proposed building within the context of the Las Vegas High School Historic District are unsightly, undesirable and obnoxious. The placement of a building with a modernist design would create an aesthetically unbalanced environment that is incompatible and not harmonious with the existing buildings in the area.

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

Approval of this building would harm the general welfare of the area by locating a building within a Historic District which would create an unbalanced atmosphere in the area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 9

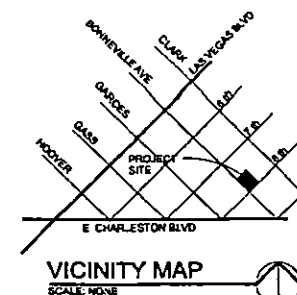
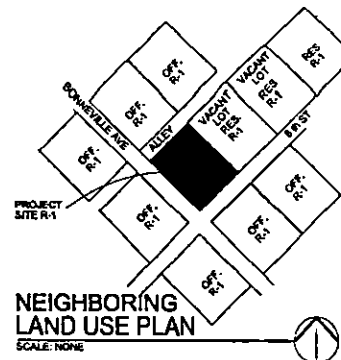
SENATE DISTRICT 3

NOTICES MAILED 191 (Mailed with ZON-20397, VAR-20398 and VAR-20399)

APPROVALS 1

PROTESTS 1





PROJECT INFORMATION

A.P.N.: 139-34-810-050
EXISTING ZONING: R-1
GROSS LAND AREA: 7,000 S.F. (160 AC.)
TOTAL BUILDING AREA: 4,268 S.F.
LOT COVERAGE: 60%

BUILDING INFORMATION

1st FLOOR	
LOBBY / ATRIUM:	426 S.F.
ELEV. / STAIR #1:	126 S.F.
STAIRWAY #2:	126 S.F.
STORAGE #A:	72 S.F.
STORAGE #B:	72 S.F.
STORAGE #C:	205 S.F.
STORAGE #D:	42 S.F.
TOTAL:	937 S.F.

2nd FLOOR	
OFFICE:	4,430 S.F.
TOTAL:	4,379 S.F.
TOTAL BUILDING:	5,376 S.F.
PARKING:	1,331 S.F.

PARKING ANALYSIS

REQUIRED PARKING	
1st FLOOR	937 S.F.
2nd FLOOR	4,430 S.F.
TOTAL:	5,376 S.F.
5,376 S.F. / 300 SF = 17.92 OR 18 SPACES	

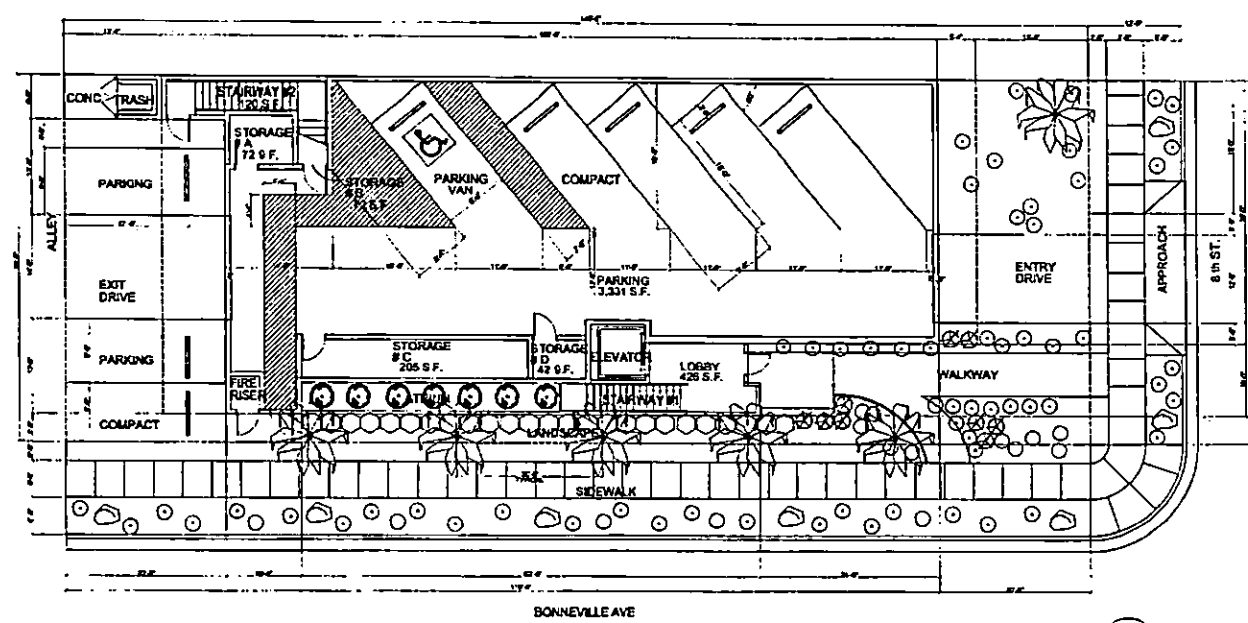
PROVIDED PARKING	
COVERED PARKING:	3 FULL SIZE 1 H.C. VAN 1 COMPACT
ALLEY PARKING:	2 FULL SIZE 1 COMPACT
TOTAL:	9 SPACES

PLANTING LEGEND

	PHOENIX DACTYLIFERA	DATE PALM - FRUITLESS	25'
	SILK TREES	INDOOR - ORNAMENTAL	24" BOX
	PHOTINIA FRASERS	FRASERS PHOTINIA	6 GAL.
	RAPHIOLEPIS INDICA	INDIAN HAWTHORN	3 GAL.
	LANTANA MONTEVIDEENSIS	TRAILING LANTANA	5 GAL.
	LAGERSTROEMIA INDICA	GRAPE MYRTLE	4 GAL.

HARD SCAPE MATERIAL

1" COMPOSED COLORED GRAVEL
3/4" 8" MINUS SCREENED DESERT GOLD
* ALL PLANTING AREAS
* SHOULDER - 10" MIN.



SDR-19675

04/12/07 PC

REVISIONS

NO.	DATE	DESCRIPTION

CONCEPT PLANS

BRYAN CONSTRUCTION INC.

STATE LICENSE # 278144

308 S. 11th

LAS VEGAS, NEVADA

(702) 382-7127

Fax: (702) 382-7076

LUIS ROJAS LAW OFFICES

802 E. BONNEVILLE AVE.

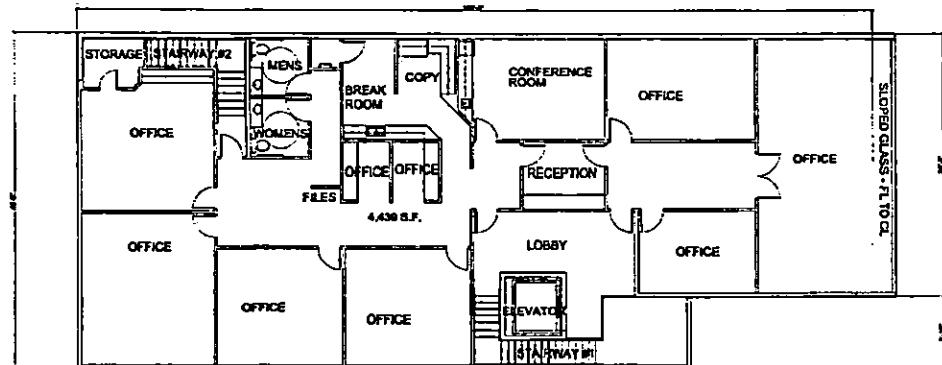
LAS VEGAS, NEVADA

12/25/2006

SHOWN

11/2/03

C1



2nd FLOOR PLAN
SCALE: 1/8" = 1'-0"

SDR-19675
04/12/07 PC

REVISIONS	BY

BRYAN CONSTRUCTION INC.
STATE LICENSE # 27674A
308 S. 11th
LAS VEGAS, NEVADA
(702) 363-7127
Fax (702) 363-7078

CONCEPT PLANS
LUIS ROJAS LAW OFFICES
802 E. BONNEVILLE AVE.
LAS VEGAS, NEVADA

12/28/2008
111-245

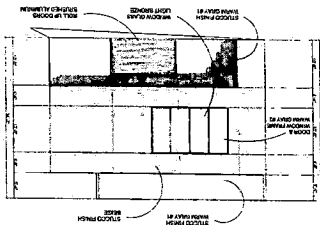
C2

BRYAN CONSTRUCTION INC.
STATE LICENSE # 27874A
(702) 362-7127
306 S. 1125
LAS VEGAS, NEVADA
Fax: (702) 368-7079

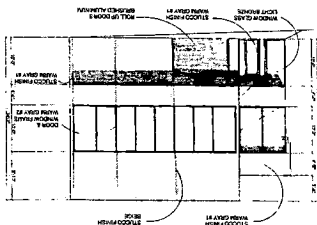
BRYAN CONSTRUCTION INC.

18

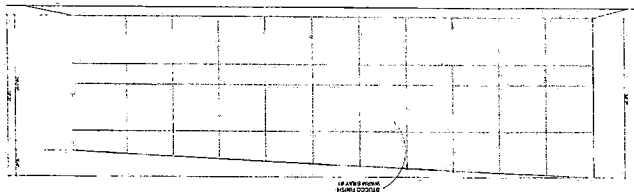
EAST ELEVATION



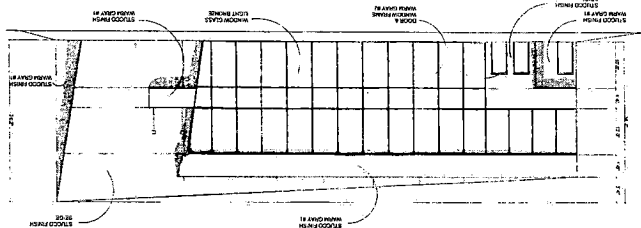
WEST ELEVATION



800TH ELEVATION



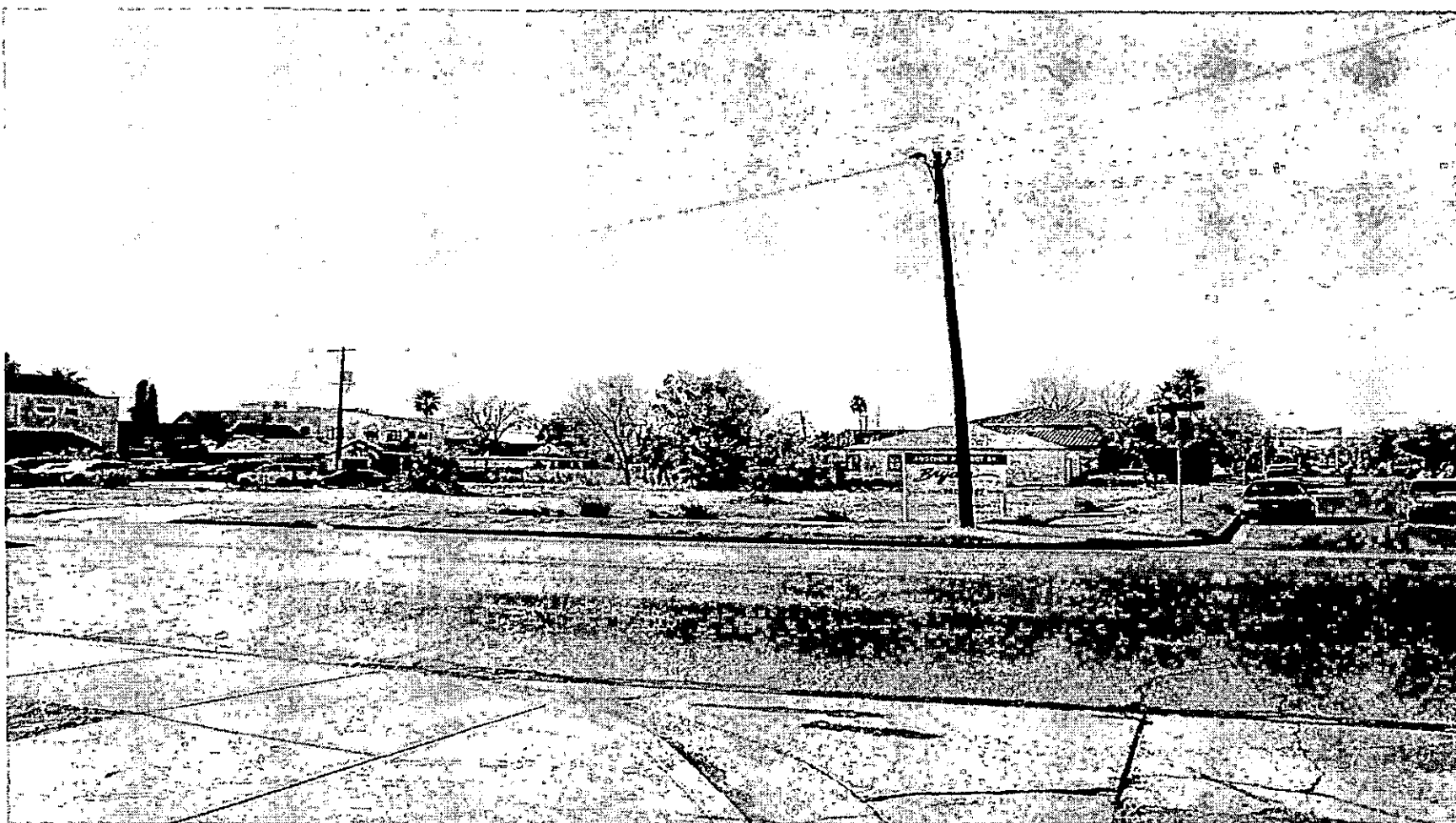
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SDR-19675
04/12/07 PC

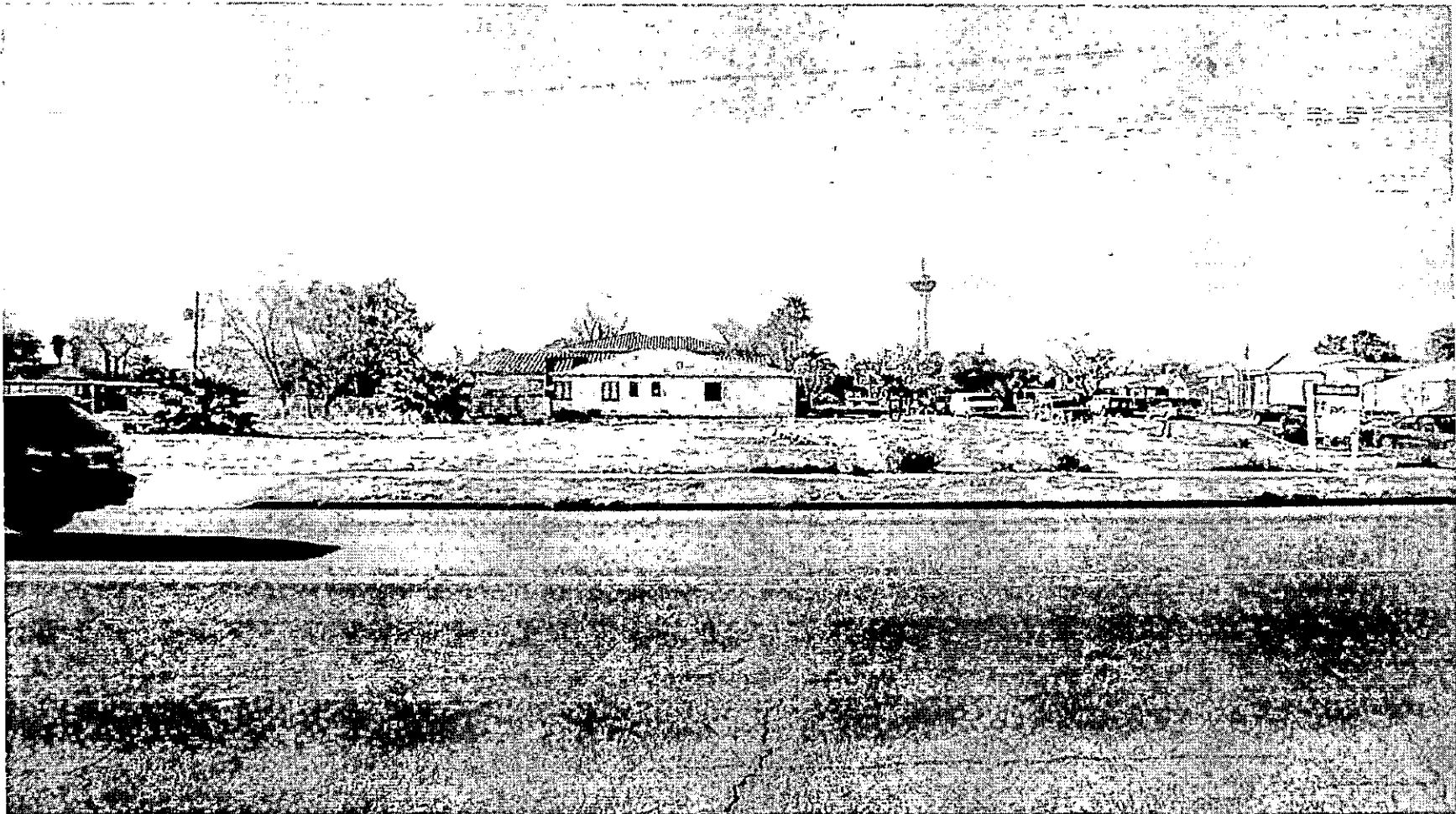


ZON-20397, VAR-20398, VAR-20399 AND SDR-19675 - APPLICANT/OWNER: LUIS ROJAS
SOUTHEAST CORNER OF EAST BONNEVILLE AVENUE AND SOUTH 8TH STREET
APRIL 12, 2007 PLANNING COMMISSION

02/20/07



ZON-20397, VAR-20398, VAR-20399 AND SDR-19675 - APPLICANT/OWNER: LUIS ROJAS
SOUTHEAST CORNER OF EAST BONNEVILLE AVENUE AND SOUTH 8TH STREET
DEMOLISHED HOUSE FORMERLY AT 802 BONNEVILLE
APRIL 12, 2007 PLANNING COMMISSION



ZON-20397, VAR-20398, VAR-20399 AND SDR-19675 - APPLICANT/OWNER: LUIS ROJAS
SOUTHEAST CORNER OF EAST BONNEVILLE AVENUE AND SOUTH 8TH STREET
APRIL 12, 2007 PLANNING COMMISSION

02/20/07

March 8, 2007

Bryan

TO: Department of Planning & Development
731 South Fourth Street
Las Vegas, NV 89101

REFERENCE: Rojas Law Office
802 E. Bonneville
APN 139-34-810-050
Las Vegas, NV 89101

SUBJECT: Justification Letter For Proposed New Law Office
Building

To Whom it May Concern:

The applicant, Luis Rojas, here with request your support in approving of the following Zone Change, Site Development Review (SDR) and Variances.

We are requesting a zone change from R-1 to P-R.

We also have various items which we are requesting approval and are under one variance application.

1. Lot width of 50'0" in a P-R zone where 60'0" is the minimum
- 2.a. Rear set back of 13'4" where 15'0" is the minimum. This is shown on the plans as the second floor offices cantilever over in this space. The 1st level is 20'0" back from the property line.
- 2.b. Side yard set back of 0'0" where 5'0" is required. This is on the South Property Line. See attached a letter from our neighbor who reviewed our plans and is in support.
- 2.c. Corner side yard set back of 4'0" where 15'0" is required. As shown on our parking and building layout, we have no office space on the first floor but merely parking and an entrance to the building.
- 2.d. Parking – We are requesting 8 spaces where 18 are required. This number of spaces is influenced by counting in the gross space of the building. This is including both sets of stairs on the first level as well as all storage, elevator space and entry vestibule.

SDR-19675

04/12/07 PC

REVISED

RECEIVED
MAR 15 2007

3. Landscaping waivers:

North: We have provided the landscaping along Bonneville with trees 20 feet on center except where the alley parking lot comes to the property line. Also we do not have a tree right on the corner which was discussed with traffic in our preconference meeting. The building does have interior landscaping which is to be light at night to provide streetscape appeal along Bonneville. The exact tree quantities and locations are shown on the plans provided.

South: Building being built along the property line.

East: This is along the alley where it will be all parking, trash enclosure, and drive aisle

West: This is the front drive entrance. Along with the parking and front sidewalk entry landscaping is limited to what is shown.

Landscape finger required for every six spaces: Though we have (3) three parking spaces off the alley, we are requesting a waiver on this 50 foot wide downtown lot because there is not space to install a landscape finger without giving up one of the (3) parking spaces.

4. Lot Coverage:

We are proposing 60% lot coverage where 50% is allowed.

5. Upon your review of the plans, the building we are requesting approval for has only six offices requiring parking. This building with its dynamic glass front street appeal will enhance the corner where it is located. We respectfully request your approval for this application.

Should you have any questions regarding this pre-application request, please call Dean Bryan at 362-7127.

Sincerely,



R. Dean Bryan

REVISED

MAR 15 2007

Enclosures (1) Agreement from southern neighbor.

SDR-19675

04/12/07 PC

Bryan

February 5, 2007

TO: Department of Planning & Development
731 South Fourth Street
Las Vegas, NV 89101

REFERENCE: Rojas Law Office
802 E. Bonneville
APN 139-34-810-050
Las Vegas, NV 89101

SUBJECT: Justification Letter For Proposed New Law Office
Building

To whom it May Concern:

Please be advised this office represents the applicant for the proposed project located at the above referenced parcel. The property is generally located at the Southeast corner of Bonneville Ave and 8th Street with a current address of 802 East Bonneville. The applicant is proposing to construct a (2) two story office building. The office building will have parking on the first floor (ground level) and all offices will be on the 2nd floor.

We feel this application fits the area as a perfect location for a Law Office Building. This project has a great constraint of being built on a 50ft wide corner lot. Any method of parking is difficult and then to add a building in conjunction with tight parking has caused this applicant to put parking on the ground level with (1) one floor of office on the second floor.

SDR-19675
04/12/07 PC

LIVED

04/12/07

1. As per Title 19 Chapter 19.06.06C, In order to encourage the development of a complex, visually interesting and urbane walkable mixed use environment and to encourage transit-oriented development as future transit routes and stations develop within the Downtown area, properties within the Downtown area, properties within the Downtown Overlay District are exempt from the automatic application of the mandatory maximum building height, required building setback, maximum lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements in Subchapter 19.08.040, Subchapter 19.08.050, Subchapter 19.08.060, Chapter 19.10 and Chapter 19.12.
2. Typical code requirements would need 15' landscaping along streets, 5' side property line landscaping and setbacks: corner 15'-0", Rear 15', Side 5'. Also parking to be 18 spaces.
3. We have met with Staff, building department, traffic and made changes to our original plan to include all suggestions by these parties.
4. With these suggestions and as Per Title 19, ALL rooms (including storage) with a height of 6'-0" or greater shall be used in the calculation for the gross space parking requirement. As shown on our plans, we include all areas, which are otherwise storage, and stairs on the first floor which represent 937SF of space but are not actual office occupied areas. These areas are not air-conditioned or heated for office use. But, they make a significant contribution to what is referred to as required parking. As listed, we are providing 8 spaces where 18 are required.

We respectfully request your approval for this office building.

Should you have any questions regarding this pre-application request, please call Dean Bryan at 362-7127.

Sincerely,



R. Dean Bryan

RECEIVED

SDR-19675
04/12/07 PC

September 20, 2005

Luis J. Rojas, Esq.
520 South 4th Street
Las Vegas, NV 89101

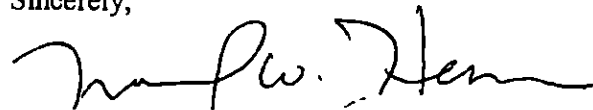
RE: Letter of Approval for 802 E. Bonneville

Dear Mr. Rojas:

This letter is written to memorialize today's meeting between Michael Herron and Mickey Vaca, the property owners of 607 and 609 S. 8th Street, Las Vegas, NV, and Luis Rojas, the property owner of 802 E. Bonneville, Las Vegas, NV. At this meeting, drawings of the proposed office to be built at 802 E. Bonneville, dated July 2005, were presented by Luis J. Rojas. After the presentation of the drawings for said building, which consisted of approximately 4,100 feet of office space with associated storage and parking area, Mr. Rojas answered any and all questions regarding any variances and/or waivers necessary for the completion of the project.

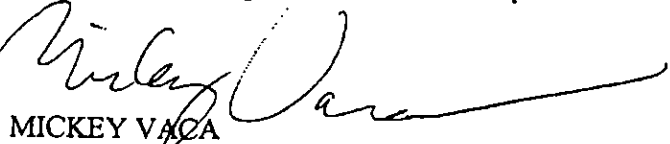
Based upon a complete review of the project, both Mickey and I have no objection to any variances or waivers which you may require in order to complete the specific project as provided on this date.

Sincerely,



MICHAEL HERRON

9-20-05



MICKEY VACA

ZON-20397 VAR-20398
VAR-20399 SDR-19675
04/12/07 PC

Marlene Walshin
2812 Botticelli Drive, Henderson, NV 89052
702-897-8255, cell 702-274-3866, fax 702-897-8655
email: mjwalshin@yahoo.com

April 2, 2007
Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nv 89010

Re: Attached Notices, ZON 20397, VAR-20398, VAR-20399, SDR-19675

I own the property at 520 South Seventh Street.

APPROVAL: ZON-20397 Rezone to Professional. I approve of this request.

OJBECTION: VAR-20398 – variance to allow 8 parking spaces instead of 18.

I OBJECT to this variance as this will result in an increased parking problem on the streets in the area. The 5,376 Square-foot office building would probably have at least approximately 18 employees, as well as clients who would need to park in the area. I feel the proposed building site should be approved with 18 parking spaces which seems an appropriate number to accommodate the number of anticipated employees. A further problem in the area is that only one vehicle is allowed in front of each 50-ft. property where two could easily park.

OBJECTION: VAR-20399 –

I OBJECT to allowing a side setback of ZERO FEET where 15 feet is required, and I object to the setback of 6.5 feet where 15 feet is required. By allowing the setbacks to be decreased, I feel this feel tend to change the character and integrity of this neighborhood.

OBJECTION: SDR-19675

I OBJECT to the wavier of the perimeter landscape buffer standard to allow a four foot landscape buffer on the corner side where a 15 foot landscape buffer is required and a zero foot landscape buffer on the side and rear where an eight foot landscape buffer is required.

I feel the waivers and variances requested will diminish the present character and integrity of this area, and cause parking problems and congestion for the existing property owners and businesses in the area. Thank you for your attention to this.

ITEM # 66-69
CASE # See above
PC MTG 4-12-07

Very truly yours,
Marlene Walshin
Marlene Walshin

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ZON-20602 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: LIVING WATERS BAPTIST CHURCH - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-2 (MEDIUM DENSITY RESIDENTIAL) on 2.88 acres on the east side of Sandhill Road, approximately 630 feet north of Washington Avenue (APN 140-30-601-006), R-E (Residential Estates) Zone, Ward 3 (Reese).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with EVANS excused

To be heard by City Council on 5/16/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Items 70-72.

DOUG RANKIN, Planning and Development Department, stated this proposed development is compatible with the area and the requested waiver is minor. He recommended approval of all applications.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 70 – ZON-20602

MINUTES – Continued:

ROGER BANNERMAN, 1109 Cold Stream Drive, pastor of Living Waters Baptist Church, was present and agreed to all conditions.

KEN CARR, 3928 Proclamation Place, appeared to request that security measures be implemented to prevent criminal activity in the area while the church is not being used.

MR. BANNERMAN assured the Commissioners that he would do whatever it takes to keep the crime rate to a minimum.

COMMISSIONER GOYNES observed that the crime rate might be beyond MR. BANNERMAN'S control, but noted that the church will probably act as a crime deterrent.

CHAIRMAN DAVENPORT pointed out that standard building codes require the parking lot be lit, which will also act as a crime deterrent, but observed that MR. CARR'S suggestion that the parking lot be chained historically did not prevent parking lots from being used for criminal activity.

MR. BANNERMAN informed COMMISSIONER TROWBRIDGE that the remnant parcel belonged to another property and that staff hoped to use the piece as part of the City's trail system.

CHAIRMAN DAVENPORT encouraged MR. BANNERMAN to meet with MR. CARR in order to address his concerns.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Items 70-72.

(10:51 – 10:59)

3-2960

CONDITIONS:

Planning and Development

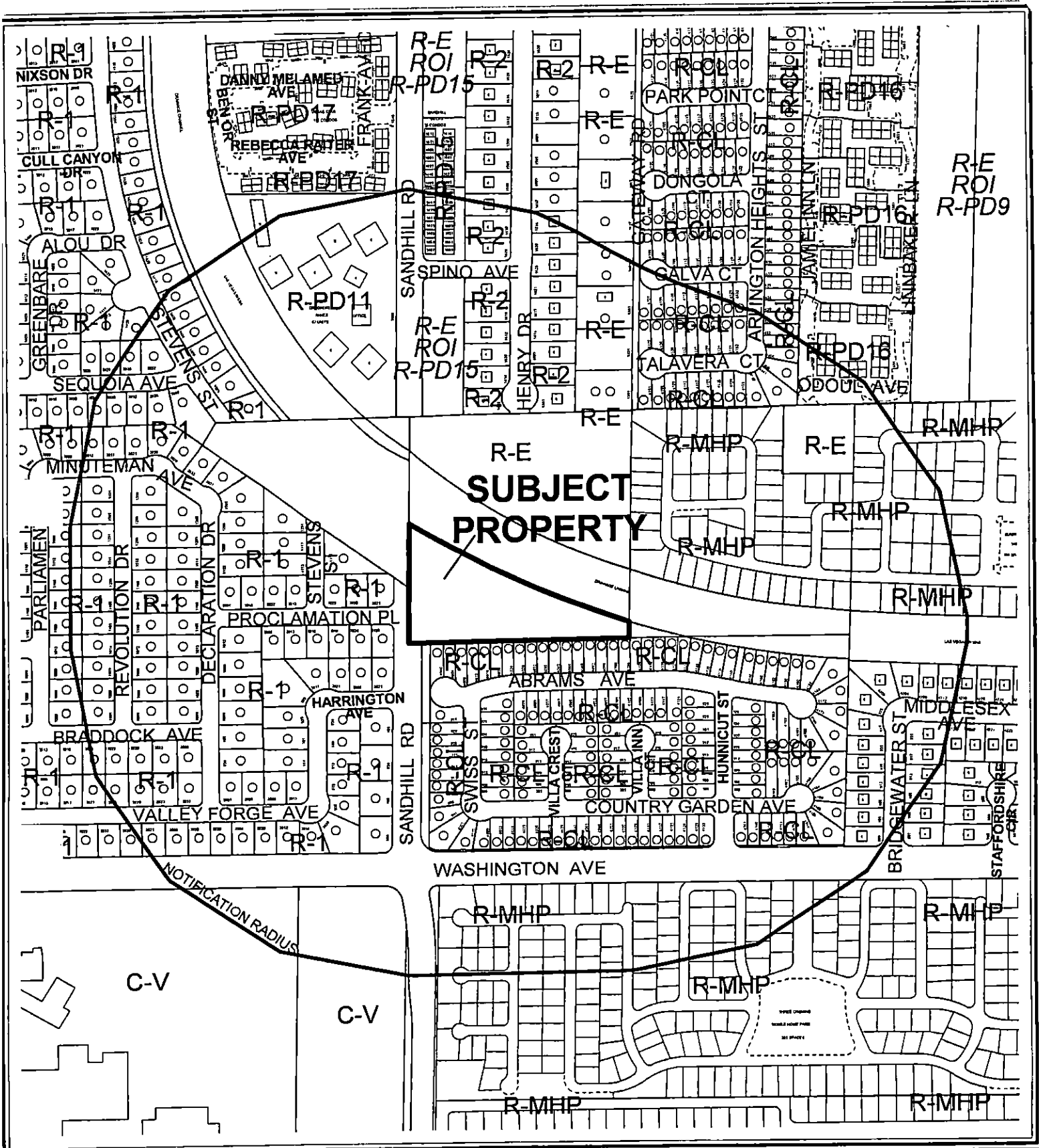
1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-19484) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 70 – ZON-20602

CONDITIONS – Continued:

Public Works

3. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Las Vegas Trail Phase 1 Owens to Stewart" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
4. Dedicate 40 feet of right-of-way adjacent to this site for Sandhill Road and the area adjacent to this site necessary for the "Las Vegas Wash Trail" prior to the issuance of any permits for this site; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents.
5. Construct half-street improvements and a temporary termination (i.e. barriers) acceptable to the City Traffic Engineer, on Sandhill Road 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.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: ZON-20602

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)





CASE: ZON-20602

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 12, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-20602 - APPLICANT/OWNER: LIVING WATERS
BAPTIST CHURCH**

**** CONDITIONS ****

STAFF RECOMMENDATION: 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-19484) 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. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Las Vegas Trail Phase 1 Owens to Stewart" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
4. Dedicate 40 feet of right-of-way adjacent to this site for Sandhill Road and the area adjacent to this site necessary for the "Las Vegas Wash Trail" prior to the issuance of any permits for this site; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents.
5. Construct half-street improvements and a temporary termination (i.e. barriers) acceptable to the City Traffic Engineer, on Sandhill Road 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.

ZON-20602 - Conditions Page Two
April 12, 2007 - Planning Commission Meeting

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

ZON-20602 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Rezoning from R-E (Residence Estates) to R-2 Medium-Low Density Residential) on the east side of Sandhill Road north of Washington Avenue. A related a Special Use Permit (SUP-19483) for a Church/House of Worship Site Development Plan Review (SDR-19484) for a 10,327 square foot church and a waiver to allow no landscaping along a portion of the north property line where a minimum eight foot wide buffer is required and will be considered concurrently.

BACKGROUND INFORMATION

<i>Related/Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/21/02	The City Council approved a Special Use Permit (U-75-02) for a Church/House of Worship on the subject site.
04/12/07	The Planning Commission will consider concurrently related applications Special Use Permit (SUP-19483) for a Church/House of Worship and Site Development Plan Review (SDR-19484) for a 10,327 square foot church and a waiver to allow no landscaping along a portion of the north property line where a minimum eight foot wide buffer is required.

<i>Related/Building Permits/Business Licenses</i>	
NA	

<i>Pre-Application Meeting</i>	
12/01/06	A pre-application meeting was held to discuss the requirements for a Site Development Plan Review and a Special Use Permit associated with a proposed Church/House of Worship.

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

<i>Details of Application Request</i>	
<i>Site/Area</i>	
Gross Acres	2.88

ZON-20602 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates)
North	Open Space, Undeveloped	ML (Medium Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-E (Residence Estates)
South	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Residential – Compact Lot)
East	Open Space, Undeveloped	L (Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-E (Residence Estates)
West	Open Space, Single Family Residential	ML (Medium Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-1 (Single Family Residential)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	20,000 SF	123,398 SF	Y
Min. Lot Width	100 Feet	130 Feet	Y
Min. Setbacks			
• Front	30 Feet	96 Feet	Y
• Side	15 Feet	50 Feet	Y
• Rear	20 Feet	100 Feet	Y
Max. Lot Coverage	NA	4%	Y
Max. Building Height	35 Feet	22 Feet	Y
Trash Enclosure	Screened, 50 Feet from Residential	Not Shown	NA
Mech. Equipment	Screened	Screened	Y

ZON-20602 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

Pursuant to Title 19.08.060

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	66 Feet	75 Feet	Y
Adjacent development matching setback	10 Feet	75 Feet	Y
Trash Enclosure	50 Feet	Not Shown	NA

Pursuant to Title 19.10 and 19.12

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	15 Trees	15 Trees	N*
Buffer:				
Min. Trees				
Along Sandhill	1 Tree/20 Linear Feet	7 Trees	7 Trees	Y
Along South	1 Tree/20 Linear Feet	29 Trees	24 Trees	N**
Along Wash	1 Tree/20 Linear Feet	33 Trees	3 Trees	N***
TOTAL		84 Trees	49 Trees	N***
Min. Zone Width				
• Along Sandhill	15 Feet		15 Feet	Y
• Interior Lines	8 Feet		8 Feet	Y
• Along Wash	8 Feet		0 Feet	N***

* While a sufficient number of trees are shown for the parking area, an additional six parking lot landscape fingers shall be included in the technical landscape plan in order to maintain a ratio of one finger per six spaces in areas without landscape islands, pursuant to Title 19.10.010 (H) (10).

** An additional five 24-inch box trees will be included in the south perimeter landscape buffer on the technical landscape plan as a condition of approval for a total of 29 trees spaced 20 feet on center.

*** Subject of requested Waiver, below.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross/Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi- capped	Regular	Handi- capped	
Fixed Seating	200 Seats	1/4 Seats	50				
Banquet Hall	1,000 SF	1/100 SF	10				
Subtotal			57	3	78	8*	
TOTAL (including handicap)			60		86		Y

ZON-20602 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

- * Per condition of approval, handicapped accessible parking spaces must be have an adjacent side access aisle on each side, pursuant to Title 19.10.010 (G).

Waivers		
Request	Requirement	Staff Recommendation
No landscape buffer along wash to accommodate drainage easement.	8 Foot wide buffer with one tree every 20 linear feet	Approval

ANALYSIS

The subject property is currently zoned R-E (Residence Estates), which is not a permitted zoning district within the existing ML (Medium Low Density) General Plan Land Use Designation. The R-E zoning district is intended to provide low-density residential units located on large lots at a maximum density of 2.18 units per acre, which suggests the atmosphere of a rural environment. On the subject site, a residential development in this zone would be limited to six units on the subject site. Thus, the R-E District provides for a much lower density than the Medium-Low Density Residential category that is the General Plan Land Use designation that is intended to provide up to 8.49 units per acre, or 24 units on the subject site.

In order to bring the zoning into conformance with the General Plan designation, the applicant has submitted this request for Rezoning to R-2 (Medium-Low Density Residential). The purpose of the R-2 District is to establish lots primarily for medium to low density single-family detached units and duplex units. The R-2 District is consistent with the policies of the Medium-Low Density and Medium-Low Attached Residential categories of the General Plan. The proposed use as a Church/House of Worship is permitted in the proposed R-2 zone with the approval of a Special Use Permit. A concurrent application (SUP-19483) is intended to satisfy the Special Use Permit requirement.

FINDINGS

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

The proposed R-2 (Medium-Low Density Residential) zone is compatible with the existing ML (Medium-Low Density Residential) Land Use designation. This rezoning brings a non-conforming R-E (Residence Estates) zoning district into compliance with the General Plan.

ZON-20602 - Staff Report Page Five
April 12, 2007 - Planning Commission Meeting

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

The uses allowed by the R-2 (Medium-Low Density Residential) zone are consistent and compatible with the surrounding development as well as the R-CL (Residential – Compact Lot) zoning to the south and the R-1 (Single Family Residential) zoning to the west.

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

The proposed R-2 (Medium-Low Density Residential) zone will allow the proposed Church/House of Worship use with a Special Use Permit. While this use is similarly permitted in the existing R-E (Residence Estates) zone, that zone is not compatible with the existing ML (Medium-Low Density Residential) Land Use designation nor with the surrounding development. Both the proposed Rezoning and Special Use Permit are appropriate as indicated by the growth and development factors in the community.

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 capacity of Sandhill Road, an 80-foot Secondary Connector, with the required 40-foot right-of-way dedication and construction of both half-street improvements and temporary termination, is adequate to meet the requirements of the proposed church use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

1

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 475 (Mailed with SUP-19483 and SDR-19484)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-20602** APN: 140-30-601-006

Name of Property Owner: Living Water Baptist Church

Name of Applicant: Living Water Baptist Church

Name of Representative: DRC Engineering / Jolene Granberg

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: _____

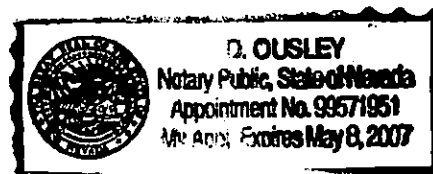
Signature of Property Owner: Layton Sonerholm

Print Name: Layton Sonerholm

Subscribed and sworn before me

This 14th day of March, 2007

D. Ousley
Notary Public in and for said County and State



ZON-20602
04/12/07 PC

ZONING

APNs	140-30-601-001
OWNER	CHURCH BAPTIST LIVING WATERS
AREA	0.288 A.C.
SETBACKS	10' SIDE, 15' FRONT, 15' REAR
MAX. HEIGHT	35' FT.
PARKING REQUIREMENTS	100 SPACES
OFFICE, HALLWAY & COMMON AREA	100 SF PER 1 PARKING SPACE
TOTAL AREA	100 SF PER 1 PARKING SPACE
REQUIREMENTS	100 SF PER 1 PARKING SPACE
TOTAL AREA	100 SF PER 1 PARKING SPACE
TOTAL PARKING SPACES	100
ADA PARKING	10
STREET LIGHTS	10
STREET FURNITURE	10
STREET SIGNAGE	10
STREET LIGHTS	10
STREET FURNITURE	10
STREET SIGNAGE	10

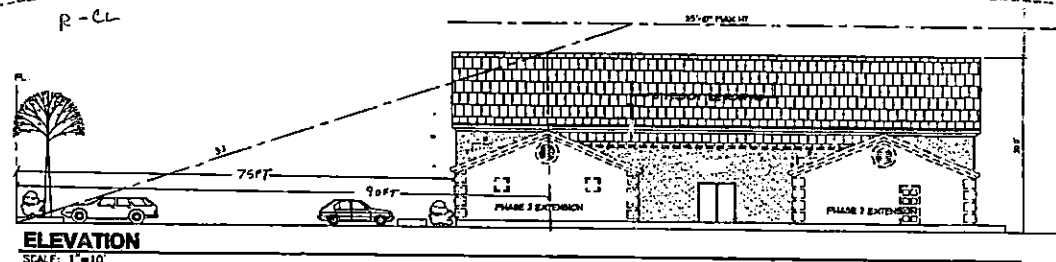
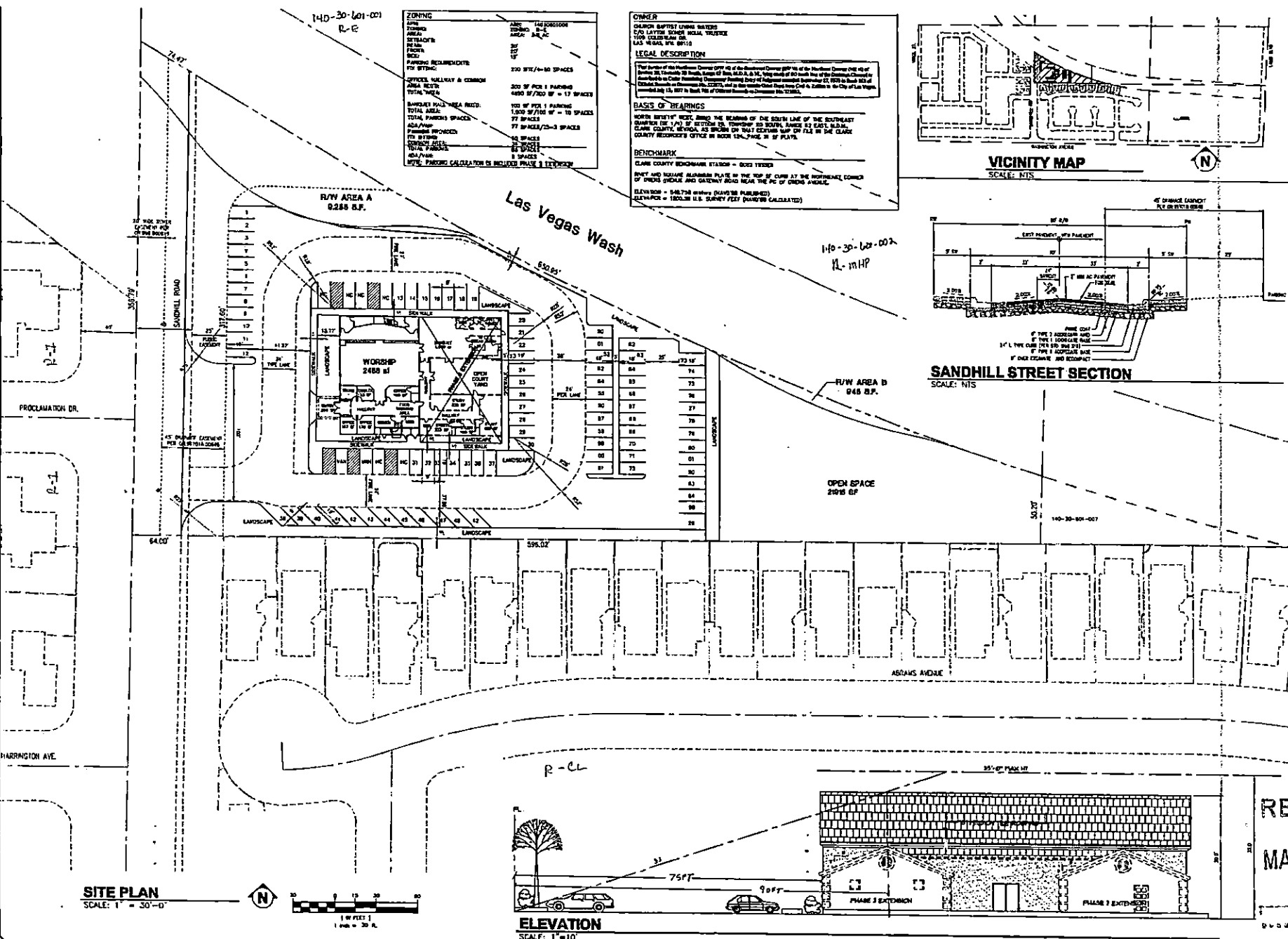
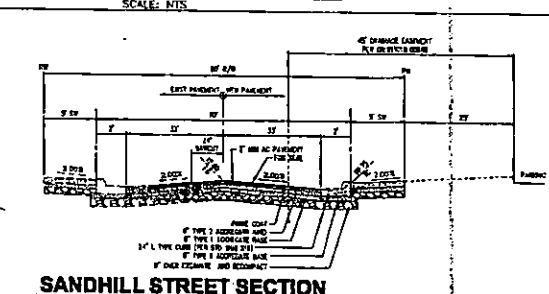
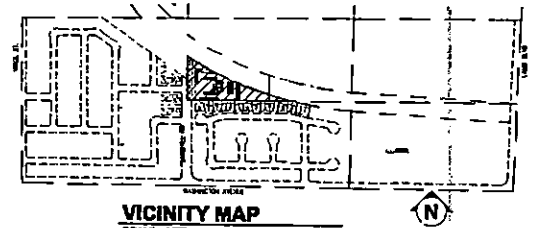
OWNER
CHURCH BAPTIST LIVING WATERS
1000 COLLEMAN DR.
LAS VEGAS, NV 89115

LEGAL DESCRIPTION
That portion of the Northeast Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 10, Township 30 North, Range 30 East, Meridian 12N, in Clark County, Nevada, as shown on the Survey Map of the City of Las Vegas, Nevada, dated May 15, 1997, in Book 10 of Official Records in Clark County, Nevada.

BASIS OF HEARINGS
NORTH BENTLEY TRAIL, BEING THE REMAINS OF THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 10, TOWNSHIP 30 NORTH, RANGE 30 EAST, MERIDIAN 12N, CLARK COUNTY, NEVADA, AS SHOWN ON THE SURVEY MAP OF THE CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, IN BOOK 10A, PAGE 31 OF PLATS.

BENCHMARK
CLARK COUNTY BENCHMARK STATION - 0003 TIED TO
BENTLEY TRAIL ALUMINUM PLATE IN THE TOP OF CURB AT THE INTERSECTION CORNER OF BENTLEY TRAIL AND GATEWAY ROAD NEAR THE PC OF ORDINANCE 400.

ELEVATION
ELEVATION = 5487.28 (VERTICAL DATUM: NAVD83)
ELEVATION = 100.00 U.S. SURVEY FEET (HATCHES CALCULATED)



OWNERS	
CHURCH BAPTIST LIVING WATERS	
Sandhill Road	
Las Vegas - 89115	
APN No. 1403060001	
SITE PLAN	
Living Water Baptist Church	
RECEIVED	
MAR 19 2007	
C1	



Development Resource Consultants, Inc.

Civil Engineering • Land Surveying • Land Planning

March 16, 2007

City of Las Vegas
700 S. 4th Street
Las Vegas, NV 89155

Attention: John Korkosz
Planning Supervisor

Regarding: **Phasing Letter for the Living Water Baptist Church**
SDR-19484 and SUP-19483

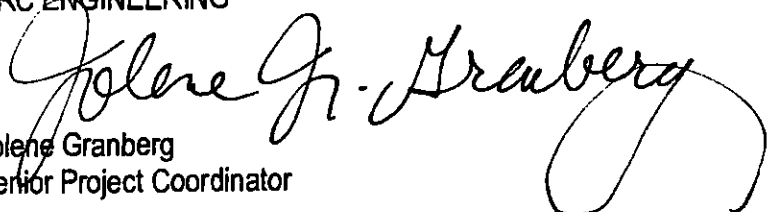
Dear John:

This letter is intended to clarify the phasing for the above mentioned church. It is our understanding that Phase 2, the studies and banquet room have an anticipated construction start date of 2009 / 2010.

Please call me if you should have any questions or require additional information.

Sincerely,

DRC ENGINEERING


Jolene Granberg
Senior Project Coordinator

ZON-20602
04/12/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-19483 - SPECIAL USE PERMIT RELATED TO ZON-20602 - PUBLIC HEARING - APPLICANT/OWNER: LIVING WATER BAPTIST CHURCH - Request for a Special Use Permit FOR A CHURCH/HOUSE OF WORSHIP on the east side of Sandhill Road, approximately 630 feet north of Washington Avenue (APN 140-30-601-006), R-E (Residential Estates) Zone [PROPOSED: R-2 (Medium Density Residential) Zone], Ward 3 (Reese).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with EVANS excused

To be heard by City Council on 5/16/2007

MINUTES:

See Item 70 for related discussion.

(10:51 – 10:59)
3-2960

CONDITIONS:

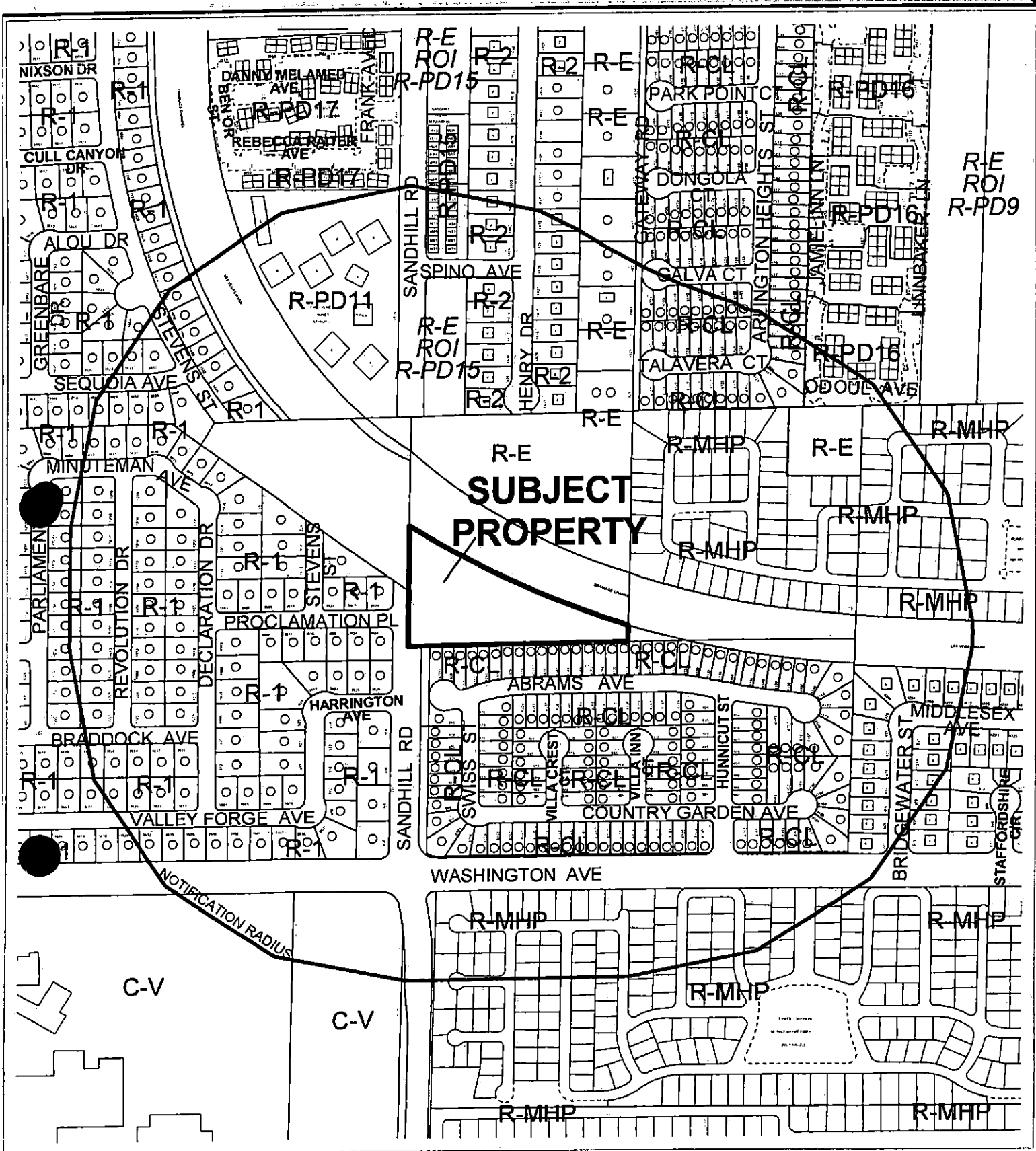
Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-19484) and Rezoning (ZON-20602) if approved.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 71 – SUP-19483

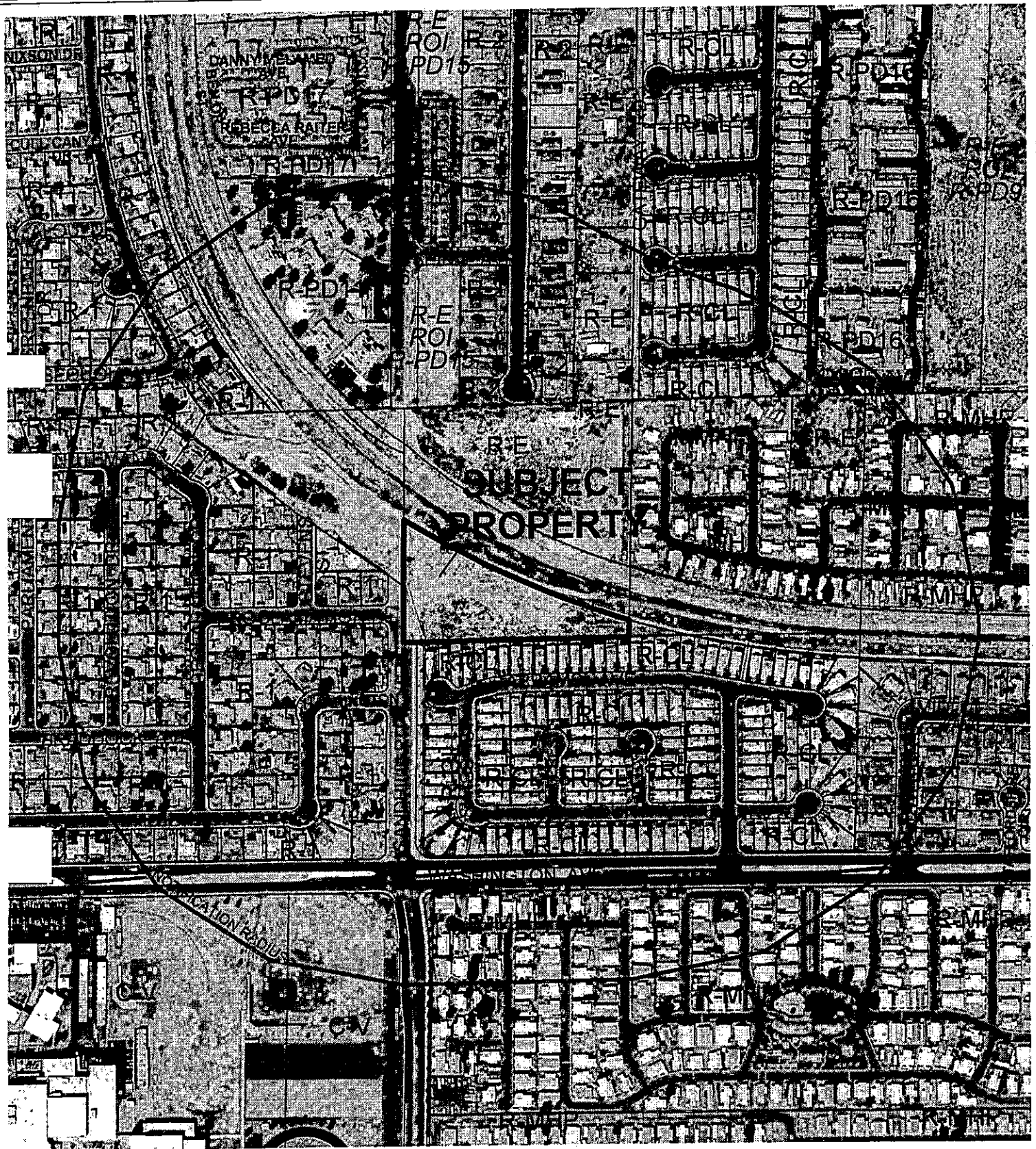
CONDITIONS – Continued:

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.



CASE: SUP-19483
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)





RADIUS: 1000 FT

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

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 12, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-19483 - APPLICANT: LIVING WATER BAPTIST CHURCH

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-19484) and Rezoning (ZON-20602) 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.

SUP-19483 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Special Use Permit for a Church/House of Worship on Sandhill Road north of Washington Avenue. A related Site Development Plan Review (SDR-19484) for a 10,327 square-foot church and a Variance (VAR-20165) to allow a residential adjacency proximity slope setback of 75 feet where 90 feet is the minimum required will be considered concurrently.

Related Relevant City Actions by P&D, Fire, Bldg, etc.	
08/21/02	The City Council approved a Special Use Permit (U-75-02) for a Church/House of Worship on the subject site.
Related Building Permits/Business Licenses	
NA	
Pre-Application Meeting	
12/01/06	A pre-application meeting was held to discuss the requirements for a Site Development Plan Review and a Special Use Permit associated with a proposed Church/House of Worship.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	2.88

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates)
North	Open Space, Undeveloped	ML (Medium Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-E (Residence Estates)
South	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Residential – Compact Lot)
East	Open Space, Undeveloped	L (Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-E (Residence Estates)
West	Open Space, Single Family Residential	ML (Medium Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-1 (Single Family Residential)

SUP-19483 - Staff Report Page Two
 April 12, 2007 - Planning Commission Meeting

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

DEVELOPMENT STANDARD

Pursuant to Title 19.12

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	20,000 SF	123,398 SF	Y
Min. Lot Width	100 Feet	130 Feet	Y
Min. Setbacks			
• Front	30 Feet	96 Feet	Y
• Side	15 Feet	50 Feet	Y
• Corner	NA	NA	Y
• Rear	20 Feet	100 Feet	Y
Max. Lot Coverage	NA	4%	Y
Max. Building Height	35 Feet	30.17 Feet	Y
Trash Enclosure	Screened, 50 Feet from Residential	Not Shown	NA
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.08 the following Residential Adjacency Standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	90 Feet	75 Feet	N*
Adjacent development matching setback	10 Feet	75 Feet	Y
Trash Enclosure	50 Feet	Not Shown	NA

* Subject of companion Variance (VAR-20165)

SUP-19483 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

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

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	15 Trees	15 Trees	N*
Buffer:				
Min. Trees				
Along Sandhill	1 Tree/20 Linear Feet	7 Trees	7 Trees	Y
Along South	1 Tree/20 Linear Feet	29 Trees	24 Trees	N**
Along Wash	1 Tree/20 Linear Feet	33 Trees	3 Trees	N*
TOTAL				Y or N
Min. Zone Width				
• Along Sandhill	15 Feet		15 Feet	Y
• Interior Lines	8 Feet		8 Feet	Y
• Along Wash	8 Feet		8 Feet	N*

* While a sufficient number of trees are shown for the parking area, an additional six parking lot landscape fingers shall be included in the technical landscape plan in order to maintain a ratio of one finger per six spaces in areas without landscape islands, pursuant to Title 19.10.010 (H) (10).

** An additional five 24-inch box trees will be included in the south perimeter landscape buffer on the technical landscape plan as a condition of approval for a total of 29 trees spaced 20 feet on center.

*** Subject of requested Waiver, below.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirements						
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided	
			Regular	Handicapped	Regular	Handicapped
Fixed Seating	200 Seats	1/4 Seats	50			
Banquet Hall	1,000 SF	1/100 SF	10			
Subtotal			57	3	78	8*
TOTAL (including handicap)			60		86	

* Per condition of approval, handicapped accessible parking spaces must be have an adjacent side access aisle on each side, pursuant to Title 19.10.010 (G).

SUP-19483 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
No landscape buffer along wash to accommodate drainage easement.	8 Foot wide buffer with one tree every 20 linear feet	Approval

ANALYSIS

- **Zoning**

The subject property is zoned R-E (Residence Estates). The R-E zoning district is intended to provide low-density residential units located on large lots, which suggests the atmosphere of a rural environment. The R-E District provides for a much lower density than the Medium-Low Density Residential category of the General Plan. The proposed use as a Church/House of Worship is permitted in the R-E District with the approval of a Special Use Permit. This application is intended to satisfy the Special Use Permit requirement.

- **Use**

A Church/House of Worship is defined as any building used for religious worship services, religious education and fellowship activities and programs of a religious organization. The term includes the use of the building and premises for other related activities, such as child care facilities, formal educational programs, preschool classes and recreational activities, but only when those activities are ancillary to the religious use and only after those uses have been approved by means of a use review or other procedure under Chapter 19.18. The term does not include any class of child care center, general education class-room or facility, thrift shop, homeless shelter or commercial activity. The proposed Church/House of Worship is in compliance with this definition. This applicant has requested the ancillary uses of religious instruction, child care, recreational activities, pre-school classes and formal educational programs.

- **Conditions**

(1) The Special Use Permit may include such activities as religious services, religious instruction, church club activities and similar activities.

(2) Functions, such as child care facilities, formal educational programs, preschool classes and similar related activities which, in the opinion of the Director of the Department of Planning and Development, are ancillary to the primary use are also permitted provided, however, that all proposed uses shall be specifically stated in the application.

SUP-19483 - Staff Report Page Five
April 12, 2007 - Planning Commission Meeting

(3) If after approval of the Special Use Permit, additional uses not specifically covered by the existing Special Use Permit are proposed, an additional public hearing process shall be required to add the uses.

(*4) Thrift shops, homeless shelters and other similar activities are prohibited in residential districts and are permitted only in the zoning districts which permit such uses as primary uses.

(*5) Churches on sites larger than five acres shall not be permitted in the U District or an R-prefixed district.

The proposed Church/House of Worship is in compliance with all of these conditions.

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 Church/House of Worship would be located between a single-family residential subdivision and a natural wash along Sandhill Road, north of Washington Avenue. The use as a Church/House of Worship is permitted at this location with the approval this Special Use Permit, which the applicant has requested. Due to the unusual triangular shape and the encroachment of a natural wash on the subject site, the proposed use is a more appropriate land use than residential development. Therefore, staff recommends approval.

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

The site is physically suitable for the proposal. The site provides an adequate area for building setback so that the building height meets the requirements of Title 19.08. Further, the site plan shows ample space to provide a parking surplus of 43% from the Title 19.10 requirements.

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."**

Access to this site is provided via Sandhill Road, an 80-foot Secondary Collector street according to the Master Plan of Streets and Highways.

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April 12, 2007 - Planning Commission Meeting

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

The approval of the Special Use Permit for this church will not compromise the public health, safety, and welfare as it contributes to the overall objectives of the General Plan.

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

There are five conditions for the development of churches in a residential district. The project, as proposed, does not conflict with any of these conditions. Additionally, the proposed development will be subject to the Uniform Building Code and; therefore, the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

1

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 475 (Mailed with ZON-20602 and SDR-19484)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-19483** APN: 140-30-601-006

Name of Property Owner: Living Water Baptist Church

Name of Applicant: Living Water Baptist Church

Name of Representative: DRC Engineering / Jolene Granberg

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: _____

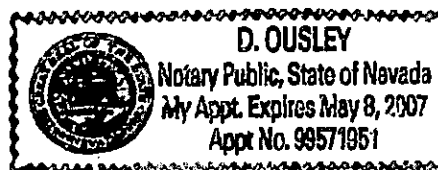
Signature of Property Owner: _____

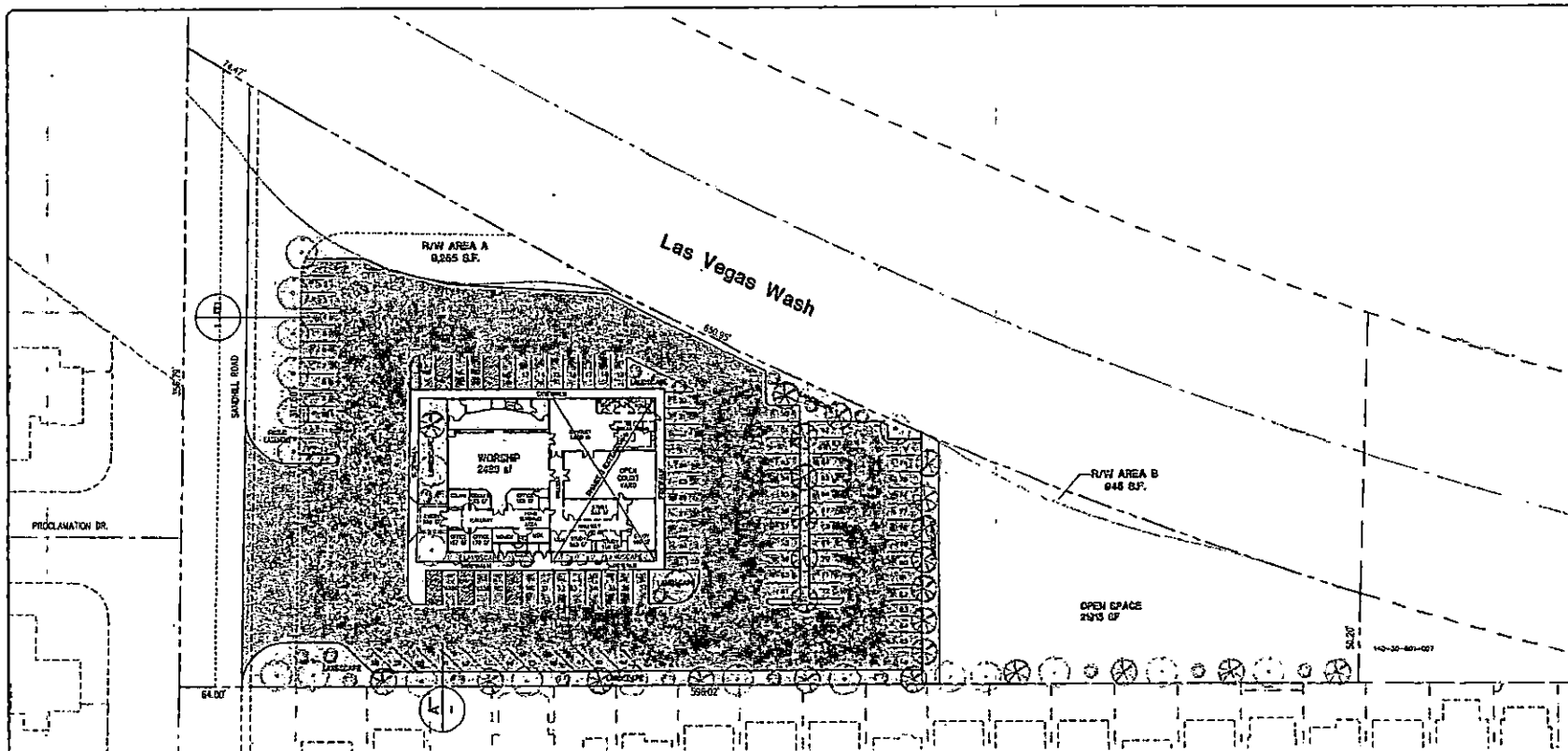
Print Name: Layton Sonerholm

Subscribed and sworn before me

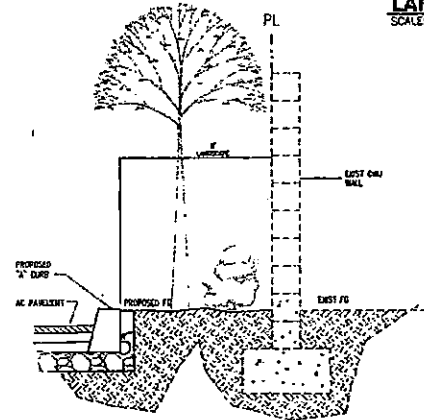
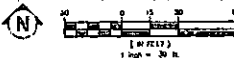
This 24th day of January, 2007

D. Ousley
Notary Public in and for said County and State

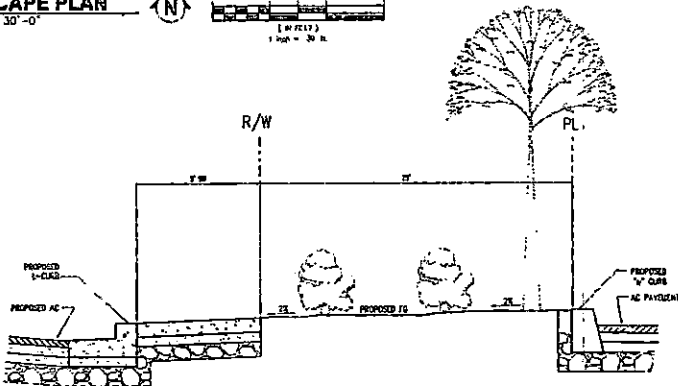




LANDSCAPE PLAN
SCALE: 1" = 30'-0"



SECTION A
SCALE: NTS



SECTION B
SCALE: NTS

PLANTING LEGEND:

SYMBOL	BOTANICAL/COMMON NAME	SIZE
	FRAXINUS VELUTINA 'ELEGANT'	24\"
	PRUNUS CHALCIS 'CLEAN WHITE'	24\"
	LEUCOPHYLLUM LAUCUNUM 'YOUNG'	3 GAL

NOTES:

1. ALL PLANT MATERIAL SHALL BE WATERED BY AUTOMATIC Drip IRRIGATION SYSTEM.
2. PROVIDE 12\"
3. LANDSCAPING SHALL CONFORM WITH CLARK COUNTY RULE 30.
4. ROOT BARRIERS SHALL BE INSTALLED IN ALL PLANTER AREAS WHERE TREES ARE CLOSER THAN 5' FROM ANY SIDEWALK OR STREET, ETC.

LEGEND:

	LANDSCAPE
	PLANTS
	SIDEWALK
	AC PAVEMENT

DATE	BY	CHKD	APP'D

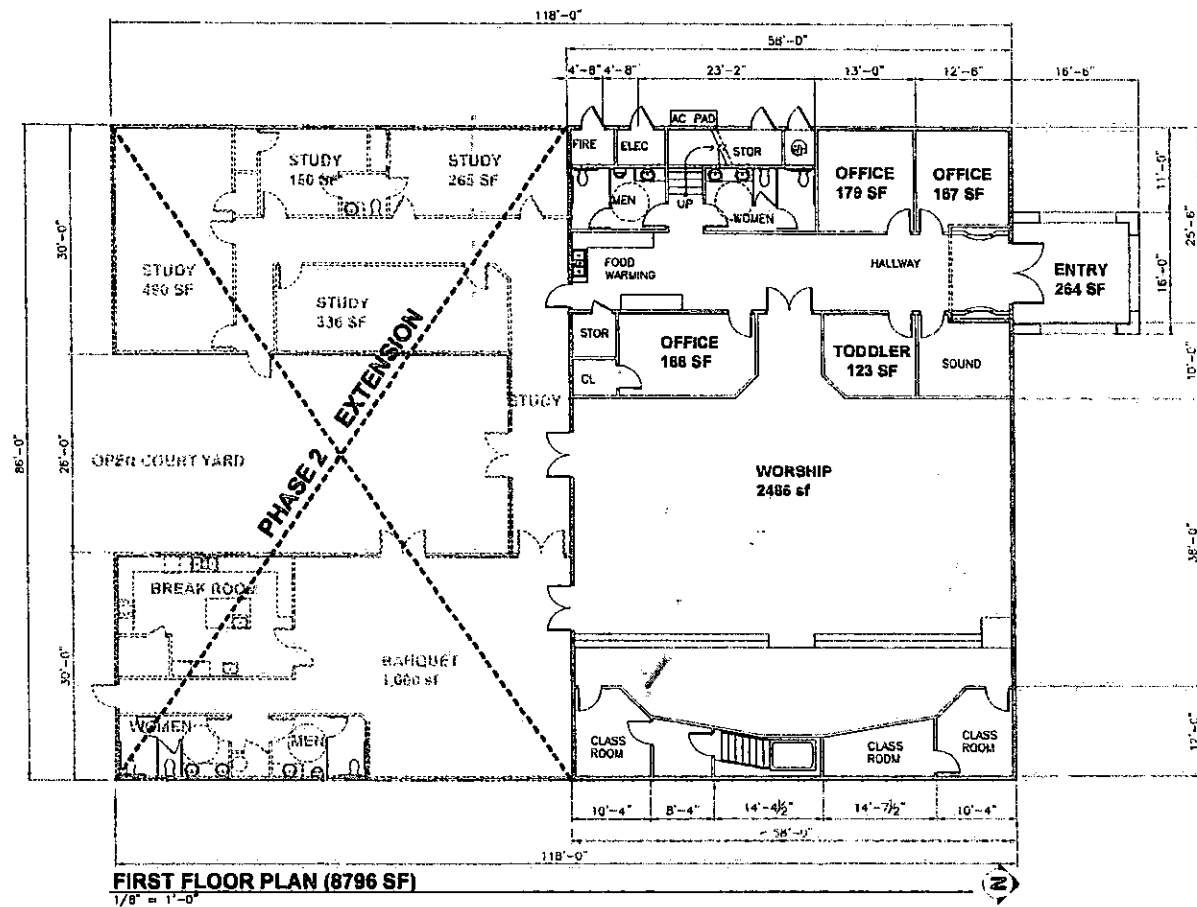
PROJECT NO.	
DATE	
SCALE	

OWNER: CHURCH BAPTIST LIVING WATERS
 Building Road
 Las Vegas - 89102
 APN No. 14330401005

Living Water Baptist Church
LANDSCAPE PLAN

SHEET C2

SUP-19483
04/12/07 PC
RECEIVED
JAN 29 2007



No.	Revisions
Contractor Address Las Vegas, Nevada 89118 Phone: 702-... Fax: 702-... Contractor Lic. No.	
PROPOSED: LIVING WATER BAPTIST CHURCH Sandhill Road Las Vegas - 89110 APN. No. 14030601006	
Date 11-20-05	
Scale AS NOTED	
JOB	
Drawn KY	
Sheet	
Of Sheets	

SUP-19483

RECEIVED A1

04/12/07 PC

APR 29 2007



SUP-19483 **RECEIVED**
04/12/07 PC **APR 29 2007**



RECEIVED A3
OT Sheets -
JAN 29 2007



Development Resource Consultants, Inc.

Civil Engineering • Land Surveying • Land Planning

January 22, 2007

City of Las Vegas
700 S. 4th Street
Las Vegas, NV 89155

Attention: Jim Marshall
Planner

**Regarding: Justification Letter for a Site Design Review and Use Permit
Living Water Baptist Church / APN #140-30-601-006**

On behalf of our client, Living Water Baptist Church, DRC Engineering would like to submit a request for a Site Design Review and Use Permit for a previously approved Church, U-75-02 on 2.88 +/- gross acres of land generally located approximately 620' north of Washington Ave. on the east side of Sandhill Road. To the north is north and east is currently zoned R-E, to the south is R-CL, east is R-MHP and west is R-1.

Site Design Review

The building is a wood framed / stucco'd Church building with a tiled roof. The building will be a single story building with a small 2nd floor area above entry area for storage and / or mechanical. The roof will consist of tile – S-tile / red or a variation of exterior color – off white (Navaho White) as a base with the stucco'd fascia and corner popouts (at the columns and building corners) to be a light or medium shade of tan. Exterior doors to be same as base color.

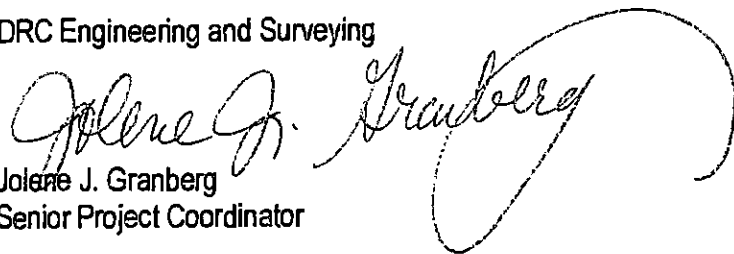
Use Permit

The church will have such activities as religious services, religious instruction, church club activities and similar activities. Functions such as child care, formal educational programs, preschool classes and similar related activities are ancillary to the primary use.

Please call me if you should have any questions or require additional information.

Sincerely,

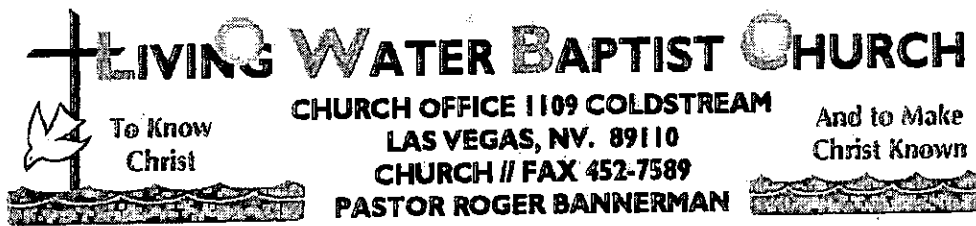
DRC Engineering and Surveying


Jolene J. Granberg
Senior Project Coordinator

**SUP-19483
04/12/07 PC**

RECEIVED

JAN 29 2007



December 8, 2006

CLARIFICATION OF 2ND FLOOR USAGE IN CHURCH PLANS

To Whom It May Concern:

The purpose of the 2nd floor incorporated into the plans for Living Water Baptist Church is that it will be used for storage "ONLY" and not for class rooms, meetings, or any other occupancy.

Pastor Roger Bannerman
Living Water Baptist Church

Jerry Mitchum
Chairman Building Committee

SUP-19483
04/12/07 PC

RECEIVED

JAN 29 2007

"KNOW CHRIST AND MAKE CHRIST KNOWN"

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-19484 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-20602 AND SUP-19483 - PUBLIC HEARING - APPLICANT/OWNER: LIVING WATERS BAPTIST CHURCH - Request for a Site Development Plan Review FOR A 10,327 SQUARE FOOT CHURCH AND A WAIVER TO ALLOW NO LANDSCAPING ALONG A PORTION OF THE NORTH PROPERTY LINE WHERE A MINIMUM EIGHT FOOT WIDE BUFFER IS REQUIRED on 2.88 acres on the east side of Sandhill Road, approximately 630 feet north of Washington Avenue (APN 140-30-601-006), R-E (Residential Estates) Zone [PROPOSED: R-2 (Medium Density Residential) Zone], Ward 3 (Reese).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with EVANS excused

To be heard by City Council on 5/16/2007

MINUTES:

See Item 70 for related discussion.

(10:51 – 10:59)
3-2960

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 72 – SDR-19484

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-20602) and Special Use Permit (SUP-19483) shall be required, 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 01/29/07, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow no landscape buffer along the northeast property line where an eight-foot buffer and 33 trees are required in order to accommodate a natural wash .
5. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the changes herein, including revision of handicapped parking spaces to the specifications of Title 19.10.010 and to include a wall or fence separating the eastern boundary of the parking lot from the undeveloped portion of the property.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include changes from the conceptual landscape plan to reflect proper placement of the parking lot trees in landscape fingers spaced one per six spaces or in islands spaced 30 feet on center, and an additional five 24-inch box trees in the south perimeter landscape buffer for a total of 29 trees spaced 20 feet on center.
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.

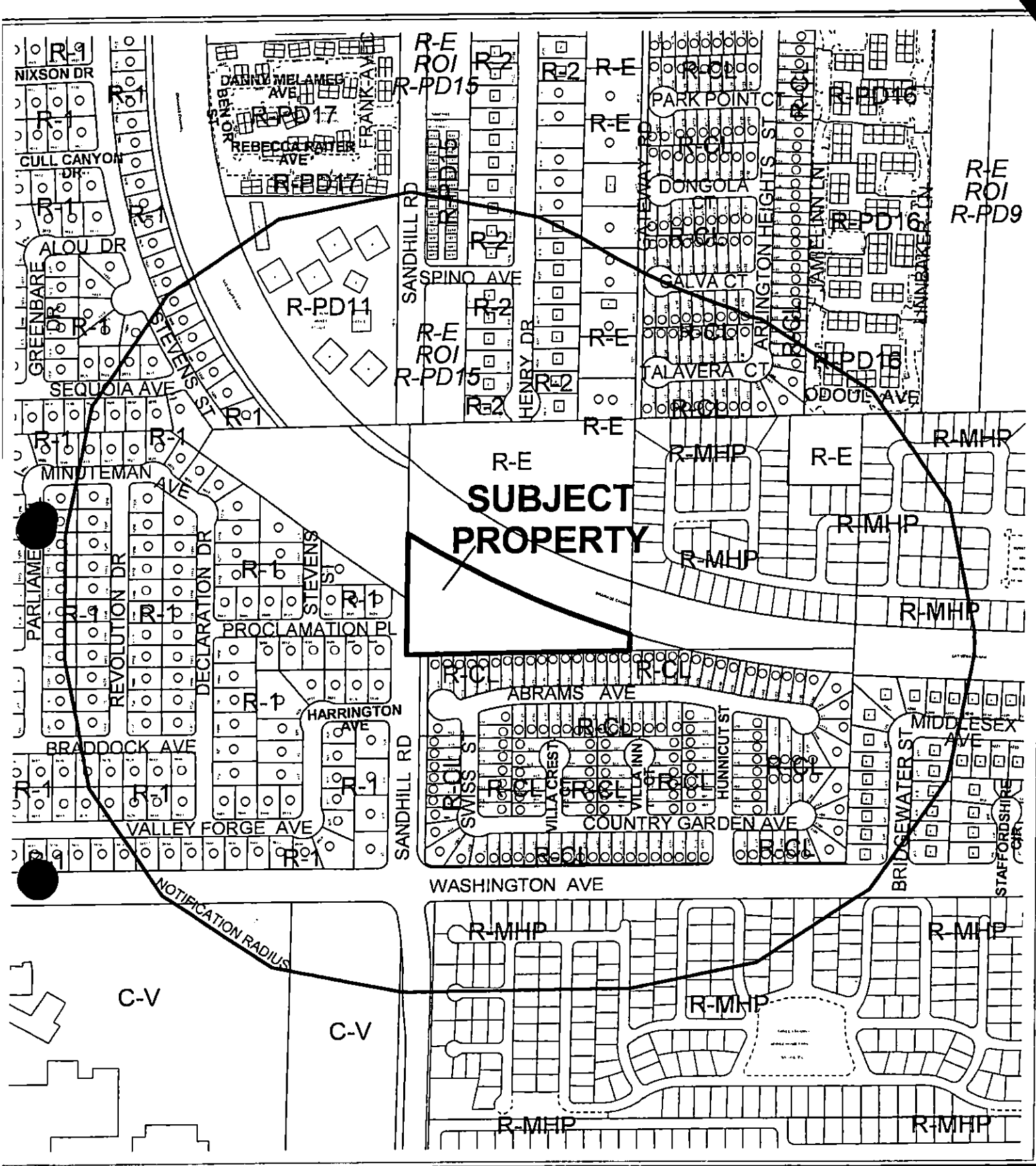
PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 72 – SDR-19484

CONDITIONS – Continued:

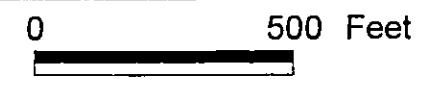
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Landscape and maintain all unimproved right-of-way, if any, on Sandhill Road adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Submit an Encroachment Agreement for all landscaping, if any, located in the Sandhill Road public right-of-way adjacent to this site prior to occupancy of this site.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
17. Site development to comply with all applicable conditions of approval for ZON-20602 and all other site-related actions.



CASE: **SDR-19484**
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 12, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-19484 – APPLICANT: LIVING WATER BAPTIST CHURCH**

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

1. Conformance to the Conditions of Approval for Rezoning (ZON-20602) and Special Use Permit (SUP-19483) shall be required, 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 01/29/07, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow no landscape buffer along the northeast property line where an eight-foot buffer and 33 trees are required in order to accommodate a natural wash .
5. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the changes herein, including revision of handicapped parking spaces to the specifications of Title 19.10.010 and to include a wall or fence separating the eastern boundary of the parking lot from the undeveloped portion of the property.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include changes from the conceptual landscape plan to reflect proper placement of the parking lot trees in landscape fingers spaced one per six spaces or in islands spaced 30 feet on center, and an additional five 24-inch box trees in the south perimeter landscape buffer for a total of 29 trees spaced 20 feet on center.

SDR-19484 - Conditions Page Two
April 12, 2007 - Planning Commission Meeting

7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Landscape and maintain all unimproved right-of-way, if any, on Sandhill Road adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Submit an Encroachment Agreement for all landscaping, if any, located in the Sandhill Road public right-of-way adjacent to this site prior to occupancy of this site.

SDR-19484 - Conditions Page Three
April 12, 2007 - Planning Commission Meeting

16. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
17. Site development to comply with all applicable conditions of approval for ZON-20602 and all other site-related actions.

SDR-19484 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Site Development Plan Review for a 10,327 square foot church and a waiver to allow no landscaping along a portion of the north property line where a minimum eight foot wide buffer is required on the east side of Sandhill Road north of Washington Avenue. A related Rezoning (ZON-20602) from R-E (Residence Estates) to R-2 Medium-Low Density Residential) and a Special Use Permit (SUP-19483) for a Church/House of Worship and will be considered concurrently.

BACKGROUND INFORMATION

Related/Relevant City Actions by P&D, Fire, Bldg., etc.	
08/21/02	The City Council approved a Special Use Permit (U-75-02) for a Church/House of Worship on the subject site.
04/12/07	The Planning Commission will consider concurrently related applications Special Use Permit (SUP-19483) for a Church/House of Worship and Variance (VAR-20165) to allow a residential adjacency setback for proximity slope of 75 feet where 90 feet is the minimum setback required.

Related/Building Permits/Business Licenses	
NA	

Pre-Application Meeting	
12/01/06	A pre-application meeting was held to discuss the requirements for a Site Development Plan Review and a Special Use Permit associated with a proposed Church/House of Worship.

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

Details of Application Request	
Site Area	
Gross Acres	2.88

SDR-19484 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates)
North	Open Space, Undeveloped	ML (Medium Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-E (Residence Estates)
South	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Residential – Compact Lot)
East	Open Space, Undeveloped	L (Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-E (Residence Estates)
West	Open Space, Single Family Residential	ML (Medium Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-1 (Single Family Residential)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	20,000 SF	123,398 SF	Y
Min. Lot Width	100 Feet	130 Feet	Y
Min. Setbacks			
• Front	30 Feet	96 Feet	Y
• Side	15 Feet	50 Feet	Y
• Rear	20 Feet	100 Feet	Y
Max. Lot Coverage	NA	4%	Y
Max. Building Height	35 Feet	22 Feet	Y
Trash Enclosure	Screened, 50 Feet from Residential	Not Shown	NA
Mech. Equipment	Screened	Screened	Y

SDR-19484 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

Pursuant to Title 19.08.060

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	66 Feet	75 Feet	Y
Adjacent development matching setback	10 Feet	75 Feet	Y
Trash Enclosure	50 Feet	Not Shown	NA

Pursuant to Title 19.10 and 19.12

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	15 Trees	15 Trees	N*
Buffer:				
Min. Trees				
Along Sandhill	1 Tree/20 Linear Feet	7 Trees	7 Trees	Y
Along South	1 Tree/20 Linear Feet	29 Trees	24 Trees	N**
Along Wash	1 Tree/20 Linear Feet	33 Trees	3 Trees	N***
TOTAL		84 Trees	49 Trees	N***
Min. Zone Width				
• Along Sandhill	15 Feet		15 Feet	Y
• Interior Lines	8 Feet		8 Feet	Y
• Along Wash	8 Feet		0 Feet	N***

* While a sufficient number of trees are shown for the parking area, an additional six parking lot landscape fingers shall be included in the technical landscape plan in order to maintain a ratio of one finger per six spaces in areas without landscape islands, pursuant to Title 19.10.010 (H) (10).

** An additional five 24-inch box trees will be included in the south perimeter landscape buffer on the technical landscape plan as a condition of approval for a total of 29 trees spaced 20 feet on center.

*** Subject of requested Waiver, below.

Pursuant to Title 19.10, the following parking standards apply:

[Parking] Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handicapped	Regular	Handicapped	
Fixed Seating	200 Seats	1/4 Seats	50				
Banquet Hall	1,000 SF	1/100 SF	10				
Subtotal			57	3	78	8*	
TOTAL (including handicap)			60		86		Y

SDR-19484 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

- * Per condition of approval, handicapped accessible parking spaces must be have an adjacent side access aisle on each side, pursuant to Title 19.10.010 (G).

Waivers		
Request	Requirement	Staff Recommendation
No landscape buffer along wash to accommodate drainage easement.	8 Foot wide buffer with one tree every 20 linear feet	Approval

ANALYSIS

- Zoning

The subject property is zoned R-E (Residence Estates). The R-E zoning district is intended to provide low-density residential units located on large lots, which suggests the atmosphere of a rural environment. The R-E District provides for a much lower density than the Medium-Low Density Residential category that is the General Plan Land Use designation on the subject site. In order to bring the zoning into conformance with the General Plan designation, the applicant has submitted a requested Rezoning (ZON-20602) to R-2 (Medium-Low Density Residential). The purpose of the R-2 District is to establish lots primarily for medium to low density single-family detached units and duplex units. The R-2 District is consistent with the policies of the Medium-Low Density and Medium-Low Attached Residential categories of the General Plan. The proposed use as a Church/House of Worship is permitted in the proposed R-2 zone with the approval of a Special Use Permit. A concurrent application (SUP-19483) is intended to satisfy the Special Use Permit requirement.

- Site Plan

The site plan depicts a 10,327 church to be constructed in two phases. Site access is provided via Sandhill Road, an 80-foot Secondary Collector street according to the Master Plan of Streets and Highways. 86 parking stalls are provided on the site where 60 spaces are required, for a surplus of 43%. Conditions of approval will require adjacent side access aisles on each side of designated handicapped accessible parking spaces, as well as the addition of six parking lot landscaping fingers which may reduce the parking surplus.

SDR-19484 - Staff Report Page Five
April 12, 2007 - Planning Commission Meeting

- **Landscape Plan**

The landscape plan indicates sufficient numbers of trees for the parking area; however, most of these trees are planted in parking lot islands adjacent to the back three rows of the parking lot. As such, the parking spaces along the front, side and the perimeter of the church structure do not have enough landscaping pursuant to Title 19. As such, a condition of approval will require the addition of six parking lot landscaping fingers. The perimeter landscape buffer along the east and south of the property are of sufficient width. The south buffer shows only 24 trees where 29 are required, and those additional five trees will have to be shown in the technical landscape plan prior to the application for building permits. A waiver is requested by the applicant to allow no landscape buffer along the remaining perimeter of the lot as it is adjacent to a natural wash and the planting of a landscape buffer would inhibit the natural drainage area.

- **Elevations and Floor Plans**

The floor plan shows a 2,486 worship area along with three classrooms, three offices, a food warming area, a toddler room and various mechanical and storage closets in the first phase. In addition, a 1,531 square foot light storage area is depicted on the second floor. This area has been included as usable space in the analysis of this site plan, and if deemed to be usable by the building department will have to be constructed to standards as such. The ceiling height in that light storage area will range from four feet on the sides to approximately 15 feet in the center. A future expansion included in the site plan analysis will include an additional five study rooms, a 1,000 square-foot banquet room, break room, courtyard and additional restrooms. The elevations show a traditional church design with "S" mission tile roofing. The stucco relief exterior will be painted a "canewood" beige and be accented with "southwestern sand" and "seasoned acorn" trim. The church building ranges in height from 16 feet to a peak of 30 feet. The 30-foot peak, however, faces single family residences to 75 feet to the south, and as such is the subject of a Variance (VAR-20165) to allow this residential adjacency setback where 90 feet are required to accommodate the 3:1 proximity slope ratio for the 30-foot height.

- **Waivers**

A waiver is requested by the applicant to allow no landscape buffer along the northeast perimeter of the lot as it is adjacent to a natural wash and the planting of a landscape buffer would inhibit the natural drainage area.

SDR-19484 - Staff Report Page Six
April 12, 2007 - Planning Commission Meeting

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;**

Upon approval of the companion Rezoning (ZON-20602) and Special Use Permit (SUP-19483) 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;**

With the Rezoning to R-2 (Medium-Low Density Residential) and the requested waiver of perimeter buffer landscape requirements along the northeast property line, the proposed development is consistent with the General Plan, Title 19, for Design, 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;**

The capacity of Sandhill Road, an 80-foot Secondary Connector, with the required 40-foot right-of-way dedication and construction of both half-street improvements and temporary termination, is adequate to meet the requirements of the proposed church use.

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

The landscape materials are appropriate for the desert environment of the greater Las Vegas Valley area. The building materials are in compliance with Title 19 and provide an aesthetically pleasing addition to the area. Conditions of approval will further enhance the landscaping provided. While a perimeter landscape waiver has been requested for the northeast property line, the site design is consistent with Title 19 in its attempt to best preserve the natural state of the adjacent wash.

SDR-19484 - Staff Report Page Seven
April 12, 2007 - Planning Commission Meeting

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 proposal provides two phases of construction. The first phase is for the main portion of the church. The second phase adds additional study and banquet facilities for the congregation. The complete design provides an adequate area for the building to meet Title 19 residential adjacency setbacks for the building height.

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

The development will require building permits from the Department of Building and Safety which will assure the public health, safety and general welfare are secured.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 475 (Mailed with ZON-20602 and SUP-19483)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-19484**, APN: 140-30-601-006

Name of Property Owner: Living Water Baptist Church

Name of Applicant: Living Water Baptist Church

Name of Representative: DRC Engineering / Jolene Granberg

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: Layton Sonerholm

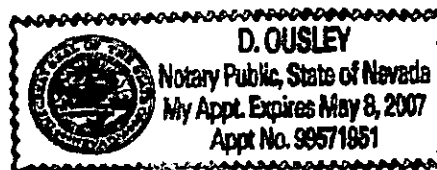
Print Name: Layton Sonerholm

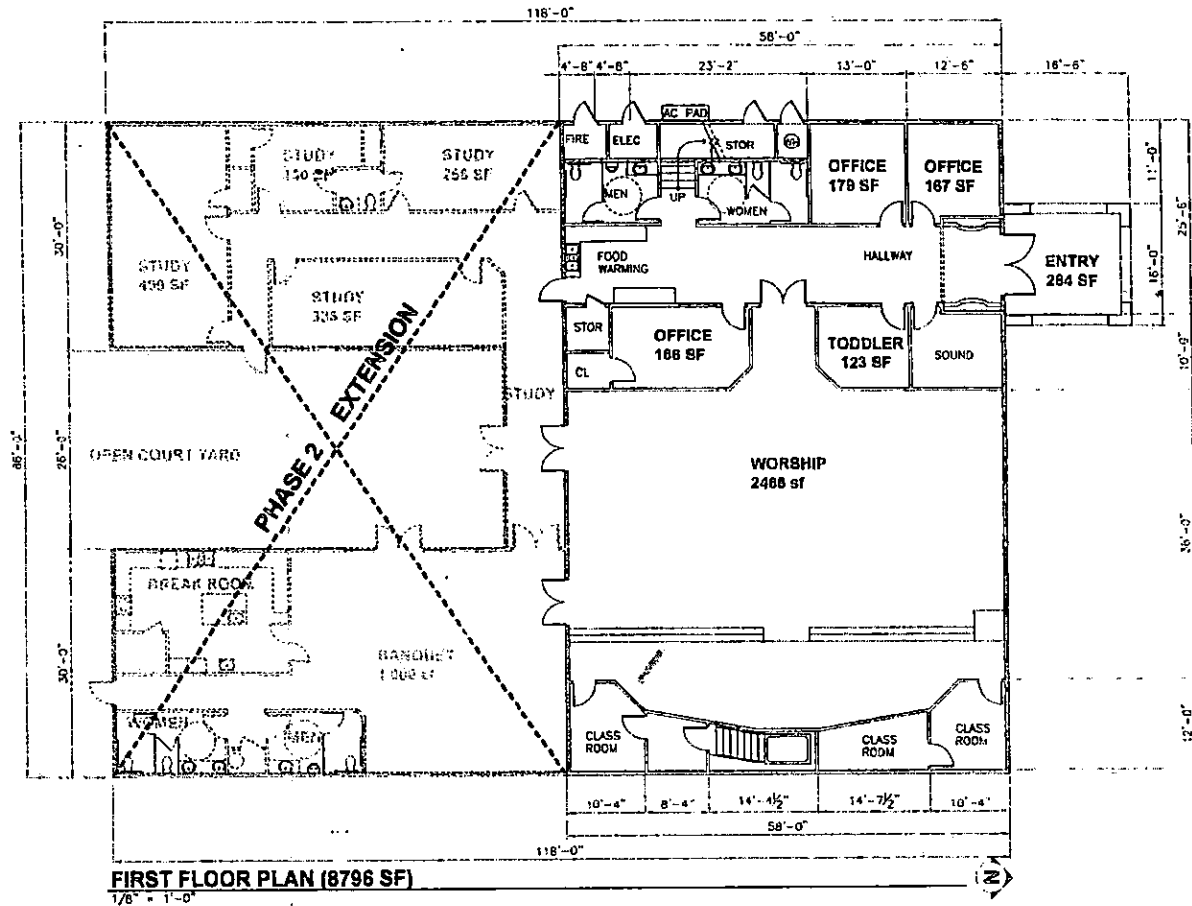
Subscribed and sworn before me

This 24th day of January, 2007

D. Ousley

Notary Public in and for said County and State





No.	Revisions
Contractor Address Las Vegas, Nevada 89118 Phone: 702-794-7021 Contractor Lic. No. -	
PROPOSED: LIVING WATER BAPTIST CHURCH Sandhill Road Las Vegas - 89110 APN. No. 14030601006	
Date 11-20-03	
Scale AS NO450	
JOB	
Drawn XY	
Sheet	A1
of Sheets	

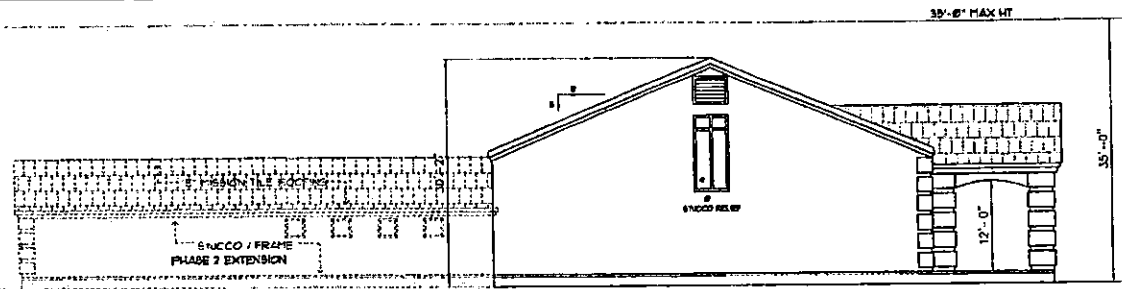
SDR-19484
04/12/07 PC

RECEIVED
APR 29 2007



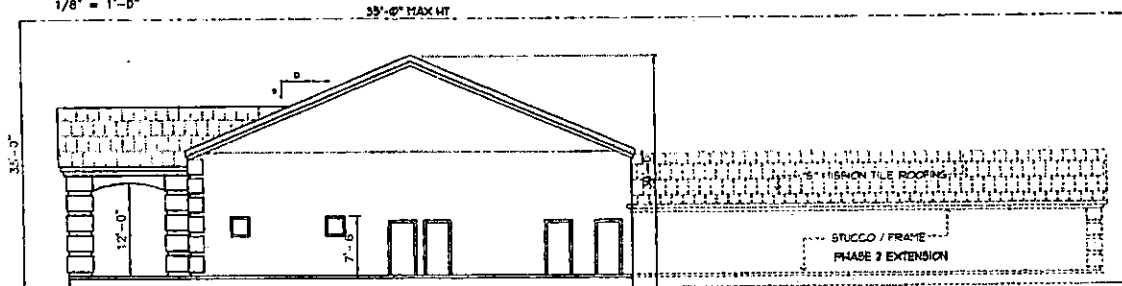
2007 Sheet A2	REVISIONS NO. _____ DATE _____	CONTRACTOR Address Los Vegas, Nevada 89118 Phone: 702-792-7022 Fax: 702-792-7022 Contractor Lic. No. _____
	PROJECT LIVING WATER BAPTIST CHURCH Sandhill Road Las Vegas - 89110 APN No. 140306011006 JOB _____	Date 91-20-95 Scale AS 1/8" JOB _____ Sheet _____

SDR-19484
04/12/07 PC



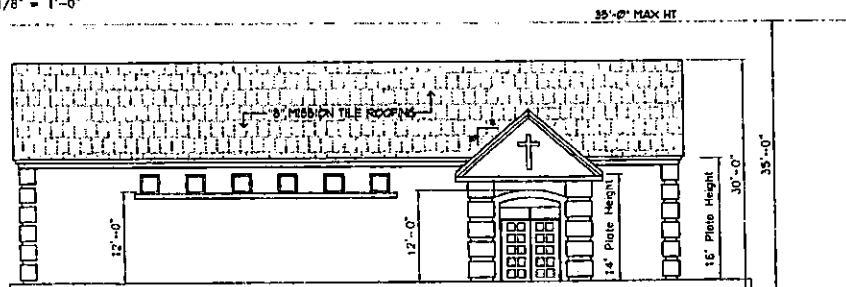
NORTH ELEVATION

1/8" = 1'-0"



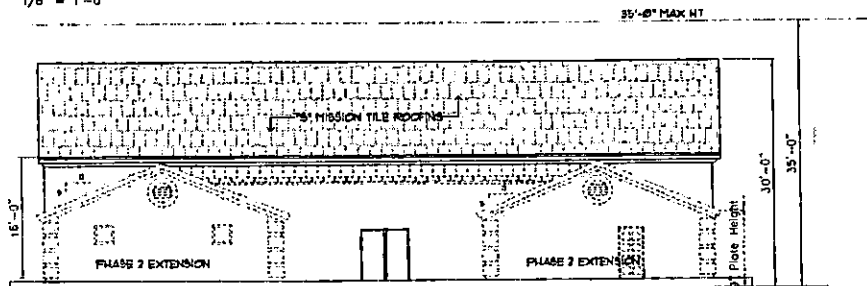
SOUTH ELEVATION

1/8" = 1'-0"



WEST ELEVATION

1/8" = 1'-0"



EAST ELEVATION

1/8" = 1'-0"

No.	Revisions
Contractor Address Las Vegas, Nevada 89118 Phone: 702 - 702 - 702 - Contractor Lic. NV. -	
PROPOSED: LIVING WATER BAPTIST CHURCH Sandhill Road Las Vegas - 89110 APN. No. 14030601006	
Date 11-20-06 Scale AS NOTED JOB Drawn XY Sheet A3 Sheets -	

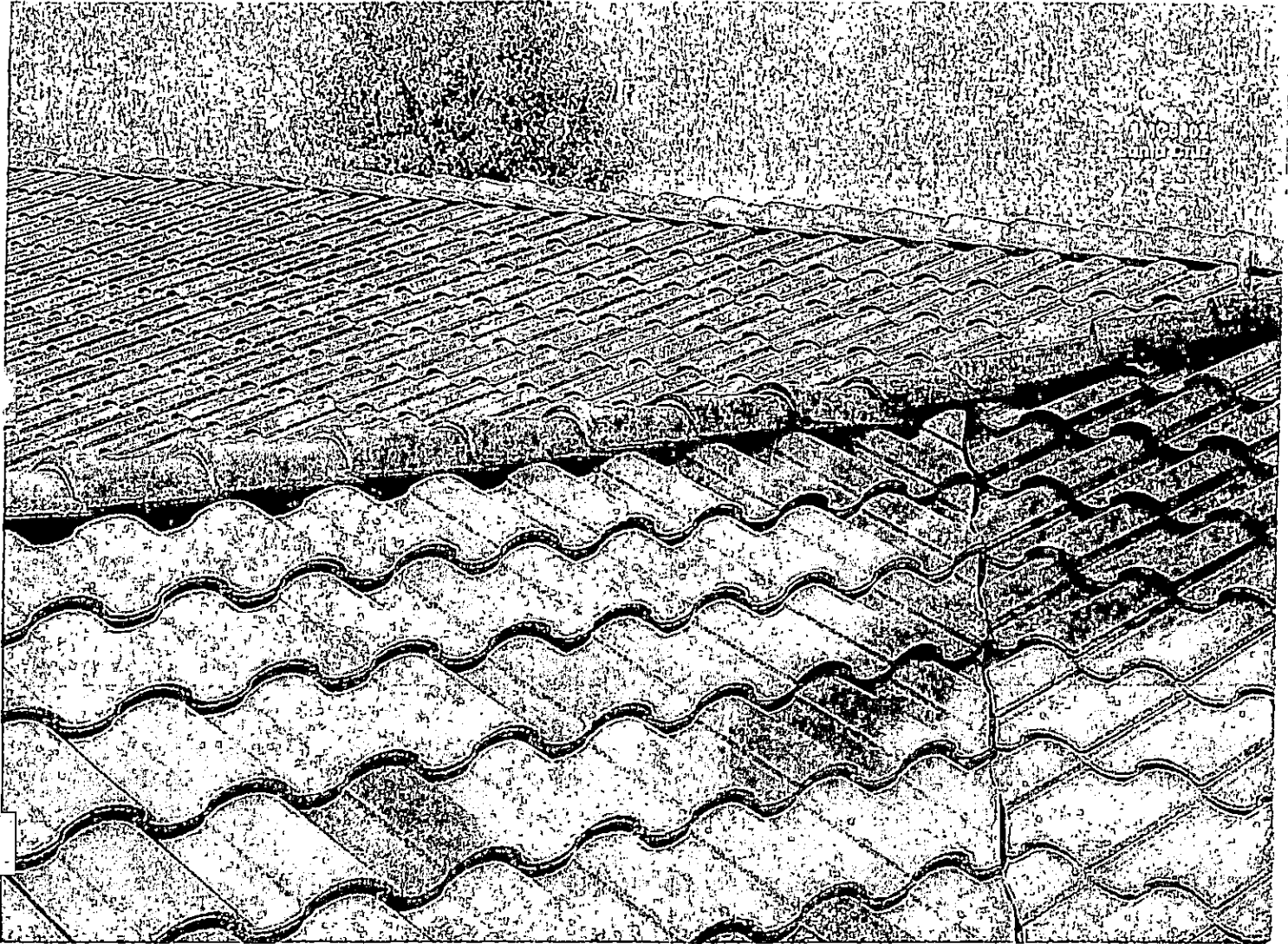
SDR-19484
04/12/07 PC

RECEIVED

29 2007

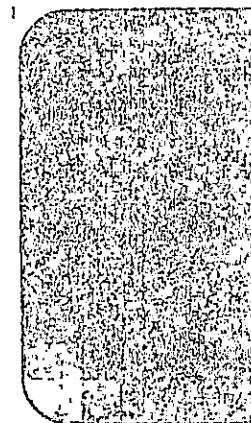
Materials List

Eaglelite, fire proof one piece tiles. #LMC8402



Bear Premium Plus exterior

Vinyl textured paint, this product

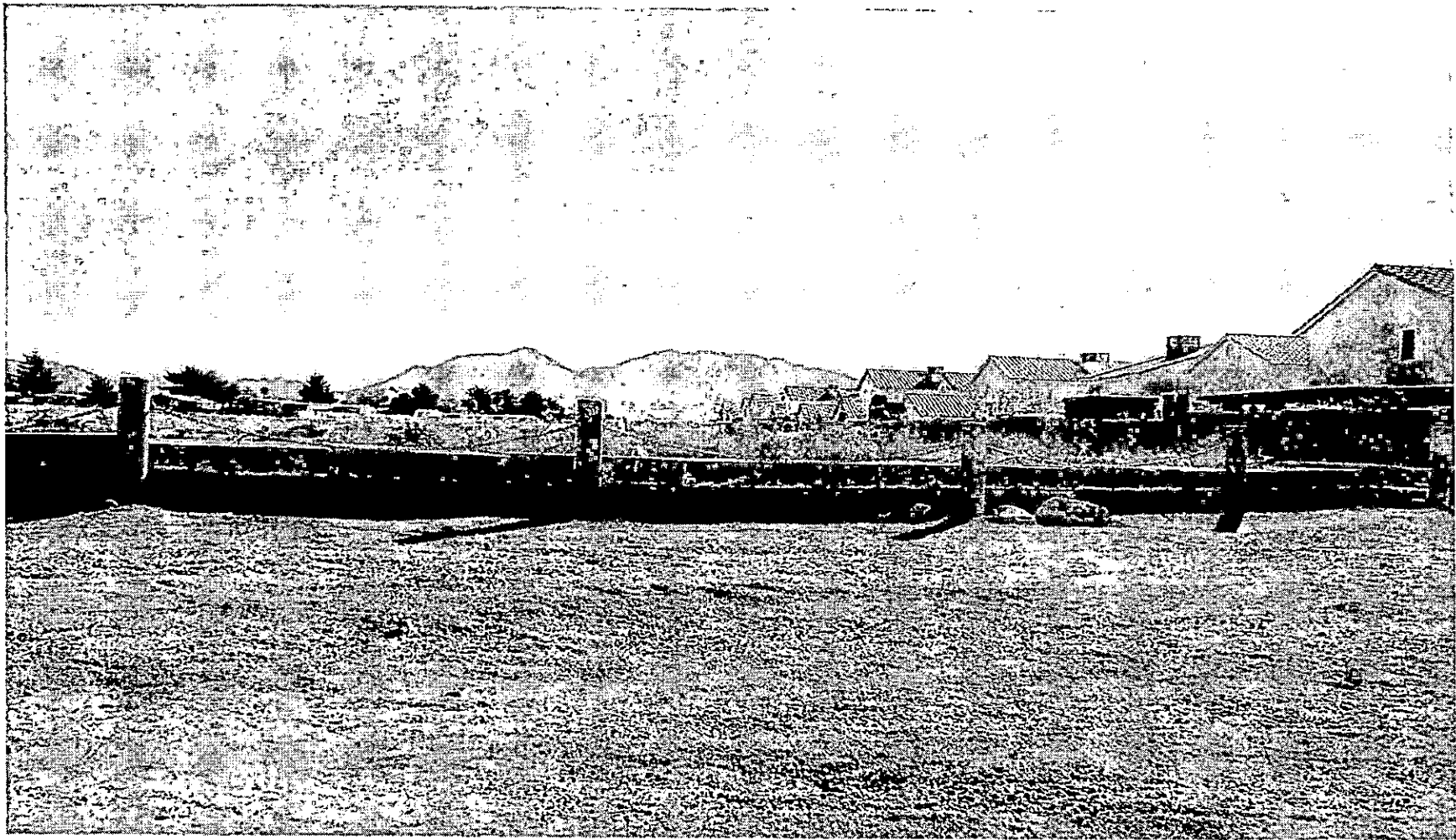


RECEIVED

JAN 29 2007

04/12/07 PC

- 1 Body: Canewood ECC-40
- 2 Trim: Southwestern Sand ECC-40 2
- 3 Accent: Seasoned Acorn ECC-40 1



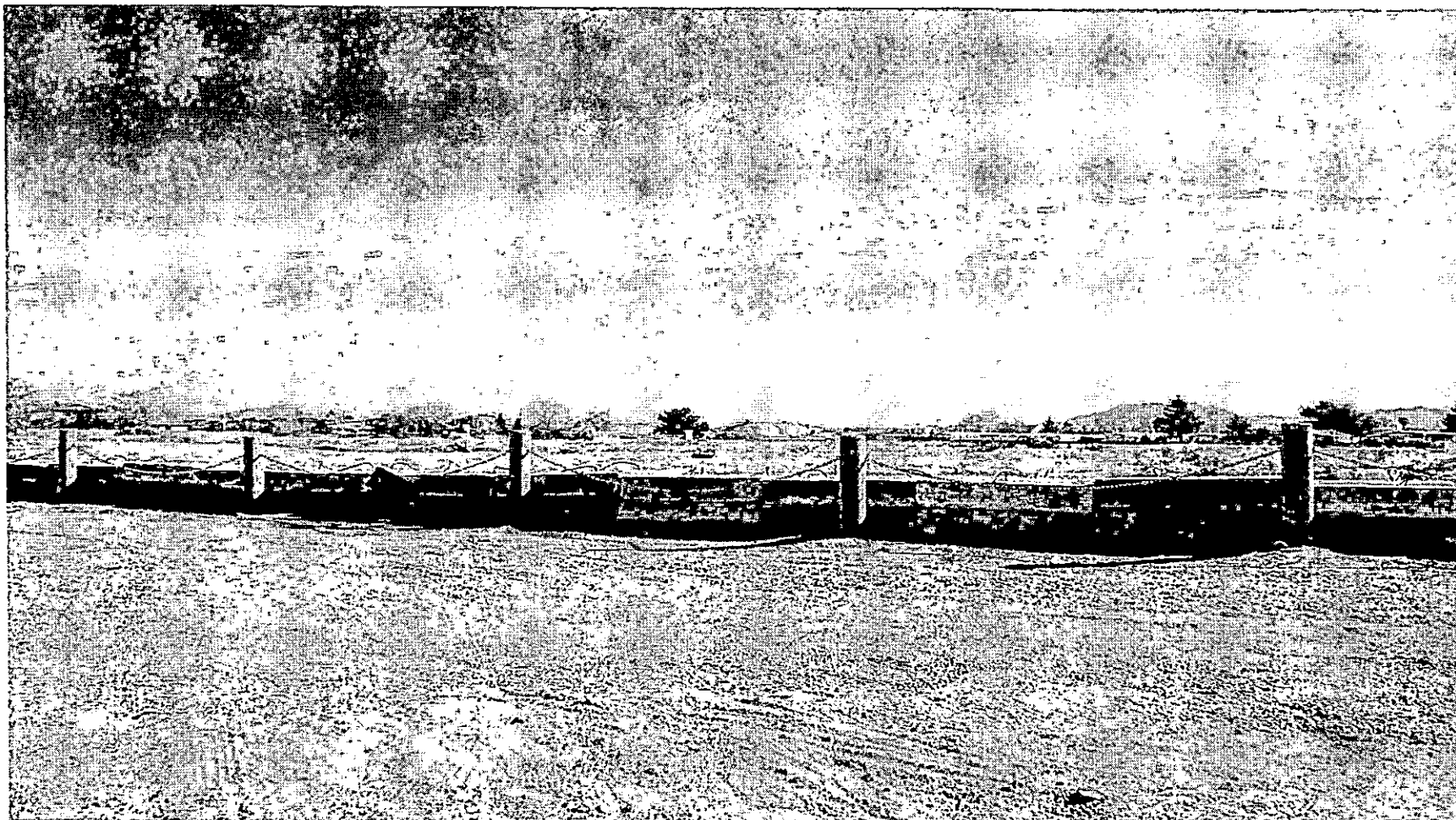
ZON-20602, SUP-19483 AND SDR-19484 - APPLICANT/OWNER: LIVING WATERS BAPTIST CHURCH
EAST SIDE OF SANDHILL ROAD, APPROXIMATELY 630 FEET NORTH OF WASHINGTON AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/12/07



ZON-20602, SUP-19483 AND SDR-19484 - APPLICANT/OWNER: LIVING WATERS BAPTIST CHURCH
EAST SIDE OF SANDHILL ROAD, APPROXIMATELY 630 FEET NORTH OF WASHINGTON AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/12/07



ZON-20602, SUP-19483 AND SDR-19484 - APPLICANT/OWNER: LIVING WATERS BAPTIST CHURCH
EAST SIDE OF SANDHILL ROAD, APPROXIMATELY 630 FEET NORTH OF WASHINGTON AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/12/07



Development Resource Consultants, Inc.

Civil Engineering • Land Surveying • Land Planning

January 22, 2007

City of Las Vegas
700 S. 4th Street
Las Vegas, NV 89155

Attention: Jim Marshall
Planner

Regarding: Justification Letter for a Site Design Review and Use Permit
Living Water Baptist Church / APN #140-30-601-006

On behalf of our client, Living Water Baptist Church, DRC Engineering would like to submit a request for a Site Design Review and Use Permit for a previously approved Church, U-75-02 on 2.88 +/- gross acres of land generally located approximately 620' north of Washington Ave. on the east side of Sandhill Road. To the north is north and east is currently zoned R-E, to the south is R-CL, east is R-MHP and west is R-1.

Site Design Review

The building is a wood framed / stucco'd Church building with a tiled roof. The building will be a single story building with a small 2nd floor area above entry area for storage and / or mechanical. The roof will consist of tile – S-tile / red or a variation of exterior color – off white (Navaho White) as a base with the stucco'd fascia and corner popouts (at the columns and building corners) to be a light or medium shade of tan. Exterior doors to be same as base color.

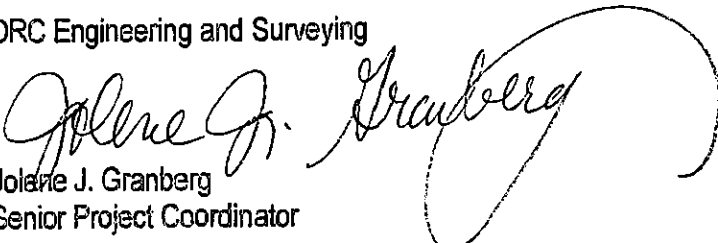
Use Permit

The church will have such activities as religious services, religious instruction, church club activities and similar activities. Functions such as child care, formal educational programs, preschool classes and similar related activities are ancillary to the primary use.

Please call me if you should have any questions or require additional information.

Sincerely,

DRC Engineering and Surveying

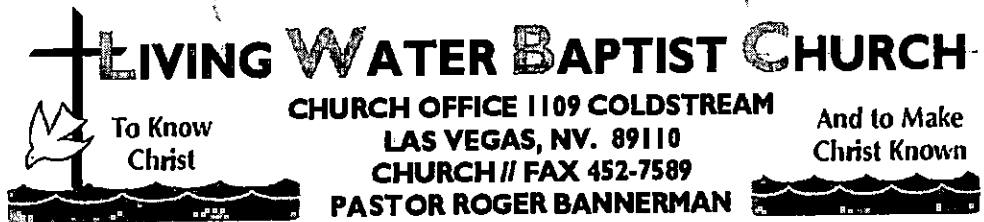


Jolene J. Granberg
Senior Project Coordinator

RECEIVED

04/12/07 PC

JAN 29 2007



December 8, 2006

CLARIFICATION OF 2ND FLOOR USAGE IN CHURCH PLANS

To Whom It May Concern:

The purpose of the 2nd floor incorporated into the plans for Living Water Baptist Church is that it will be used for storage "ONLY" and not for class rooms, meetings, or any other occupancy.

Pastor Roger Bannerman
Living Water Baptist Church

Jerry Mitchum
Chairman Building Committee

**SDR-19484
04/12/07 PC**

RECEIVED

JAN 29 2007

"KNOW CHRIST AND MAKE CHRIST KNOWN"

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-19888 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RICHARD D. BEECHER - Request for a Variance TO ALLOW AN EXISTING CARPORT NINE-FOOT FIVE-INCHES FROM THE FRONT PROPERTY LINE WHERE 20 FEET IS THE MINIMUM FRONT YARD SETBACK REQUIRED at 304 Wisteria Avenue (APN 138-36-115-045), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Five Telephone Approvals
6. Letter of Approval from George Rinehart

MOTION:

DUNNAM – APPROVED subject to conditions – UNANIMOUS with EVANS excused

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

JIM MARSHALL, Planning and Development Department, stated this request is a self-imposed hardship and recommended denial.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 73 – VAR-19888

MINUTES – Continued:

RICHARD BEECHER, 301 Wisteria Avenue, was present.

In response to COMMISSIONER STEINMAN'S question, MR. BEECHER explained he needed the carport for his vehicles since his garage is being used to store his live-in mother-in-law's belongings.

MR. BEECHER informed COMMISSIONER DUNNAM that his adjacent neighbors support his request.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

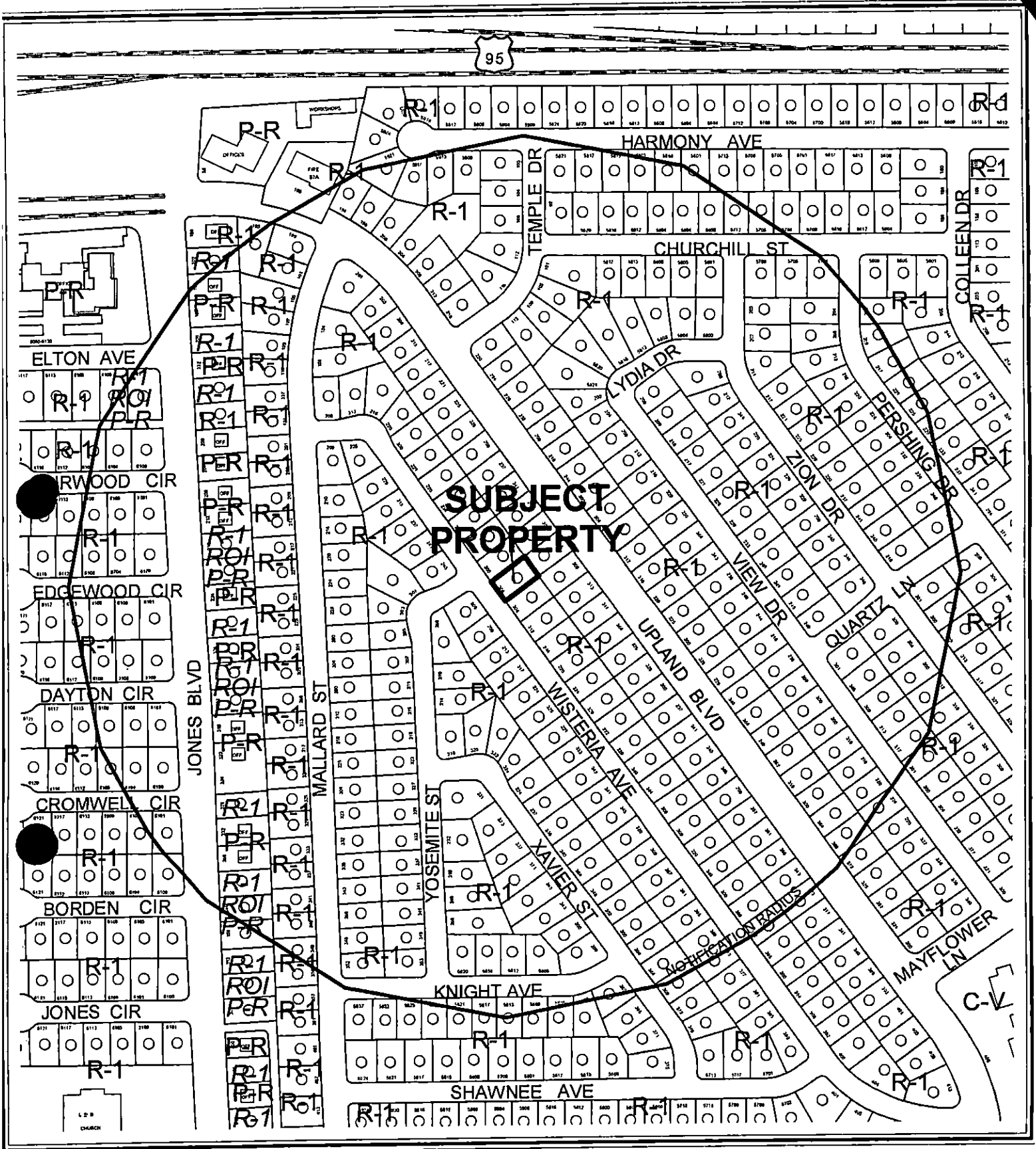
(10:59 – 11:06)

3-3400

CONDITIONS:

Planning and Development

1. This approval shall be void one year from the date of final approval, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



CASE: VAR-19888

RADIUS: 1000 FT

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



CASE: VAR-19888

RADIUS: 1000 FT

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

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 12, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19888 - APPLICANT/OWNER: RICHARD D. BEECHER

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This approval shall be void one year from the date of final approval, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-19888 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Variance to allow a carport to be nine feet five inches from the front property line where 20 feet is the minimum setback allowed on an R-1 (Single Family Residential) Zoned property at 304 Wisteria Avenue. The applicant states there is not space in the garage for a vehicle as the garage is used for storage of family memorabilia. The 20 X 20 carport was installed in August 1997, a building permit was not issued for the construction.

BACKGROUND INFORMATION

Related/Relevant City Actions by P&D, Fire, Bldg., etc.	
N/A	There are no previous records filed against this property
Related Building Permits/Business Licenses	
1957	1166 square-foot single family dwelling constructed.
8/16/06	Code Enforcement Citation #49395: Building carport w/o permits.
Pre-Application Meeting	
2/13/07	Planning staff met with the applicant regarding the request for a front-yard setback variance stemming from a Code Enforcement citation on an existing carport.
Neighborhood Meeting	
N/A	A neighborhood meeting was not held nor was required.
Related/Relevant City Actions by P&D, Fire, Bldg., etc.	
N/A	None

Details of Application Request	
Site Area	
Net Acres	.13

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Dwelling	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family Dwelling	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family Dwelling	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single Family Dwelling	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Dwelling	L (Low Density Residential)	R-1 (Single Family Residential)

LHM

VAR-19888 - Staff Report Page Two
 April 12, 2007 - Planning Commission Meeting

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

A-O Airport Overlay District

The request for a Variance to the Front Yard Setback has no affect on the established 175-foot Airport Overlay height restriction.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 sq. ft.	5797.18 sq. ft.	N
Min. Lot Width	65 feet	60 feet	N
Min. Setbacks			
• Front	20 feet	9.4 feet	N
• Side	5 feet	10 feet	Y
• Corner	NA	NA	NA
• Rear	15 feet	20 feet	Y
Max. Lot Coverage	50%	27%	Y
Max. Building Height	2 stories or 35 feet, whichever is less	Single story	Y

ANALYSIS

To provide shade for the family automobiles a carport was installed in front of the garage of the single family dwelling in 1997. In doing so, the required front yard setback of 20 feet was decreased to nine feet five inches. The carport is made of an aluminum metal with a painted finish that aesthetically matches the house. The applicant states that the carport was needed because the garage was being used for storage.

VAR-19888 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

The discovery of non-compliance occurred soon after a neighboring property was approved for a Variance (VAR-18179), to allow a carport ten feet from the front yard property line by City Council on February 7, 2007. Although the carport complies with the 5-foot side yard setback, the structure encroaches 9 feet 7 inches into the 20-foot front yard setback as established by Title 19.08.040 for the R-1 (Single Family Residential) Zoning District.

The hardship is personal and self-created; therefore, Planning must recommend denial.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship installing a carport within the established front yard setback. 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.

VAR-19888 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 413

APPROVALS 6

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-19888** APN: 13E36115045
Name of Property Owner: RICHARD D. BEECHER
Name of Applicant: _____

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

_____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: RICHARD D. BEECHER

Subscribed and sworn before me

This 23rd day of January, 2007

Clark County Nevada

Notary Public in and for said County and State

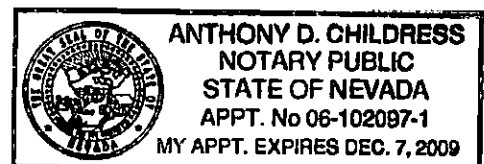
State of Nevada County of Clark

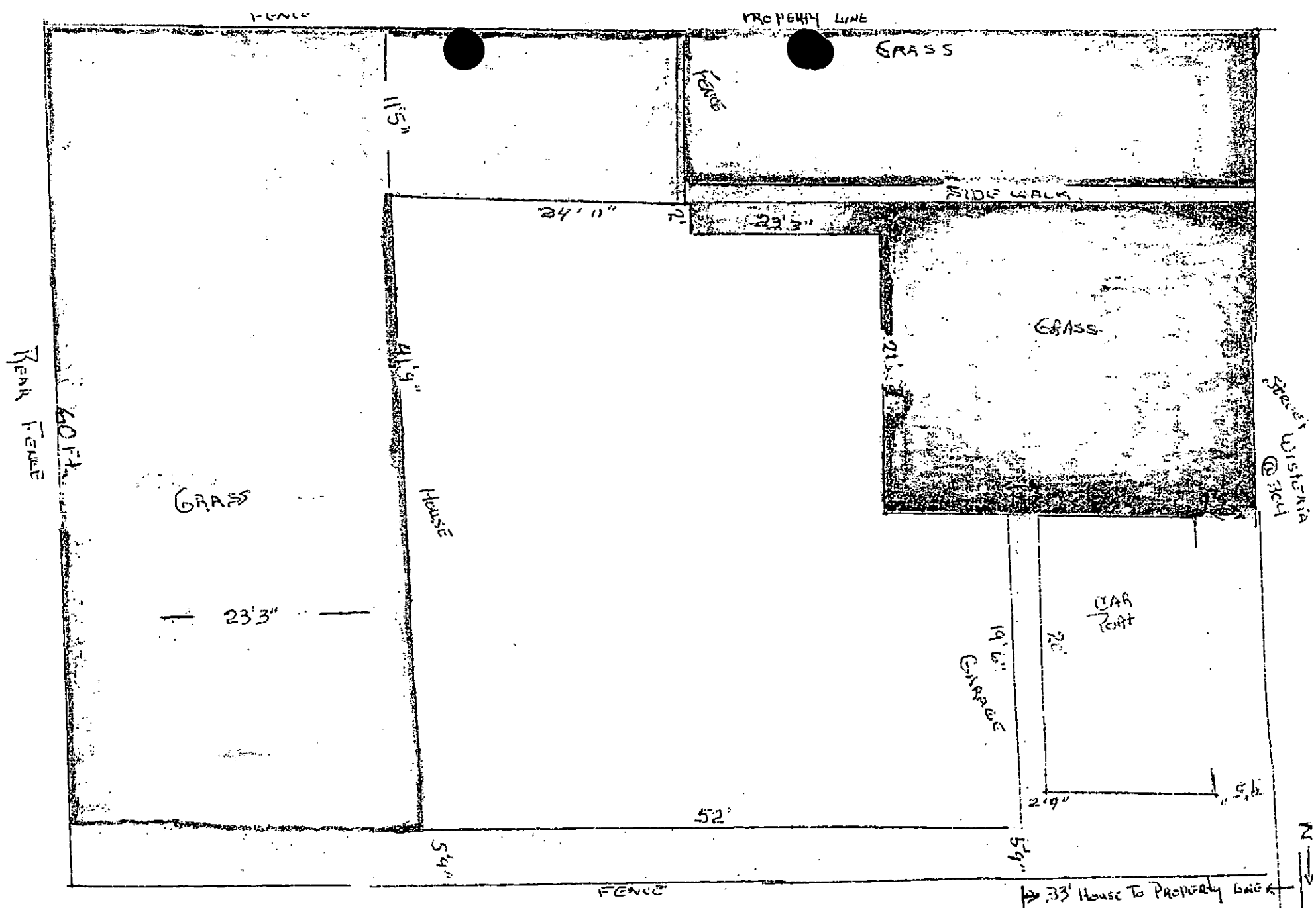
Subscribed and sworn before me on 01-23-2007

(Date)

Revised 12-03-04

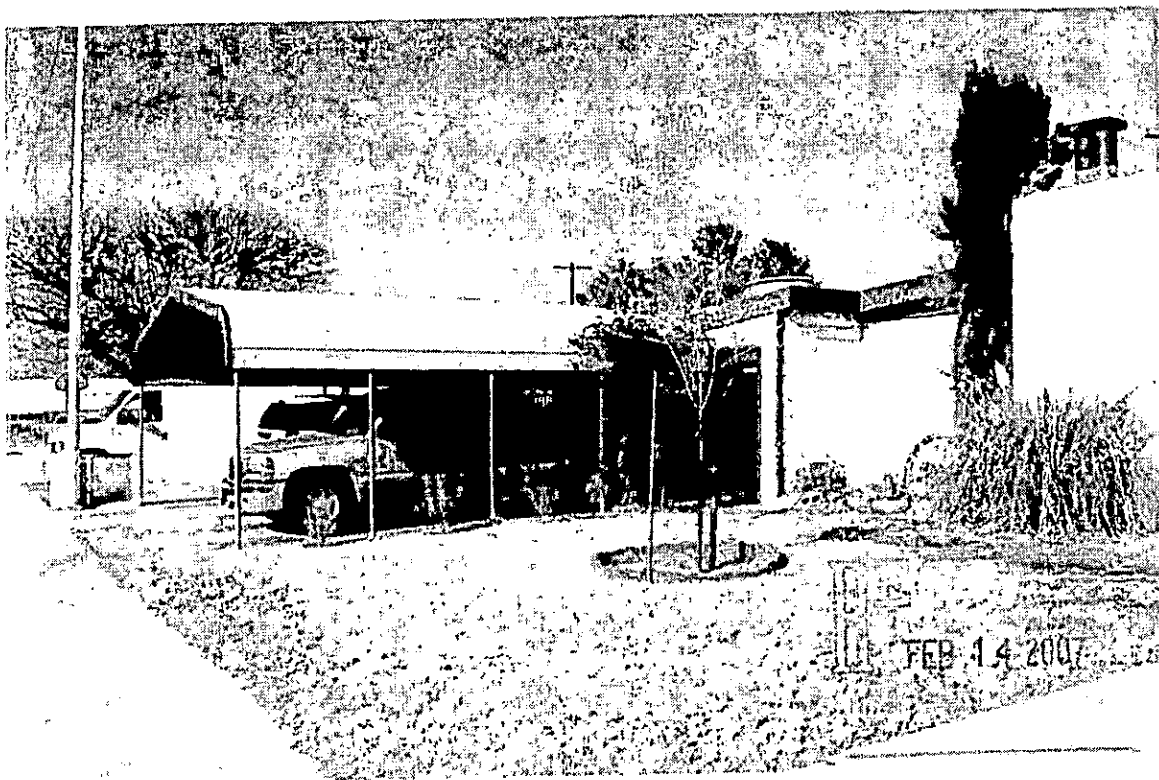
Anthony D. Childress
(Notary Signature)



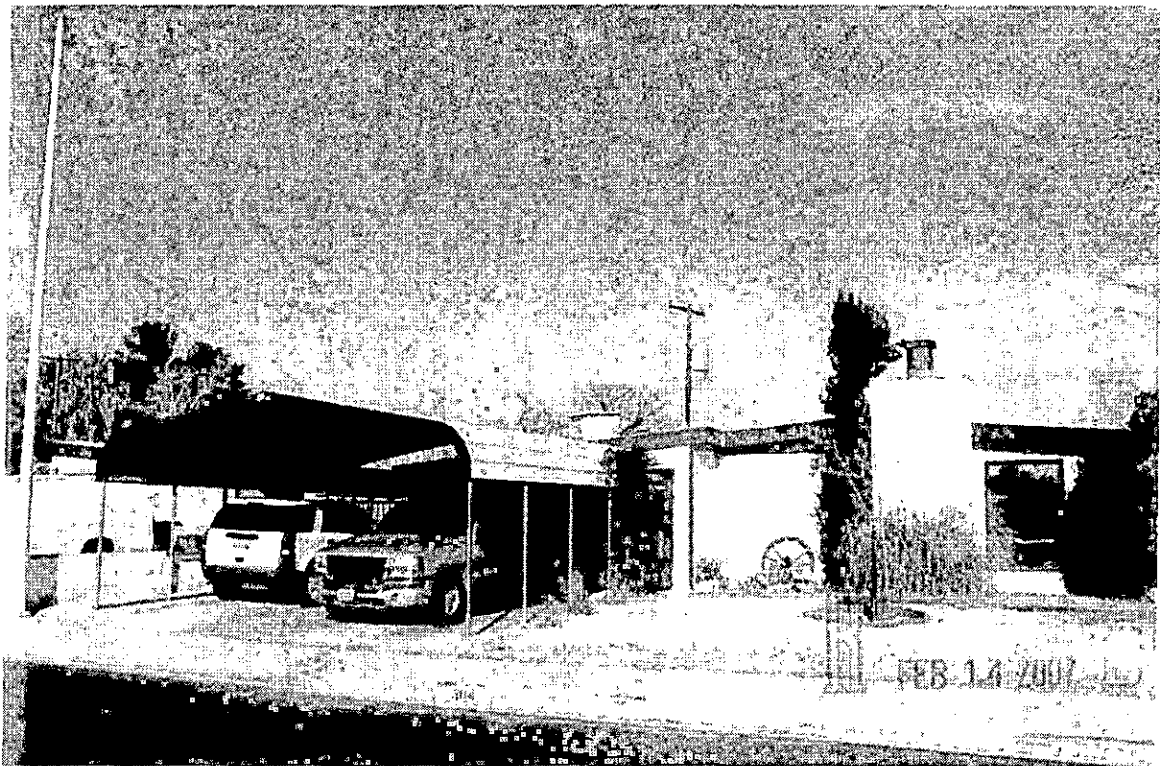


VAR-19888
04/12/07 PC

FEB 14 2007



VAR-19888
04/12/07 PC



VAR-19888
04/12/07 PC



VAR-19888
04/12/07 PC



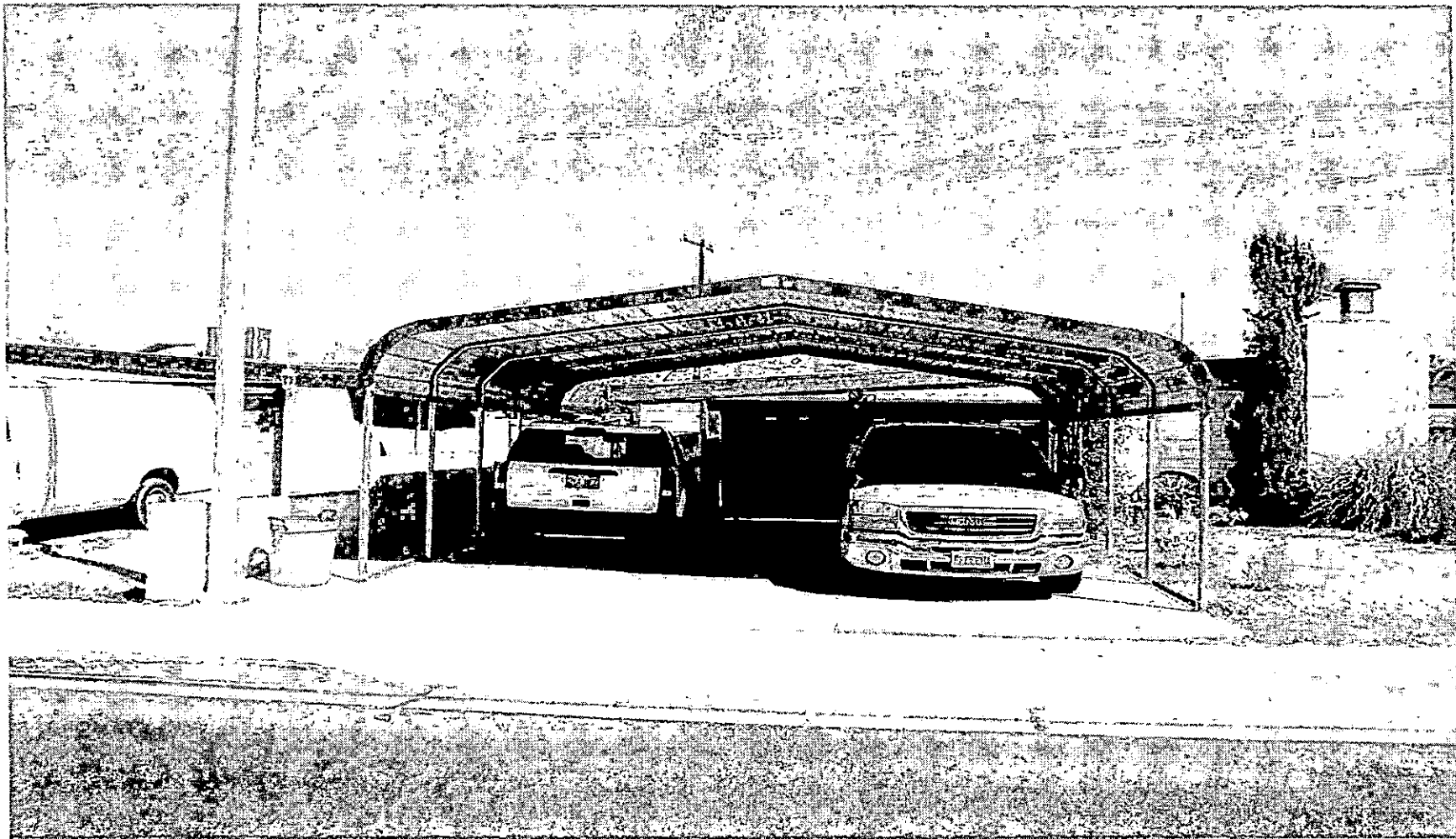
VAR-19888 - APPLICANT/OWNER: RICHARD D. BEECHER
304 WISTERIA AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/12/07



VAR-19888 - APPLICANT/OWNER: RICHARD D. BEECHER
304 WISTERIA AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/12/07



VAR-19888 - APPLICANT/OWNER: RICHARD D. BEECHER
304 WISTERIA AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/12/07

January 24, 2007

City of Las Vegas
Planning and Development Department

SUBJECT: REQUEST FOR CARPORT VARIANCE
PARCEL #: 13836115045
PROPERTY ADDRESS: 304 Wisteria Ave., Las Vegas, NV 89107

DATE OF INSTALLATION: August 1997
Size: 20 X 20 Feet

No obstructing of visibility from entering or exiting street

My wife's father is now deceased. Her mother who is ninety two years of age adopted us. Chests of memories, etc., occupy much garage space. It seems, as we reach an advanced age, some items gain in importance. My age is 75. My wife is 72. We purchased this home new in 1957, our third anniversary 50 years ago. We too have memories and items we don't really need stored in this garage; no space for vehicles.

This 20 foot square provider of shade has become a luxury we hope not to lose. I would sincerely thank you for favorably granting this variance.

Richard D. Beecher

Richard D. Beecher

1-24-07

Date

VAR-19888
04/12/07 PC

Telephone Protest/ Approval Log

Meeting Date: 04-12-07

Case Number: VAR 19888

Date: 04-09-07
Name: Debra Murray
Address: 344 Xavier
Las Vegas NV 89107
Phone: 821-1531
☐ PROTEST ☒ APPROVE

Date: 04-09-07
Name: Vicki Lindl
Address: 340 Xavier
LV, NV 89107
Phone: 353-5818
☐ PROTEST ☒ APPROVE

Date: 04-09-07
Name: Melissa Chambers
Address: 376 Xavier
LV, NV 89107
Phone: 798-0314
☐ PROTEST ☒ APPROVE

Date: 4-9-07
Name: Daniel Nicolas
Address: 332 Xavier
Phone: 878-0330
☐ PROTEST ☒ APPROVE

Date: 4-9-07
Name: Kayla Wells
Address: 345 Wisteria
Phone: 592-4670
☐ PROTEST ☒ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE
ITEM # 73
CASE # VAR-19888
PC MTG 4.12.07

5P

April 4-07

To The Planning Commission

I don't see any reason why the Carport should be torn down. It's not bothering any thing or anyone. It also keeps their cars off of the street and out of the hot sun. It also looks nice.

George Rinchart



George Rinchart Jr
308 Wisteria Ave LAS
Las Vegas NV 89107

04 APR

ITEM # 73
CASE # VAR-19888
PC MTG 4-12-07

A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-20020 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CHRISTOPHER LOGAN - Request for a Variance TO ALLOW A PROPOSED EIGHT FOOT TALL WALL WHERE FIVE FEET IS THE MAXIMUM HEIGHT PERMITTED AND TO ALLOW THE BOTTOM FOUR FEET TO BE SOLID WALL WHERE TWO FEET OF SOLID WALL IS PERMITTED WITHIN THE FRONT YARD SETBACK OF A SINGLE FAMILY RESIDENCE at 8260 Via Olivero Avenue (APN 163-04-404-007), R-E (Residence Estate) Zone, Ward 2 (Wolfson).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

MOTION:

TROWBRIDGE – APPROVED subject to conditions – UNANIMOUS with EVANS excused

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated this request is a self-imposed hardship and recommended denial.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 74 – VAR-20020

MINUTES – Continued:

CHRISTOPHER LOGAN was present. He explained that his neighbor had been granted a similar variance and his request was to allow his fence to match the existing fence.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(11:06 – 11:08)

4-92

CONDITIONS:

Planning and Development

1. All City Code requirements and design standards of all City departments must be satisfied.
2. The applicant shall obtain the necessary building permits for construction of the wall/fence as required by the Planning and Development Department.
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.



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





CASE: VAR-20020

RADIUS: 1000 FT

0 500 Feet

R-E (RESIDENCE ESTATE)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 12, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20020 - APPLICANT/OWNER: CHRISTOPHER LOGAN

**** CONDITIONS ****

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. All City Code requirements and design standards of all City departments must be satisfied.
2. The applicant shall obtain the necessary building permits for construction of the wall/fence as required by the Planning and Development Department.
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.

VAR-20020 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a variance to allow an eight foot tall fence where the bottom four feet of the wall is block wall, and the upper four feet is decorative wrought iron, along the front property line where a five-foot tall fence is the maximum height allowed, on property located at 8260 Via Olivero Avenue.

BACKGROUND INFORMATION

<i>Related/Building/Permits/Business/Licenses</i>	
10/05/06	Single Family Dwelling permit issued (# 6006309)
<i>Pre-Application Meeting</i>	
01/16/2007	Show wall elevations on site plan.
<i>Neighborhood Meeting</i>	
N/A	A neighborhood meeting was not required, nor was one held.

<i>Details of Application/Request</i>	
<i>Site/Area</i>	
Gross Acres	.92 Acres
Net Acres	.91 Acres

<i>Surrounding Property</i>	<i>Existing Land Use</i>	<i>Planned Land Use</i>	<i>Existing Zoning</i>
Subject Property	Undeveloped	D-R (Desert Rural)	R-E (Residence Estates)
North	Undeveloped	D-R (Desert Rural)	R-E (Residence Estates)
South	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single Family Residential	D-R (Desert Rural)	-PD2 (Residential Planned Development - 2 Units Per Acre)
West	Single Family Residential	D-R (Desert Rural)	R-E (Residence Estates)

VAR-20020 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

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

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. This designation has no impact on the variance.

DEVELOPMENT STANDARDS

Applicable code section 19.08

Standards	Required/Allowed	Provided	Compliance
Min. Lot Size	20,000 sf	39,899 sf	Y
Min. Lot Width	100 feet	165 feet	Y
Min. Setbacks			
• Front	50 feet	50.14 feet	Y
• Side	10 feet	10.02 feet	Y

ANALYSIS

Zoning

The property is has a zoning designation of R-E (Residence Estates), Pursuant to Title 19.08, the maximum fence height in the required front yard area is: five feet total, with the top three feet 50 percent open to permit visibility.

Site Plan

The submitted site plan depicts a proposed 10,420 square-foot single-family dwelling. A porte-cochere will extend over the semi-circular driveway. The proposed eight foot tall wall/fence (combination block and wrought iron) will consist of four feet of block wall (solid split face block) and four feet of wrought iron and is to be built on the front property line of the parcel, along the north side of Via Olivero Avenue. The site plan proposed two vehicular and pedestrian entry gate features. Walls/fences in the front yard area are permitted to be a total height of five feet, with the top three vertical feet 50 percent open to permit visibility.

VAR-20020 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship to build an eight foot tall wall where a maximum of five feet is allowed 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 . 4

ASSEMBLY DISTRICT 2

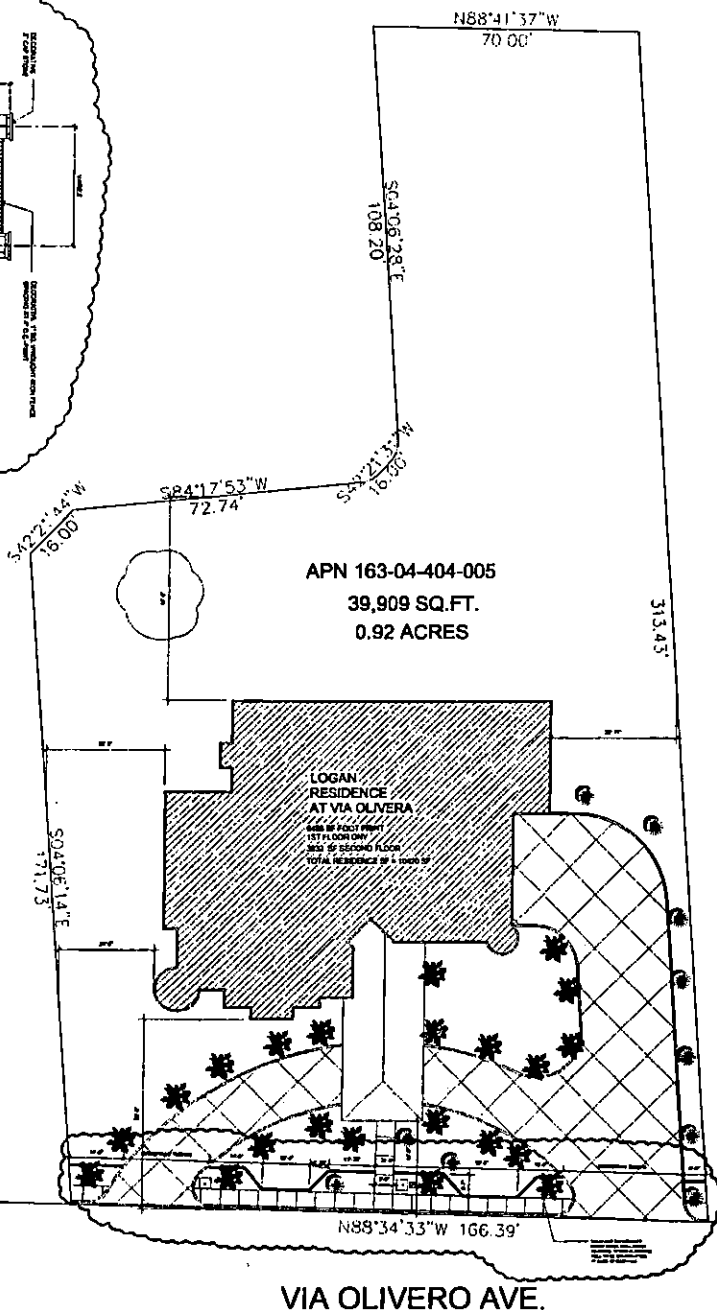
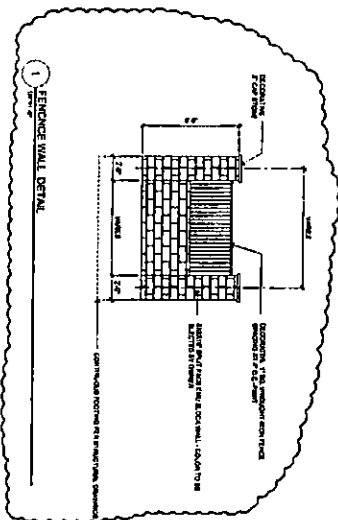
SENATE DISTRICT 8

NOTICES MAILED 217

APPROVALS 0

PROTESTS 0





VAR-20020
04/12/07 PC

RECEIVED

04/12/07

PROJECT PLOT PLAN A1.01	DATE: 04/12/07 DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]	CHRISTOPHER LOGAN RESIDENCE AT VIA OLIVERO PROJECT	ARCHITECT DALE ALAN HEINRICH, ARCHITECT AIA 4501 SOUTH BONITA VISTA LAS VEGAS, NEVADA 89147 702.839.8888 FAX: 702.848.0831	OWNER CHRISTOPHER LOGAN OWNER
	SCALE: 1" = 40'			

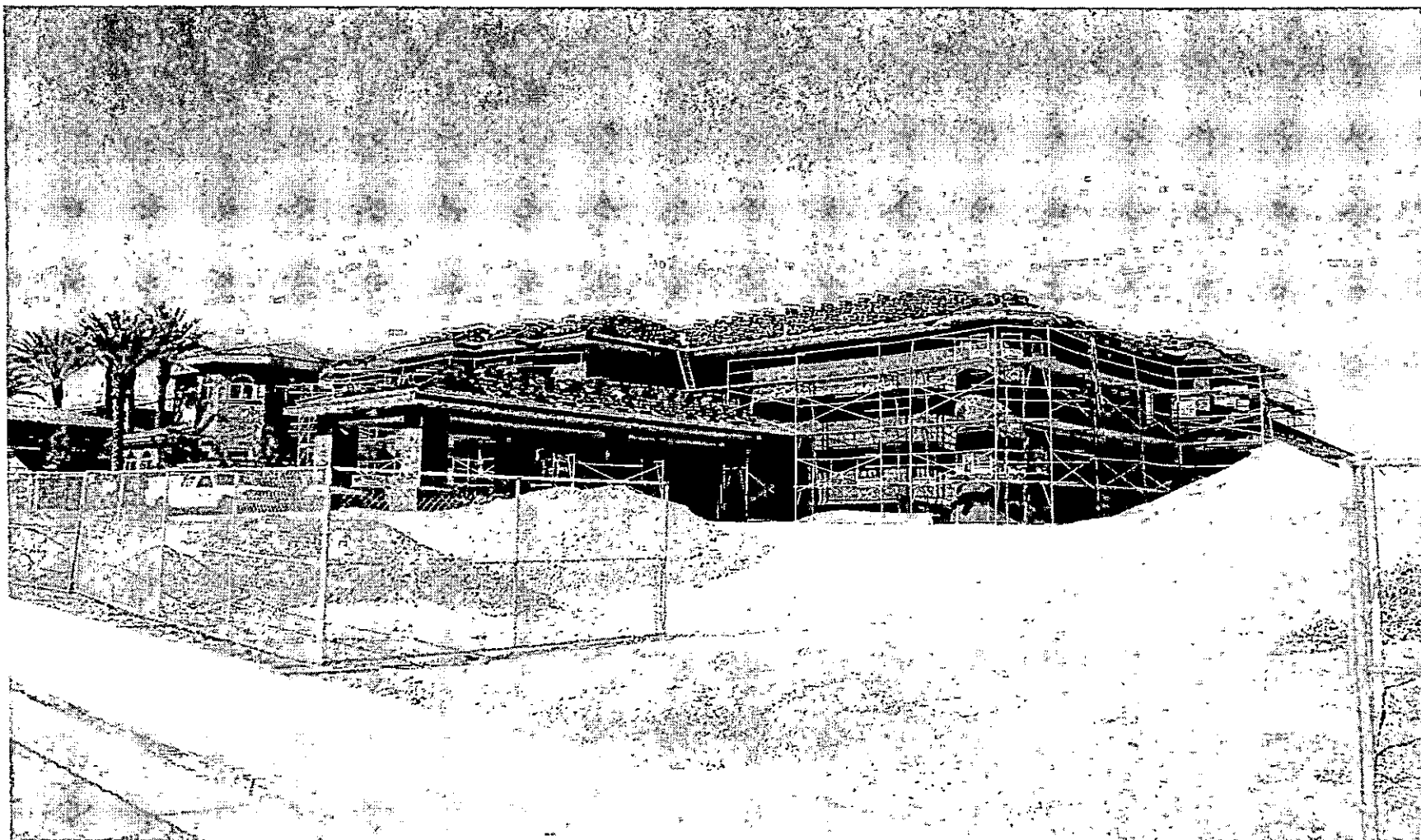


(A) FRONT FENCEWALL ELEVATION FOR THE LOGAN RESIDENCE AT VIA OLIVERO
1/8"=1'-0"

VAR-20020
04/12/07 PC

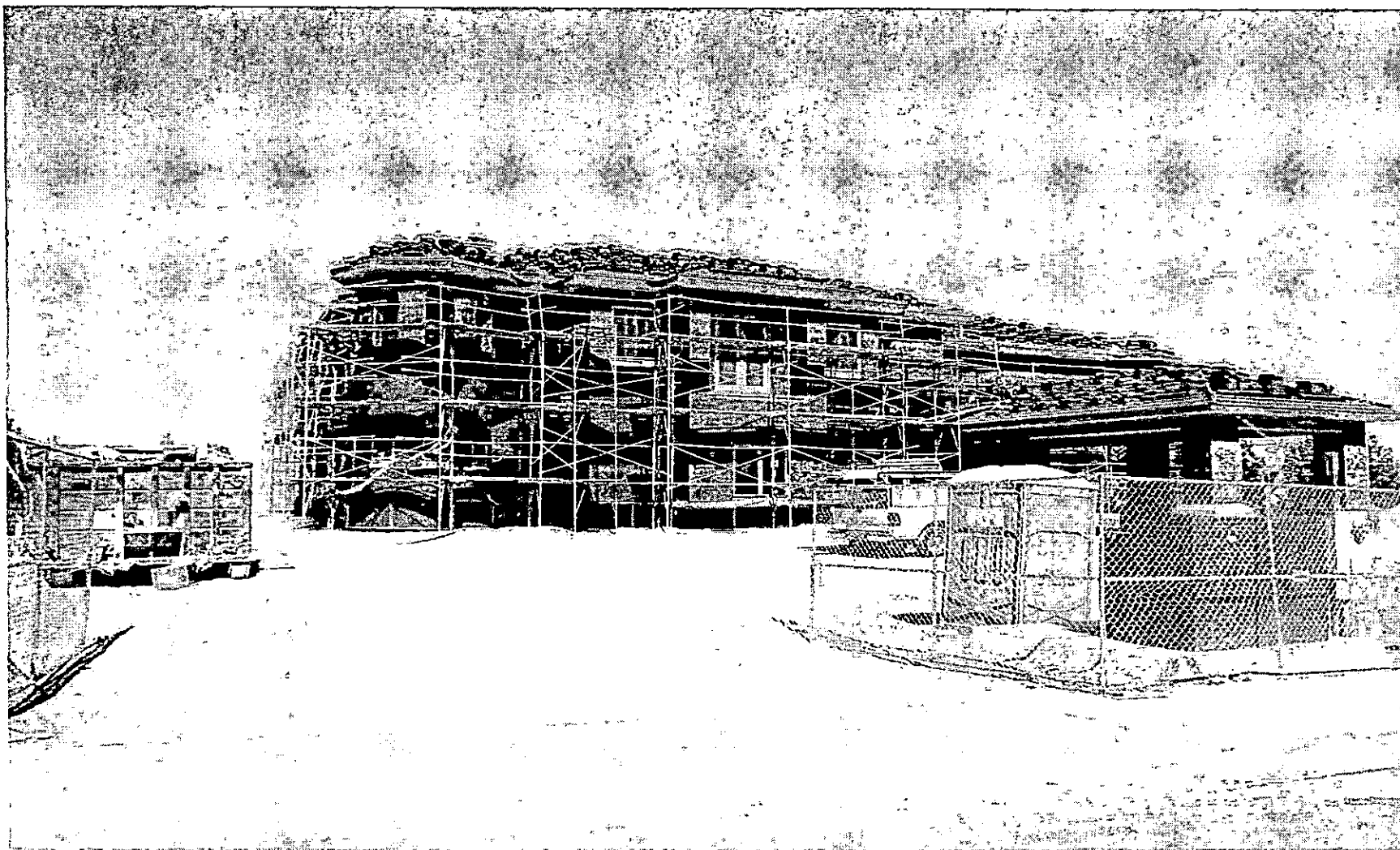
RECEIVED

FEB 20 2007



VAR-20020 - APPLICANT/OWNER: CHRISTOPHER LOGAN
8260 VIA OLIVERO AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/12/07



VAR-20020 - APPLICANT/OWNER: CHRISTOPHER LOGAN
8260 VIA OLIVERO AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/12/07

February 15, 2007

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

Re: Variance Request
Parcel: 163-04-404-007
R-E Residential Estate
Chris Logan
8260 Via Olivero
Las Vegas, NV 89117

Dear Planning Commission:

I am currently in the process of building a custom single family residence at the above-referenced property location and would respectfully like to request a variance as follows:

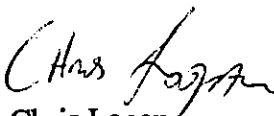
An eight (8) foot tall wall where four (4) feet is block wall and four (4) feet is decorative iron with at least 50% open along the front property line of a single family residence.

My neighbor to the west, Don Ziter, has already received approval for his variance for a similar eight (8) foot wall in December, 2003. Our homes are the few properties that actually face south onto Via Olivero and I am trying to maintain a certain aesthetics for our custom neighborhood. This variance requested does not obstruct any visibility to the property nor to vehicular traffic in the area. The grade level of my property is four foot above street level so visibility from to street to my property will not be obscured by a four foot wall and four foot iron.

Thank you for your time in processing this request and I look forward to your response. If there is anything that I provide assistance on, please contact me at the following temporary address.

8734 Mayport Dr.
Las Vegas, NV 89131
(206) 235-2668

Sincerely,


Chris Logan

VAR-20020
04/12/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

**RQR-18626 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING -
APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: COG III, LTD -**
Required One Year Review of an approved Special Use Permit (SUP-2758) WHICH
ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING
(BILLBOARD) SIGN at 1110 South Rainbow Boulevard (APN 163-02-101-002), C-1 (Limited
Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 05/16/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location, Aerial, Separation and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for RQR-8789
5. City Council Approval Letter for SUP-2758
6. Submitted at meeting – Letter by S.E. Consultants, Inc.

MOTION:

STEINMAN – APPROVED subject to conditions, amending Condition 1 as follows:

1. This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

and adding the following condition:

- There shall be no LED on this.
- UNANIMOUS with EVANS excused

To be heard by City Council on 5/16/2007

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 75 – RQR-18626

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

JIM MARSHALL, Planning and Development Department, stated the subject billboard is inappropriate for the location and can be considered a potential safety hazard. He recommended denial and noted the Commissioners had recommended approval on the last review.

ATTORNEY JAY BROWN, 420 South 4th Street, appeared on behalf of the applicant and pointed out nothing in the area has changed since the billboard was built. He submitted a letter stating the billboard is safe and requested approval.

COMMISSIONER STEINMAN complimented the billboard's base and expressed his support.

During the crafting of the motion, COMMISSIONER TRUESDELL suggested the inclusion of a conditions prohibiting LED displays and MARGO WHEELER, Director of Planning and Development Department, crafted the additional condition. ATTORNEY BROWN agreed to all conditions.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(11:08 – 11:12)

4-176

CONDITIONS:

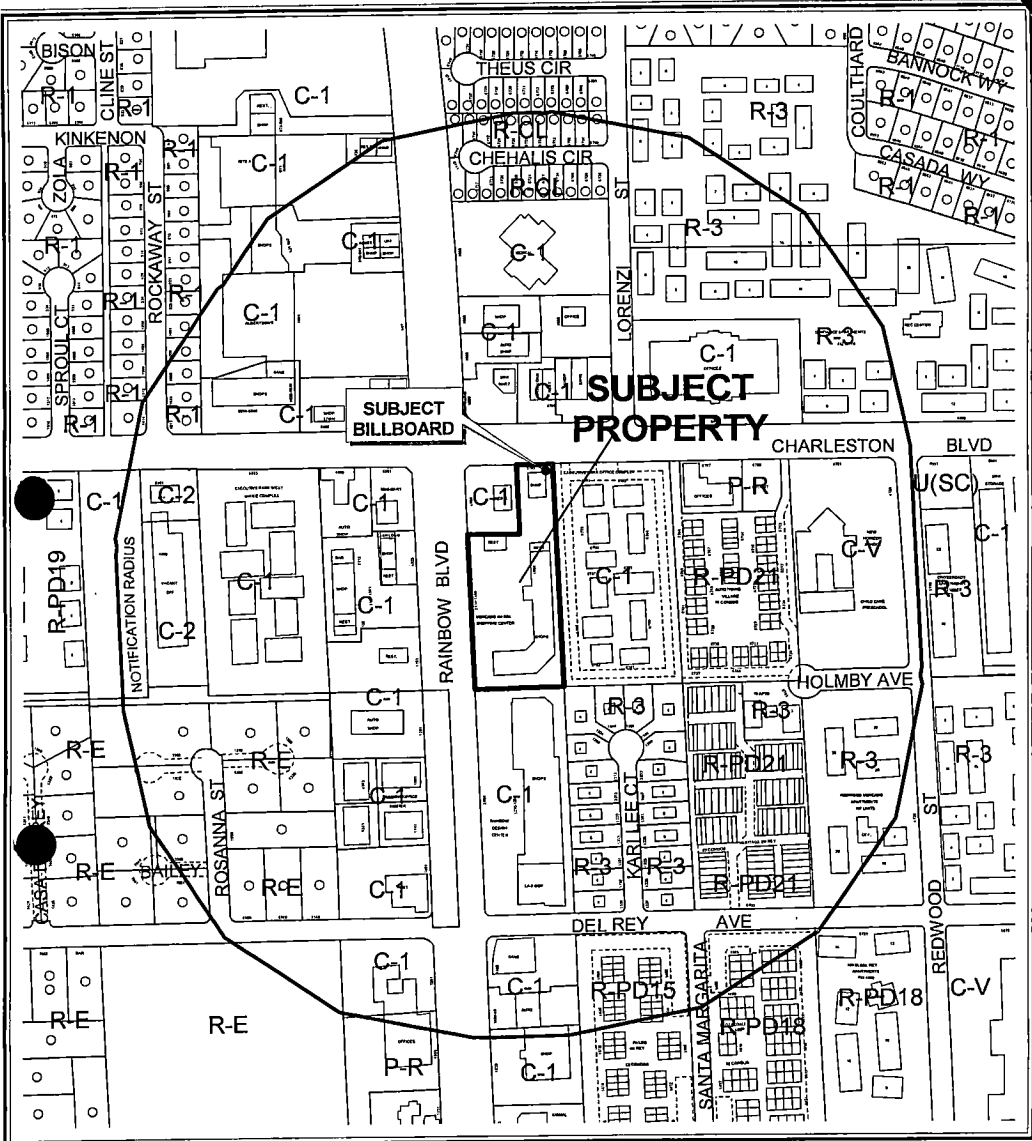
Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 75 – RQR-18626

CONDITIONS – Continued:

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



CASE: **RQR-18626**

RADIUS: 1000 FT

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





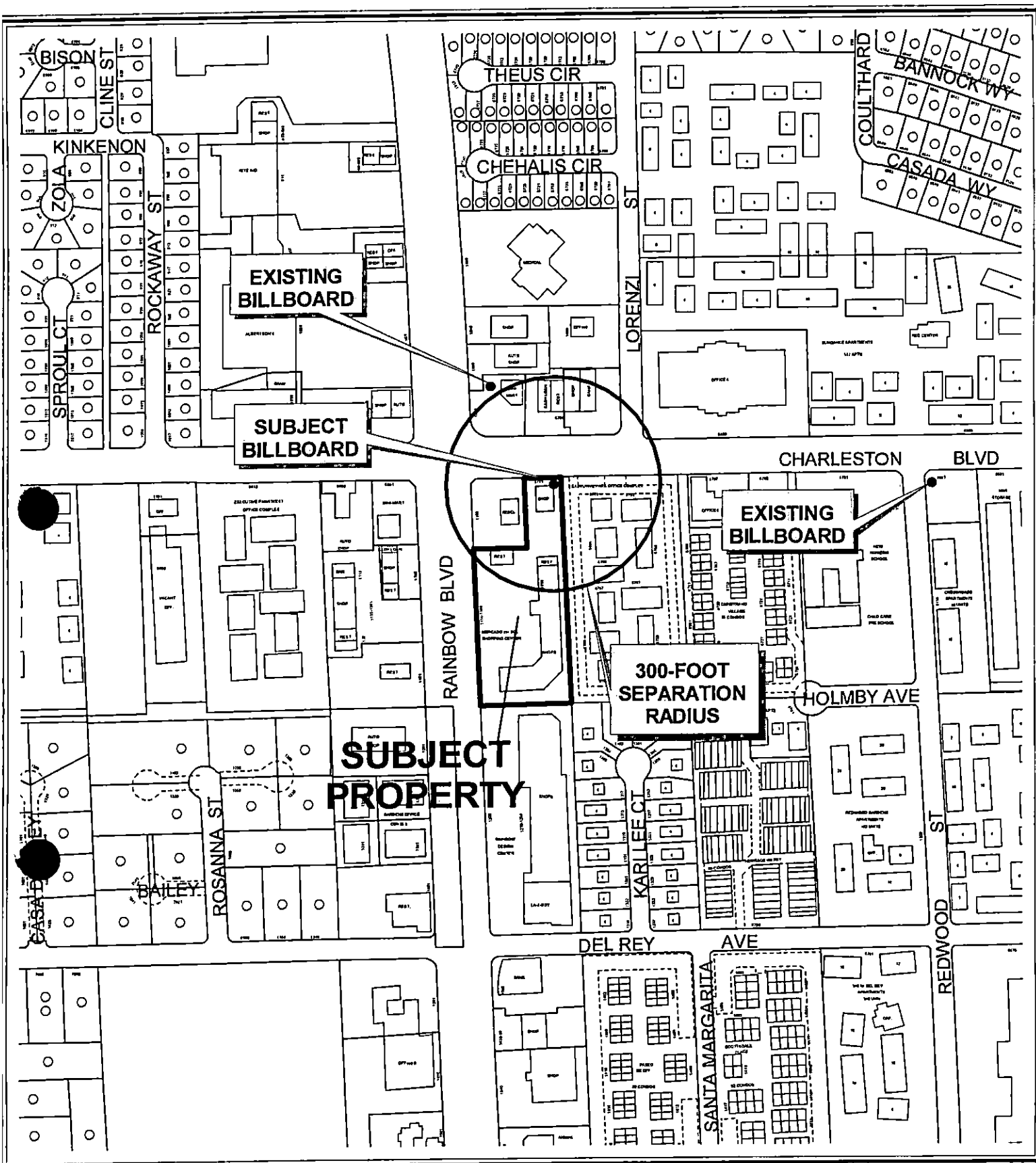
CASE: RQR-18626

RADIUS: 1000 FT

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

0 400 800 Feet

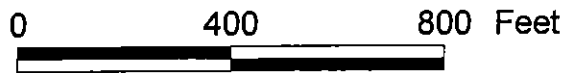


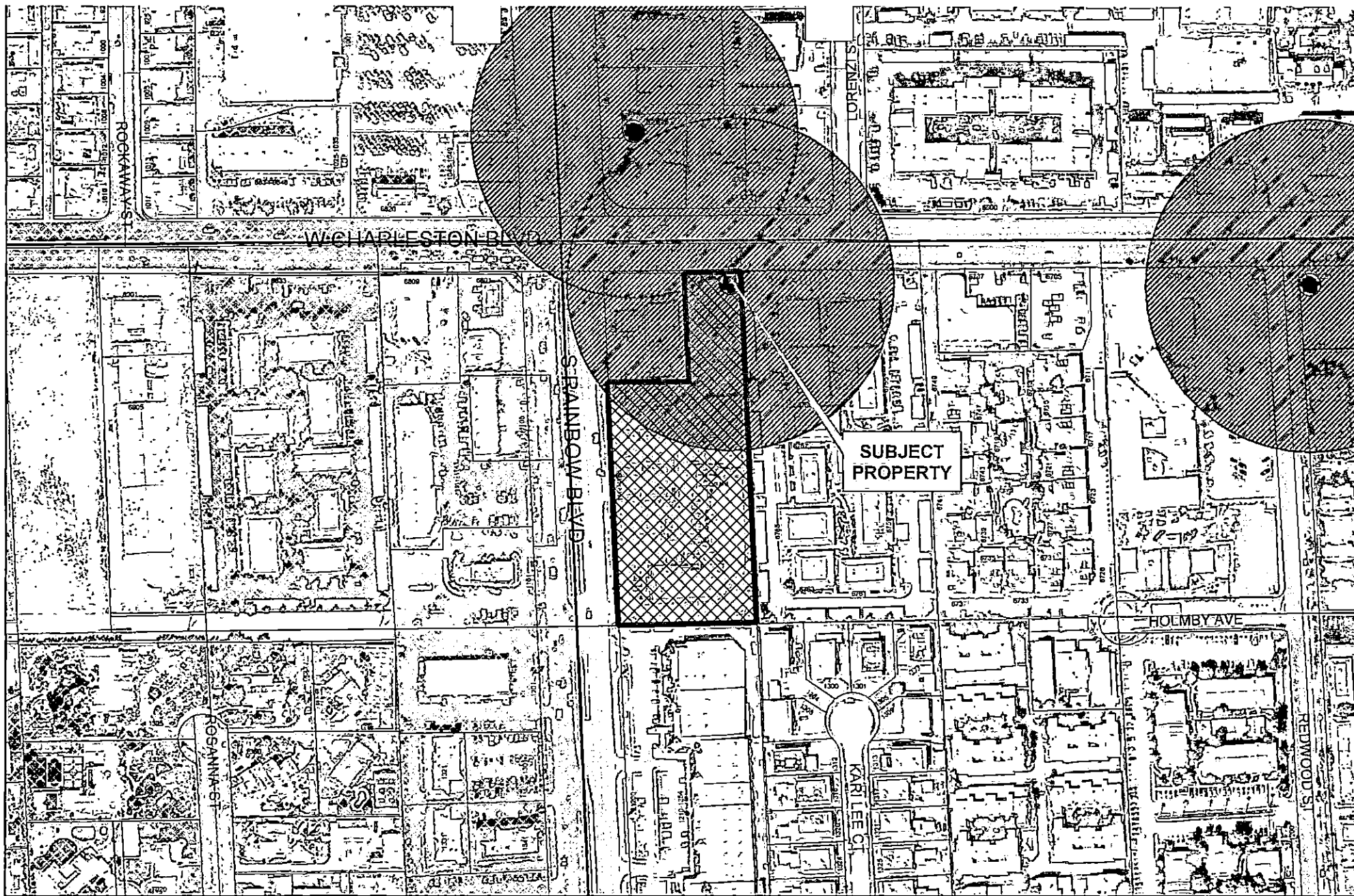


CASE: RQR-18626

SEPARATION RADIUS: 300 FT

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





RQR-18626

City of Las Vegas Billboard Data

- | | | |
|--|--|---|
|  Subject Parcel |  300 Foot Buffer Around Billboard |  Off Premise Sign Exclusion Area |
|  City of Las Vegas Billboard Location |  750 Foot Buffer Around Freeway Billboard |  Exempt - Off Premise Area Sign Area |
|  Clark County Billboard Location | | |



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 12, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-18626 - APPLICANT: REAGAN NATIONAL
ADVERTISING - OWNER: COG III, LTD**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RQR-18626 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a required One Year Review of an approved Special Use Permit (SUP-2758) which allowed a 40-foot tall, 14-foot x 48-foot off-premise advertising (billboard) sign at 1110 South Rainbow Boulevard.

The subject off-premise advertising (billboard) sign is not considered appropriate for this location. Due to the configuration of the site the off-premise advertising (billboard) sign cannot be positioned in a manner in which it will not overhang the building. The overhang is considered a potential safety hazard. Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related/Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/12/91	The Board of Zoning Adjustment accepted a request to withdraw a Special Use Permit (U-0249-91) to allow a 14-foot by 48-foot Off-premise Advertising (Billboard) Sign at 6809 West Charleston Boulevard.
02/23/95	The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0074-86(1)] for a retail/commercial center on the subject site. Staff recommended approval.
05/03/95	The City Council denied an appeal of the Board of Zoning Adjustment denial of a Special Use Permit (U-0027-95) for a proposed 14-foot by 48-foot Off-premise Advertising (Billboard) Sign at 6651 West Charleston Boulevard. Staff recommended approval.
07/05/95	The City Council rescinded the earlier denial action of U-0027-95 and reheard the item, approving the proposed 14-foot by 48-foot Off-premise Advertising (Billboard) Sign, subject to review in five years. (This site is approximately 1,050 feet from the subject site.) Staff recommended approval.
07/19/95	The City Council denied an appeal of the Board of Zoning Adjustment denial of a Special Use Permit (U-0063-95) to allow a 14-foot by 48-foot Off-premise Advertising (Billboard) Sign on property located at 1080 South Rainbow Boulevard. Staff recommended approval.
06/23/97	The City Council granted the appeal of the Board of Zoning Adjustment denial of a Special Use Permit (U-0005-97) for a proposed 40-foot tall, 14-foot by 48-foot Off-premise Advertising (Billboard) Sign on property located at 1080 South Rainbow Boulevard, subject to review in five years. (This site is approximately 315 feet from the subject site.) Staff had no position.

RQR-18626 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

09/06/00	The City Council approved a Required Five Year Review [(U-0027-95(1))] of an approved Special Use Permit which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 6651 West Charleston Boulevard, subject to review in two years. The Planning Commission and staff recommended approval.
08/21/02	The City Council approved a Required Five Year Review [(U-0005-97(1))] of an approved Special Use Permit which allowed a 40 foot high, 14 foot by 48 foot Off-premise Advertising (Billboard) Sign on property located at 1080 South Rainbow Boulevard, subject to review in four years. The Planning Commission and staff recommended approval.
11/06/02	The City Council approved a Required Two Year Review [(U-0027-95(2))] of an approved Special Use Permit which allowed a 40-foot tall, 14-foot by 48-foot off-premise advertising sign at 6651 West Charleston Boulevard, subject to review in two years. The Planning Commission and staff recommended approval.
10/01/03	The City Council granted the appeal of the denial of the Planning Commission of a Special Use Permit (SUP-2758) for a proposed 40-foot tall, 14-foot by 48-foot Off-premise Advertising (Billboard) Sign at 1110 South Rainbow Boulevard, subject to review in two years. Staff recommended approval.
11/17/04	The City Council granted the appeal of the Planning Commission denial of a Required Two Year Review (RQR-5169) of an approved Special Use Permit which allowed a 40-foot tall, 14-foot by 48-foot off-premise advertising sign at 6651 West Charleston Boulevard, subject to review in two years. Staff recommended approval.
12/07/05	The City Council approved a Required Two year Review (RQR-8789) an approved Special Use Permit (SUP-2758), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 1110 South Rainbow Boulevard. The Planning Commission recommended approval. Staff recommended denial.
12/16/05	The City Council denied the appeal of the denial of the Planning Commission of a Special Use Permit (SUP-2848) for a proposed 40-foot tall, 14-foot by 48-foot Off-premise Advertising (Billboard) Sign on the subject property. Staff recommended denial. The off-premise sign was to face Rainbow Boulevard.
08/02/06	A Special Use Permit (SUP-13381) for a proposed 40-foot, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 1110 South Rainbow Boulevard was withdrawn without prejudice.
03/08/07	A site inspection was conducted and photographs were taken.
Related Building Permits/Business Licenses	
10/31/00	A building permit was issued for the subject off-premise advertising (billboard) sign. Final inspections were conducted on 01/30/01.
Pre-Application Meeting	
A pre-application meeting is not required, nor was one held.	

RQR-18626 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

Neighborhood Meeting

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

Details of Application Request

Site Area

Net Acres 3.03

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Offices	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

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

RQR-18626 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No off-premise sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Located south of the Charleston Boulevard right-of-way. Not located within the Exclusionary Zone	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Each face is 672 square feet. The sign contains no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is approximately 230 feet from the right-of-way line of the intersection of Charleston Boulevard and Rainbow Boulevard.	Y

RQR-18626 - Staff Report Page Five
April 12, 2007 - Planning Commission Meeting

Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Screened from view; in addition, the support pole is covered to match the on-premises building design	Y
Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y

ANALYSIS

This is the second review of the subject off-premise advertising (billboard) sign. The proposed off-premise advertising (billboard) sign overhangs the building on the property. This is considered a potential safety hazard. The subject off-premise advertising (billboard) sign cannot be located on the subject property near the street without hanging over the existing building due to the configuration of the site. Therefore, the subject off-premise advertising (billboard) sign is not considered appropriate for this location. Denial of this request is recommended.

FINDINGS

The subject off-premise advertising (billboard) sign is not considered appropriate for this location. Due to the configuration of the site the off-premise advertising (billboard) sign cannot be positioned in a manner in which it will not overhang the building. The overhang is considered a potential safety hazard. Denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT

3

RQR-18626 - Staff Report Page Six
April 12, 2007 - Planning Commission Meeting

SENATE DISTRICT 3

NOTICES MAILED 434

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-18626** APN: 163-02-101-002
Name of Property Owner: COG III LTD
Name of Applicant: Reagan National Adv.
Name of Representative: Andy Bilanzich

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

 Yes

 X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: _____

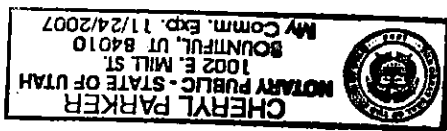
Andy Bilanzich

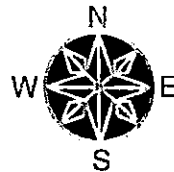
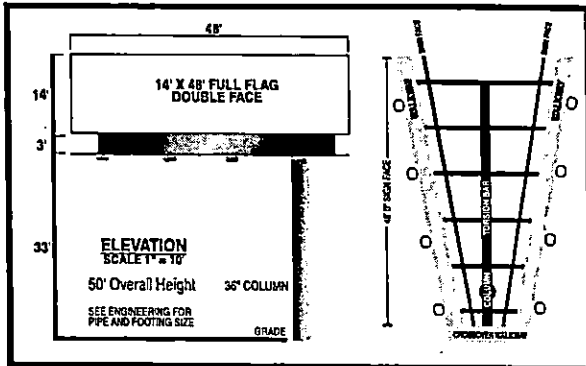
Subscribed and sworn before me

This 6 day of December, 2006

Cheryl Parker Davis

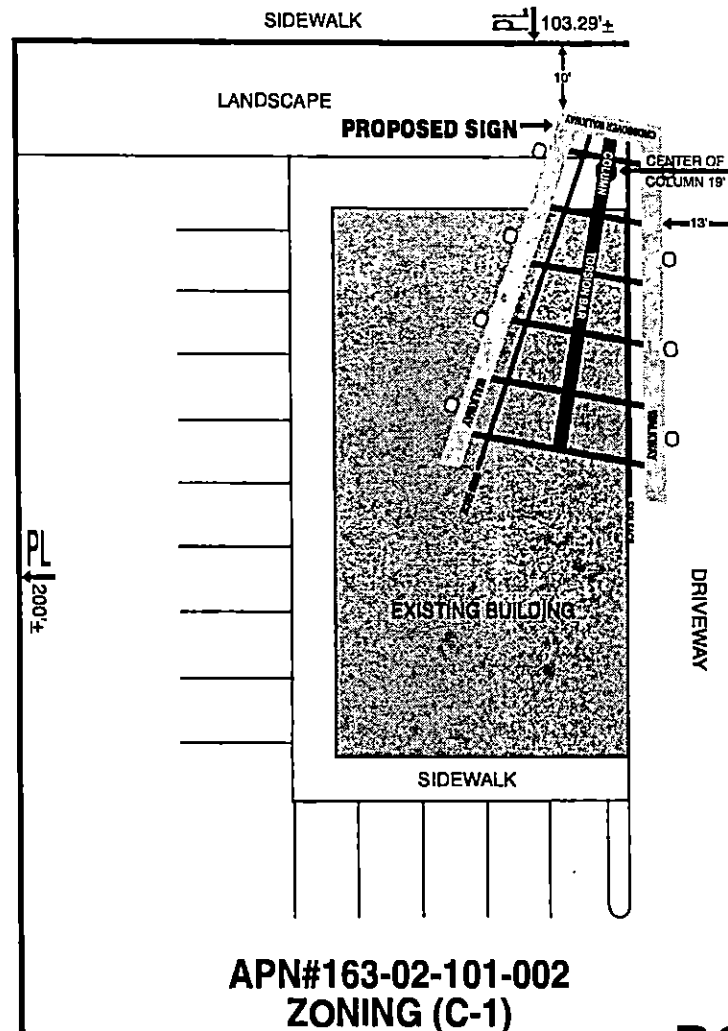
Notary Public in and for said County and State





TOP VIEW
SCALE 2" = 15'

CHARLESTON BLVD.



APN#163-02-101-002
ZONING (C-1)



GENERAL NOTES

1. Not within 300 Feet of another off premise sign.
2. Not within 300 feet of residential use.
3. No parking spaces will be taken for this location.



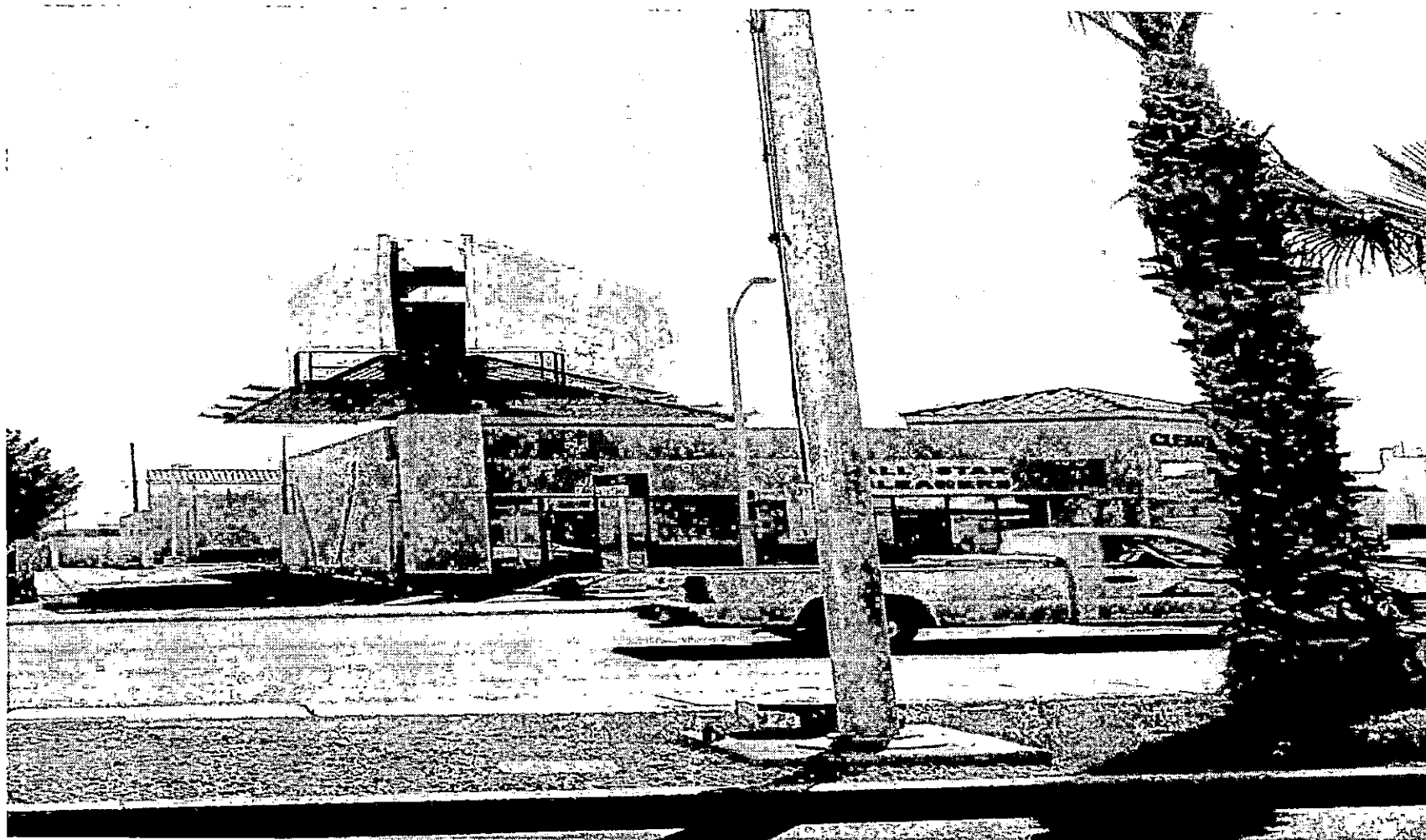
1775 N. Warm Springs Rd. Salt Lake City, UT 84118 • 801.521.1775

OWNER:		GOG III LTD	
SCALE:	NOTED	APPROVED BY:	DRAWN BY: MELANIE PULS
DATE:	6-4-03		REVISED:
LOCATION: 1110 S. RAINBOW BLVD.			
APN# 163-02-101-002			DRAWING #:

RQR-18626

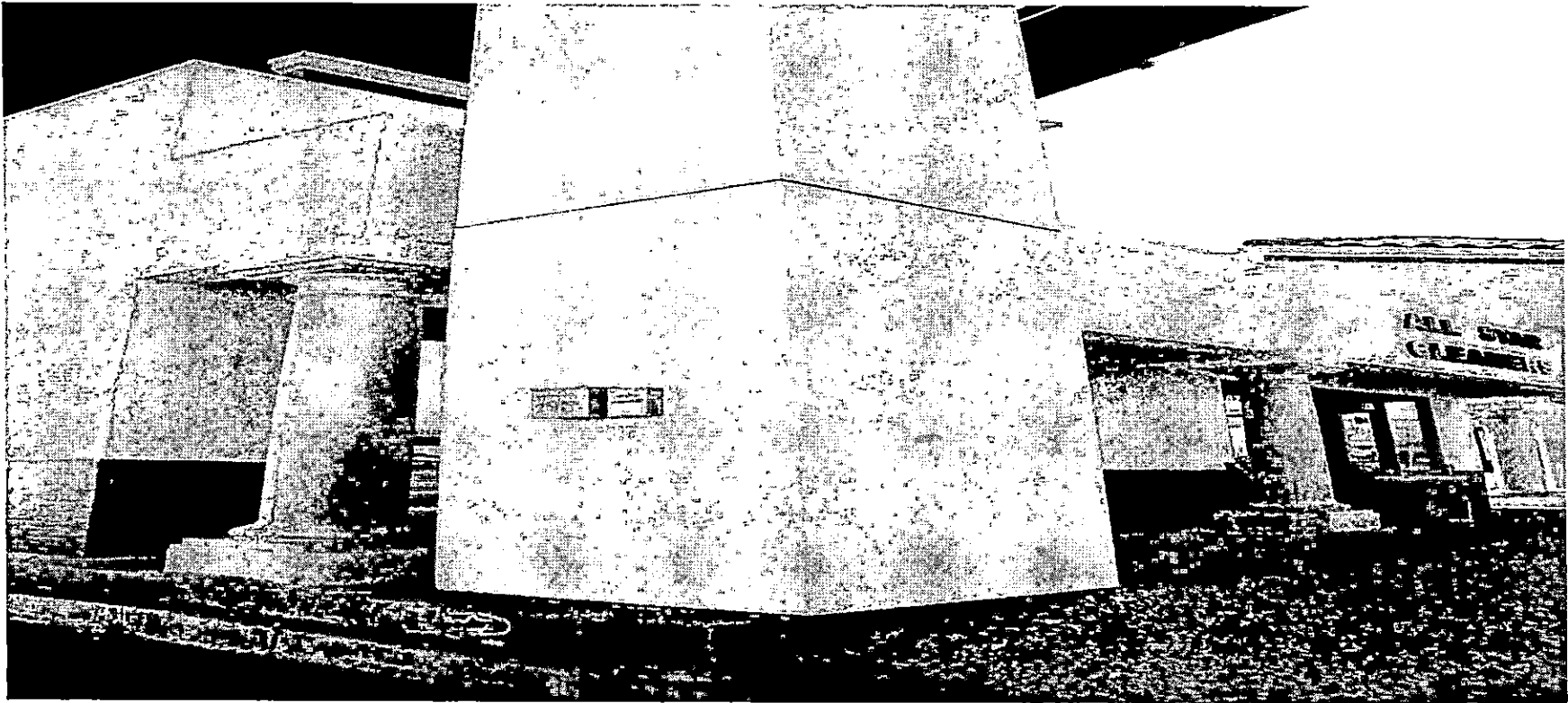
04/12/07 PC





RQR-18626 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: COG III, LTD
1110 SOUTH RAINBOW BOULEVARD
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



RQR-18626 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: COG III, LTD
1110 SOUTH RAINBOW BOULEVARD
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



RQR-18626 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: COG III, LTD
1110 SOUTH RAINBOW BOULEVARD
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



January 5, 2006

Mr. Charles Grigsby
COG III, Ltd.
2287 Green Mountain Court
Las Vegas, Nevada 89135

RE: RQR-8789 – REQUIRED TWO YEAR REVIEW
CITY COUNCIL MEETING OF DECEMBER 7, 2005

Dear Mr. Grigsby:

The City Council at a regular meeting held December 7, 2005 APPROVED the request for a Required Two Year Review of an approved Special Use Permit (SUP-2758), WHICH ALLOWED A 40 FOOT TALL, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1110 South Rainbow Boulevard (APN 163-02-101-002), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on December 8, 2005. This approval is subject to:

Planning and Development

1. The applicant shall be required to remove the illegal portion of the sign within 30 days.
2. This Special Use Permit shall be reviewed in one (1) year, at which time the City Council may require the Off-premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-premise Advertising (Billboard) Sign be removed.
3. The Off-premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-premise Advertising (Billboard) Sign.
4. Only one advertising sign is permitted per sign face.

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

RQR-18626
04/12/07 PC

Mr. Charles Grigsby
RQR-8789 – Page Two
January 5, 2006

5. If the existing Off-premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council
6. All City Code requirements and design standards of all City departments must be satisfied.

Sincerely,



Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk



M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Andy Bilanzich
Reagan National Advertising
1775 North Warm Springs Road
Salt Lake City, Utah 84116

RQR-18626
04/12/07 PC



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
E. B. McDONALD
ENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

October 2, 2003

Mr. Charles Grigbsy
COG III, Limited
2287 Green Mountain Court
Las Vegas, Nevada 89135

RE: SUP-2758 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF OCTOBER 1, 2003

Dear Mr. Grigbsy:

The City Council at a regular meeting held October 1, 2003 considered the Appeal filed by Singer & Brown from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1110 South Rainbow Boulevard (APN: 163-02-101-002), C-1 (Limited Commercial) Zone.

The City Council granted the Appeal; thereby APPROVING the Special Use Permit. The Notice of Final Action was filed with the Las Vegas City Clerk on October 2, 2003. This approval is subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.
2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The off-premise advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.

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

VOICE 702.229.6011
TTY 702.388.9108
www.ci.las-vegas.nv.us

RQR-18626
04/12/07 PC

Mr. Charles Grigbsy
SUP-2758 – Page 2
October 2, 2003

5. Only one advertising sign is permitted per sign face.
6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. If the off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
8. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

9. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

Sincerely,



Diana Davis
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

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

Mr. Andy Bilanzich
Reagan National Advertising
3851 Pennwood Avenue, Suite #B-1
Las Vegas, Nevada 89102

RQR-18626
04/12/07 PC

S.E. CONSULTANTS, Inc.

Structural Engineering Consultants

April 12, 2007

Reagan Outdoor Advertising
Las Vegas, NV

To whom it may concern:

Re: 14'x48' partial flag, 24'-0" V-build with enclosure, 40'-0" C.A. sign structure located at 1110 South Rainbow in Las Vegas, NV (APN # 163-02-101-002 and RMG structural drawing # 1866-03A).

The above referenced sign structure was fabricated in Page Arizona. The fabrication shop is approved by Clark County, NV and the City of Los Angeles. The sign was build in the fall of 2003 to all applicable codes at that time and welding was performed by certified welders to all AWS standards.

The sign was erected by a licenced contractor in the State of Nevada, Jones Media - contractor llc. # C-6(0048553). The inspection was performed by 3rd party inspection agency for all items required for the City of Las Vegas. Final inspection was performed by the City upon completion of the job.

It has been brought to my attention that the city is concerned that the sign's placement in relation to a building located on the property presents an increased structural hazard. To the best of my knowledge at this time, and provided that no weight or wind load in excess of the signs limits has been put on the structure since it was erected, the sign is structurally safe at this time. Furthermore, the sign's overhang of a building does not increase the risk of structural failure of the sign.

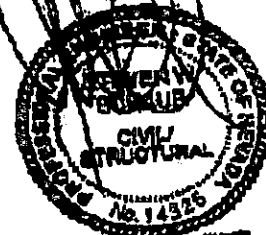
If you have any questions or comments please call.

Sincerely,



Stanley Lorenc
Project Engineer

Reviewed



EXPIRES 06/07/08

APR 12 2007

Steven W. Schaub P.E.
Vice President

5800 East Thomas Road, Suite 104 • Scottsdale, AZ 85251
Phone: (480) 948-2010 • Fax: (480) 946-1808

Submitted at Planning Commission

Date 4/12/07 Item # 75

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

RQR-18678 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC - Required Two Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3920 West Charleston Boulevard (APN 139-31-801-018), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 05/16/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location, Aerial, Separation and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for RQR-5168
5. Submitted at meeting – Sign Certification Application by Kummer Kaempfer Bonner Renshaw & Ferrario

MOTION:

TROWBRIDGE – APPROVED subject to conditions and adding the following conditions:

- Before the City Council hearing, the applicant will receive approval of the final inspection from the Building and Safety Department by getting a letter from a registered professional engineer in the State of Nevada saying the billboard is sound.
- **UNANIMOUS** with **EVANS** excused

To be heard by City Council on 5/16/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 76 – RQR-18678

MINUTES – Continued:

JIM MARSHALL, Planning and Development Department, stated the subject billboard is not in compliance with City requirements and recommended denial. He noted during the last five reviews, the Commission has recommended denial three times and approval twice, with approval as the most recent recommendation

ATTORNEY STEPHANIE ALLEN, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and emphasized the billboard is currently in complete compliance with City Code. She displayed photographs of the subject billboard and explained the touch-up paint used to cover-up graffiti had resulted in the lack of uniformity in the paint job. She assured the Commissioners that the applicant would repaint the pole if so directed and then submitted documentation to support her claim that the final inspection process was initiated. ATTORNEY ALLEN pointed out the area has not changed since the billboard was approved and respectfully requested approval.

CHAIRMAN DAVENPORT disagreed with ATTORNEY ALLEN, pointing out that another billboard had been removed in exchange for approval of this. CHAIRMAN DAVENPORT encouraged the applicant to have her engineer submit a letter verifying the soundness of the billboard. DEPUTY CITY ATTORNEY JAMES LEWIS clarified what was required of the applicant and noted the City was being consistent in its billboard requirements. ATTORNEY ALLEN agreed to all conditions.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(11:12 – 11:18)

4-277

CONDITIONS:

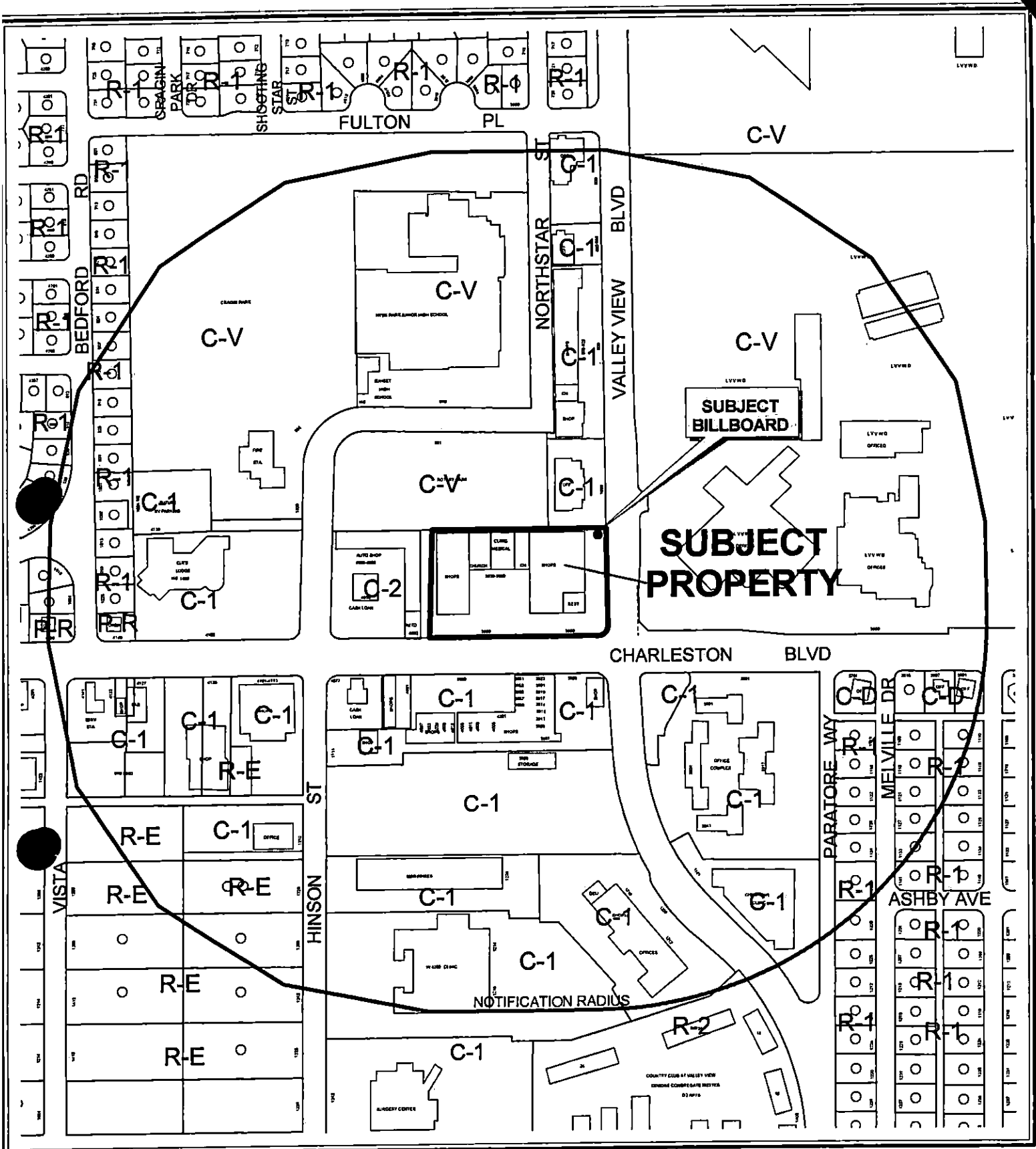
Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 76 – RQR-18678

CONDITIONS – Continued:

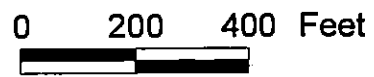
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

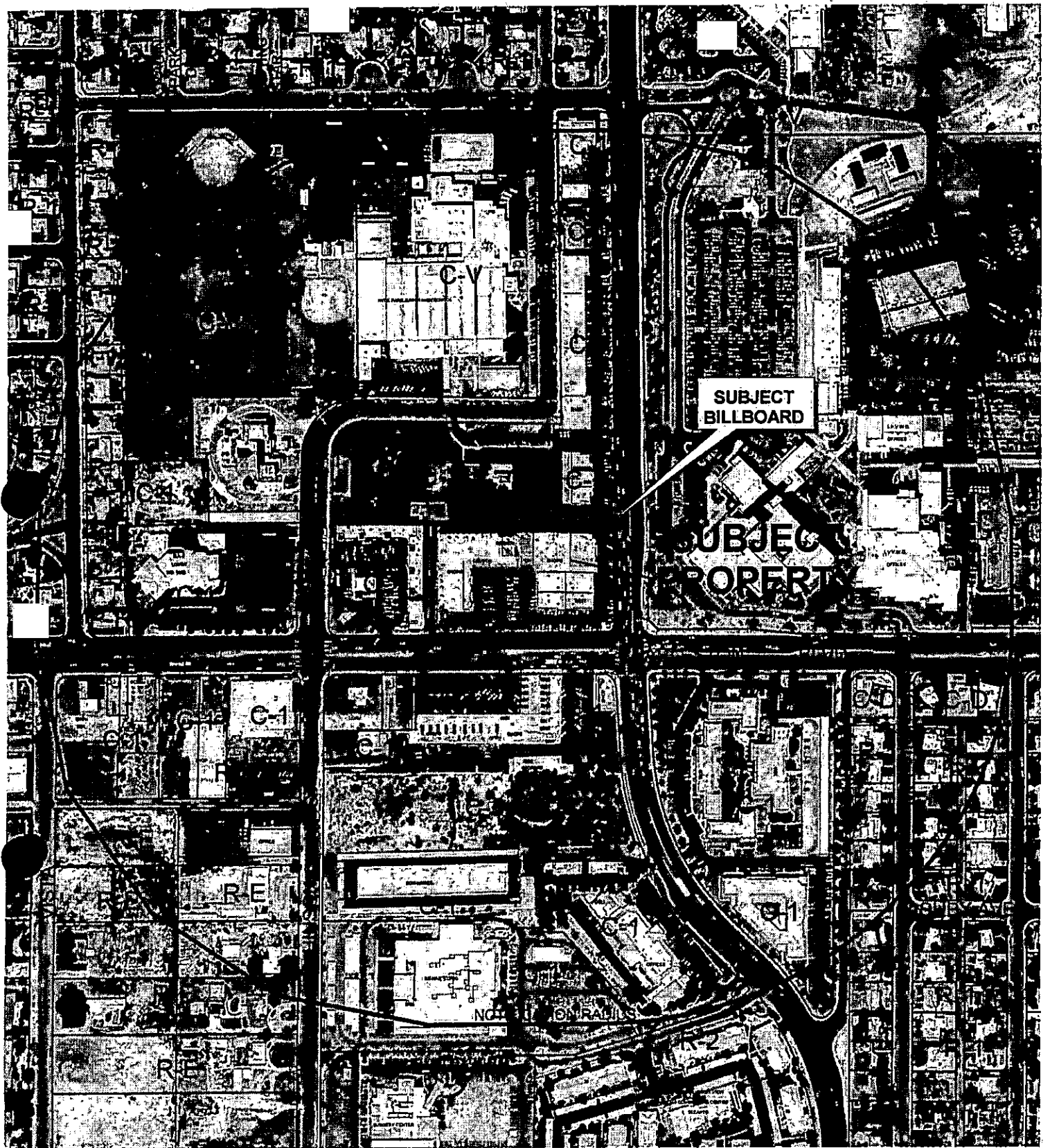


CASE: RQR-18678

RADIUS: 1000 FT

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





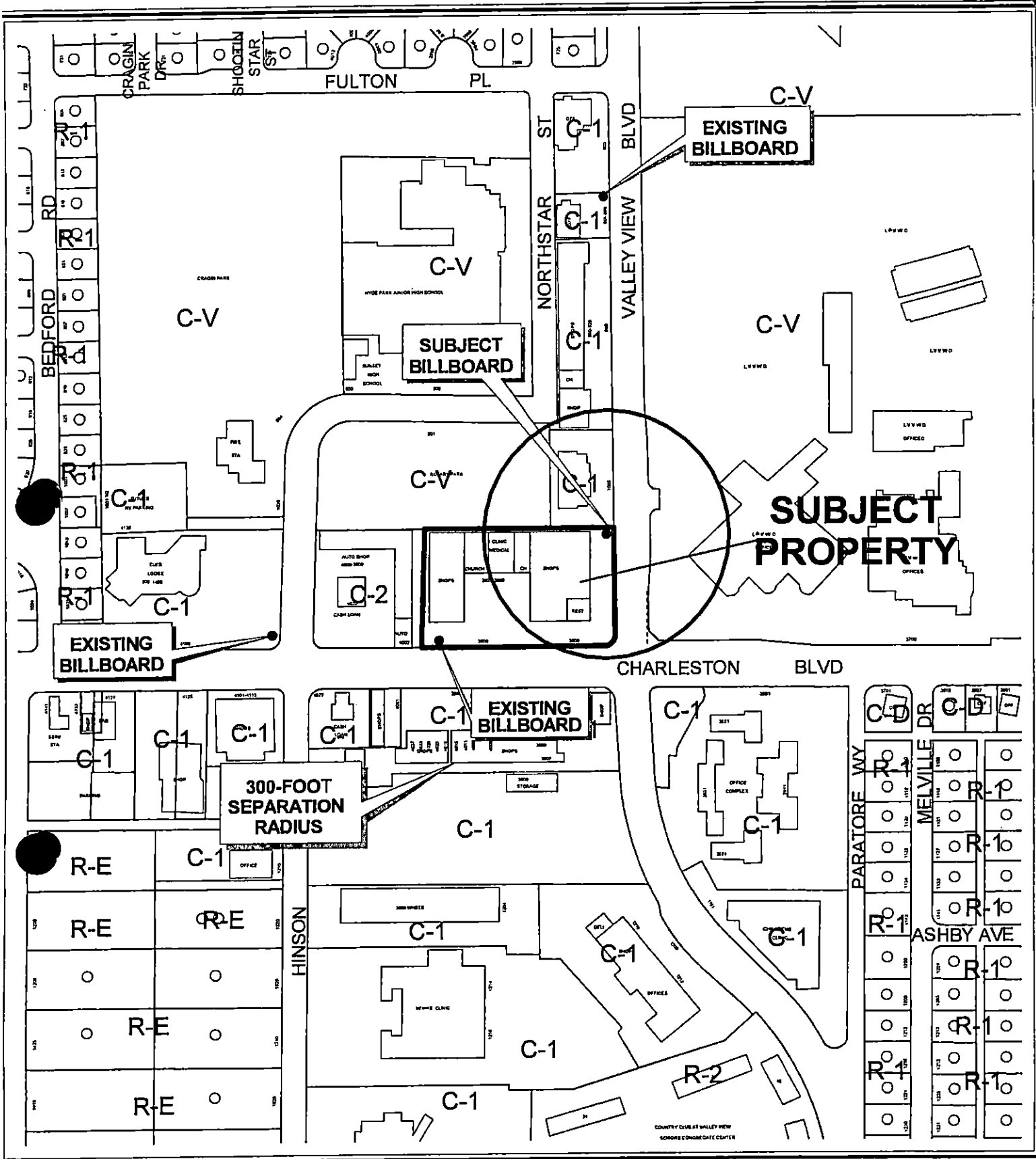
CASE: RQR-18678

RADIUS: 1000 FT

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

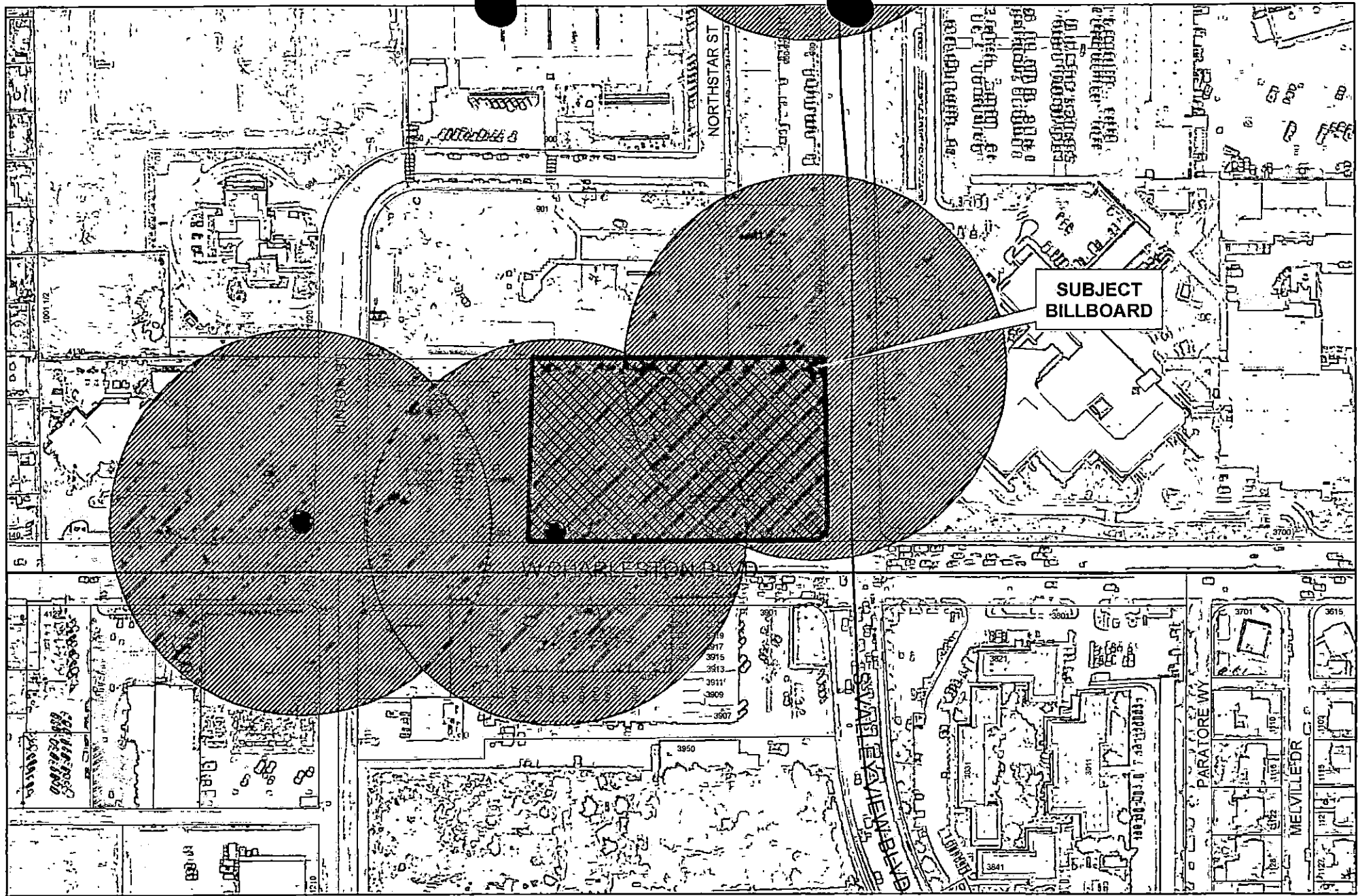
0 200 400 Feet





0 200 400 Feet





RQR-18678

City of Las Vegas Billboard Data

- | | | |
|--|--|---|
|  Subject Parcel |  300 Foot Buffer Around Billboard |  Off Premise Sign Exclusion Area |
|  City of Las Vegas Billboard Location |  750 Foot Buffer Around Freeway Billboard |  Exempt - Off Premise Area Sign Area |
|  Clark County Billboard Location | | |



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 12, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-18678 - APPLICANT: LAMAR ADVERTISING - OWNER:
Z J & R PROPERTIES, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RQR-18678 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Two Year Review of an approved Special Use Permit (U-0043-94) which allowed a 55 foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 3920 West Charleston Boulevard.

The subject off-premise advertising (billboard) sign is not in compliance with city requirements as final inspections were not conducted and the pole and support structure is not uniformly painted. Due to these reasons denial of this request is recommended.

BACKGROUND INFORMATION

<i>[Related/Relevant City Actions by P&D, Fire, Bldg., etc.]</i>	
07/07/93	The City Council approved a Special Use Permit (U-0089-93) to allow the sale of beer and wine within an existing restaurant; and a Waiver of the 400-foot distance separation from a public park on property located at 3900 West Charleston Boulevard. The Board of Zoning Adjustment and staff recommended approval.
04/20/94	The City Council approved a Special Use Permit (U-0043-94) for two 55-foot high, 14-foot x 48-foot off-premise advertising (billboard) signs on the subject site.
05/29/99	The City Council approved a required five-year review [U-0043-94(1)] on the approved Special Use Permit; subject to review in two years time.
07/05/01	The City Council approved a required two-year review [U-0043-94(2)] on the approved Special Use Permit; subject to a one-year review for the billboard located at 3900 West Charleston Boulevard, and a two-year review for the billboard located at 3920 West Charleston Boulevard. The Planning Commission voted to approve the billboard at 3920 West Charleston Boulevard and denial of the billboard at 3900 West Charleston Boulevard.
08/21/02	The City Council reviewed an appeal of the denial of the Planning Commission and approved the two-year review of the approved Special Use Permit [U-0043-94(4)] for the billboard at 3900 West Charleston Boulevard.
11/05/03	The City Council reviewed an appeal of the denial of the Planning Commission and approved the one-year review (RQR-2861) of the approved Special Use Permit [U-0043-94(4)] for the billboard at 3900 West Charleston Boulevard. Planning Commission and staff recommended denial on September 25, 2003.

RQR-18678 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

03/02/05	The City Council approved a Required One Year Review (RQR-5168) of an Approved Special Use Permit (U-0043-94), which allowed a 55-foot tall, 14-foot x 48-foot off-premise advertising (Billboard) sign at 3920 West Charleston Boulevard. The Planning Commission and staff recommended denial.
05/18/05	The City Council approved a Required Two Year Review (RQR-5171) of an approved Special Use Permit (U-0043-94), which allowed a 55 foot tall, 14-foot x 48-foot off premised advertising (billboard) sign at 3900 West Charleston Boulevard.
06/07/06	The City Council approved a request for a Required One Year Review of an Approved Special Use Permit (U-0043-94) which allowed a 55 foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 3900 West Charleston Boulevard. The Planning Commission and staff recommended approval.
03/08/07	A site inspection was conducted and photographs were taken depicting that the pole is not uniformly painted.
Related Building Permits/Business Licenses	
06/02/94	A building permit was issued for the subject billboard. Final inspections were not conducted.
Pre-Application Meeting	
A pre-application meeting is not required, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	1.23

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Offices Park	SC (Service Commercial) PR/OS (Parks/Recreation/Open Space)	C-1 (Limited Commercial) C-V (Civic)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Offices	PF (Public Facilities)	C-V (Civic)
West	Shopping Center	SC (Service Commercial)	C-2 (General Commercial)

RQR-18678 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

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

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not located within the Exclusionary Zone	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Each face is 672 square feet. The sign contains no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y

RQR-18678 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened from view; in addition, the support pole is covered to match the on-premises building design	Y
Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y

ANALYSIS

This is the sixth review for the subject off-premise advertising (billboard) sign. A site inspection yielded that the pole was not painted uniformly. A condition of approval shall require that the pole and structure be repainted. It is noted that final inspections were not conducted on the subject off-premise advertising (billboard) sign; therefore, the subject off-premise advertising (billboard) sign is not in compliance with city requirements. Denial of this request is recommended.

FINDINGS

The subject off-premise advertising (billboard) sign is not in compliance with city requirements as final inspections were not conducted and the pole and support structure is not uniformly painted. Due to these reasons denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

14

ASSEMBLY DISTRICT 34

RQR-18678 - Staff Report Page Five
April 12, 2007 - Planning Commission Meeting

SENATE DISTRICT 11

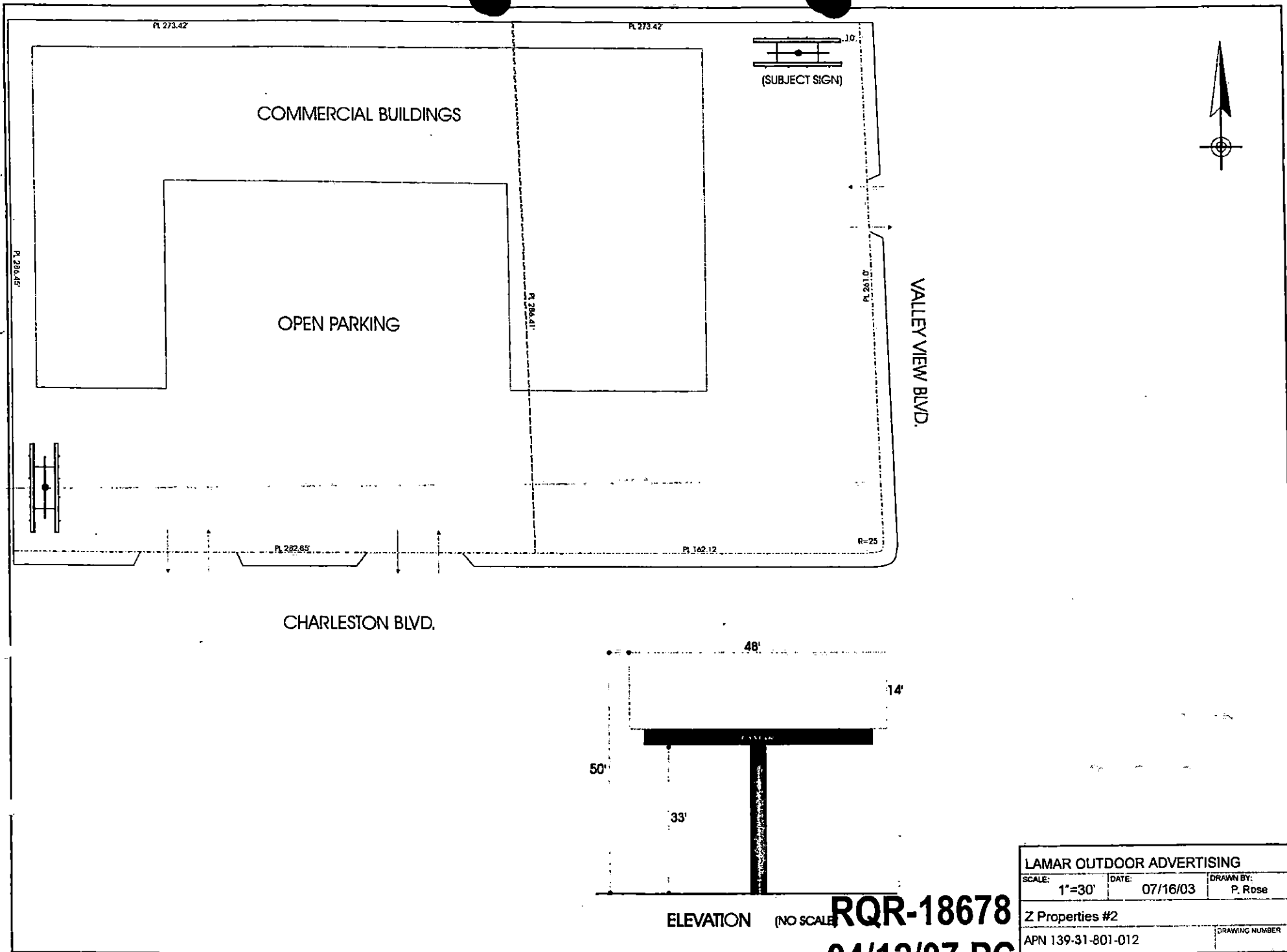
NOTICES MAILED 68

APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

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



LAMAR OUTDOOR ADVERTISING		
SCALE: 1"=30'	DATE: 07/16/03	DRAWN BY: P. Rose
Z Properties #2		DRAWING NUMBER
APN 139-31-801-012		

ELEVATION (NO SCALE)

RQR-18678
04/12/07 PC



RQR-18678 - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC
3920 WEST CHARLESTON BOULEVARD
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



RQR-18678 - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC
3920 WEST CHARLESTON BOULEVARD
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



RQR-18678 - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC
3920 WEST CHARLESTON BOULEVARD
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY

MICHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

April 15, 2005

Mr. Paul Sanchez
Z Properties, LLC
PO Box 1500 436
Corona Del Mar, California 92625

RE: RQR-5168 - REQUIRED REVIEW
CITY COUNCIL MEETING OF MARCH 2, 2005

Dear Mr. Sanchez:

The City Council at a regular meeting held March 2, 2005 considered the Appeal filed by the Applicant from the Denial by the Planning Commission of a Required One Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3920 West Charleston Boulevard (APN 139-31-801-018), C-1 (Limited Commercial) Zone.

The City Council granted the Appeal; thereby APPROVING the Required One Year Review. The Notice of Final Action was filed with the Las Vegas City Clerk on March 3, 2005. This approval is subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in 2 years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-1-05

CLV 7009

RQR-18678
04/12/07 PC

Mr. Paul Sanchez
RQR-5168 – Page Two
April 15, 2005

3. The off-premise advertising sign (billboard) supporting structure shall be designed to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. Bird deterrent devices must be installed to prevent birds from roosting within the structure of the sign and to prevent bird droppings from accumulating around the pole and the base of the sign.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

Sincerely,


Ydoleena Yturralde
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk


M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Scott Naftzger
Lamar Outdoor Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

RQR-18678
04/12/07 PC

Sign Certification Application

NOTE: This is not a CONSTRUCTION PERMIT application. A Construction Permit must be obtained from the Department of Building and Safety.

Application for...

☐ On Premise sign ☒ Off Premise sign (special use permit required)

Permanent sign:

☐ Wall ☒ Freestanding ☐ Roof ☐ Canopy ☐ Marquee
☐ Projecting ☐ Suspended ☐ Incidental ☐ Monument ☐ Flag
☐ Window

Temporary sign:

☐ Special Event ☐ Civic Event
☐ Inflated Devices ☐ Search Lights ☐ Pennants ☐ Political sign-
☐ Sub. Sale ☐ Sub. Directional ☐ Weekend Direct. ☐ Construction
☐ Window ☐ Real Estate ☐ Banner

Address of sign location: 3920 W. Charleston
Parcel Number(s): 139-31-801-012

Applicant: Kennedy-Oswald Inc. Phone Num.: 253-1929
Address: 3920 W. Charleston

Sign Company: Ronco Media Inc. Phone Num.: 386-7446
Address: 1405 N. "A" St. LUM
89106

Sign Specifications:

Area of Sign face: 672 sq ft Height of sign: 55' W. Chas.
40' Underpass

☐ Master Signage Plan attached ☐ Property Owners' Permission Letter
(if required)
☐ Proof of insurance (if req'd) ☐ Encroachment Agreement (if req'd)

Signature: _____ Date: _____

Office Use Only

APPROVE: _____ DISAPPROVE: _____
Fee: \$331.50 Zone: G1 Map Num.: M-31-8
Reviewed by: _____ Date: 6/2/94 Tag Num.: 348

Comments: _____

Submitted at Planning Commission

Date 4/12/07 Item # 76

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

RQR-18679 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: AMBER INVESTMENT COMPANY - Required Two-Year Review of an approved Special Use Permit (U-0052-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF PREMISE ADVERTISING (BILLBOARD) SIGN at 336 West Sahara Avenue (APN 162-04-807-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 05/16/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location, Aerial, Separation and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for RQR-5767
5. Submitted at meeting – Sign Certification Application, Inspection Report and Building and Safety Inspection application form by Kummer Kaempfer Bonner Renshaw & Ferrario

MOTION:

TROWBRIDGE – APPROVED subject to conditions and adding the following condition:

- Before the City Council hearing, the applicant will receive approval of the final inspection from the Building and Safety Department by getting a letter from a registered professional engineer in the State of Nevada saying the billboard is sound.
- **UNANIMOUS** with **EVANS** excused

To be heard by City Council on 5/16/2007

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 77 – RQR-18679

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

JIM MARSHALL, Planning and Development Department, stated the subject billboard is not in compliance with City requirements and contains graffiti. He stated the billboard is inappropriate for this location and recommended denial. He noted the Commissioners had recommended denial three times and approval on the most recent review.

ATTORNEY STEPHANIE ALLEN, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and displayed photographs of the billboard. She stated this billboard's location in a commercial and industrial zone is appropriate and pointed out the applicant's efforts to control graffiti. She also submitted documentation supporting her claims that the applicant is attempting to obtain a final inspection by the Building Department.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(11:18 – 11:22)

4-491

CONDITIONS:

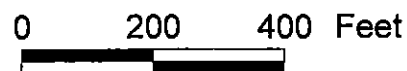
Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 77 – RQR-18679

CONDITIONS – Continued:

5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



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





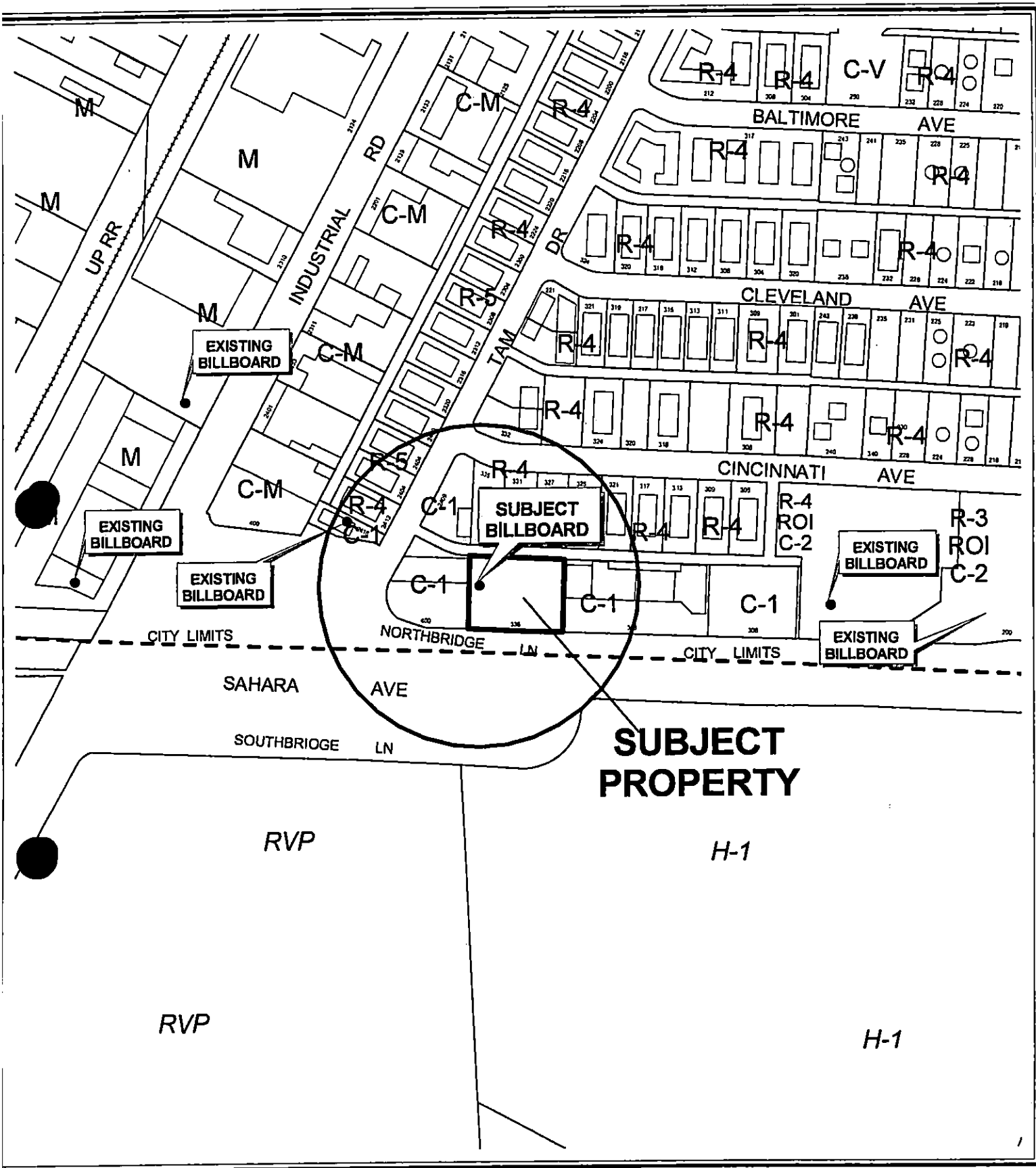
0 200 400 Feet

CASE: RQR-18679

RADIUS: 1000 FT

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

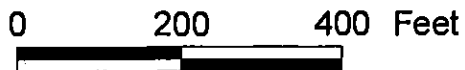


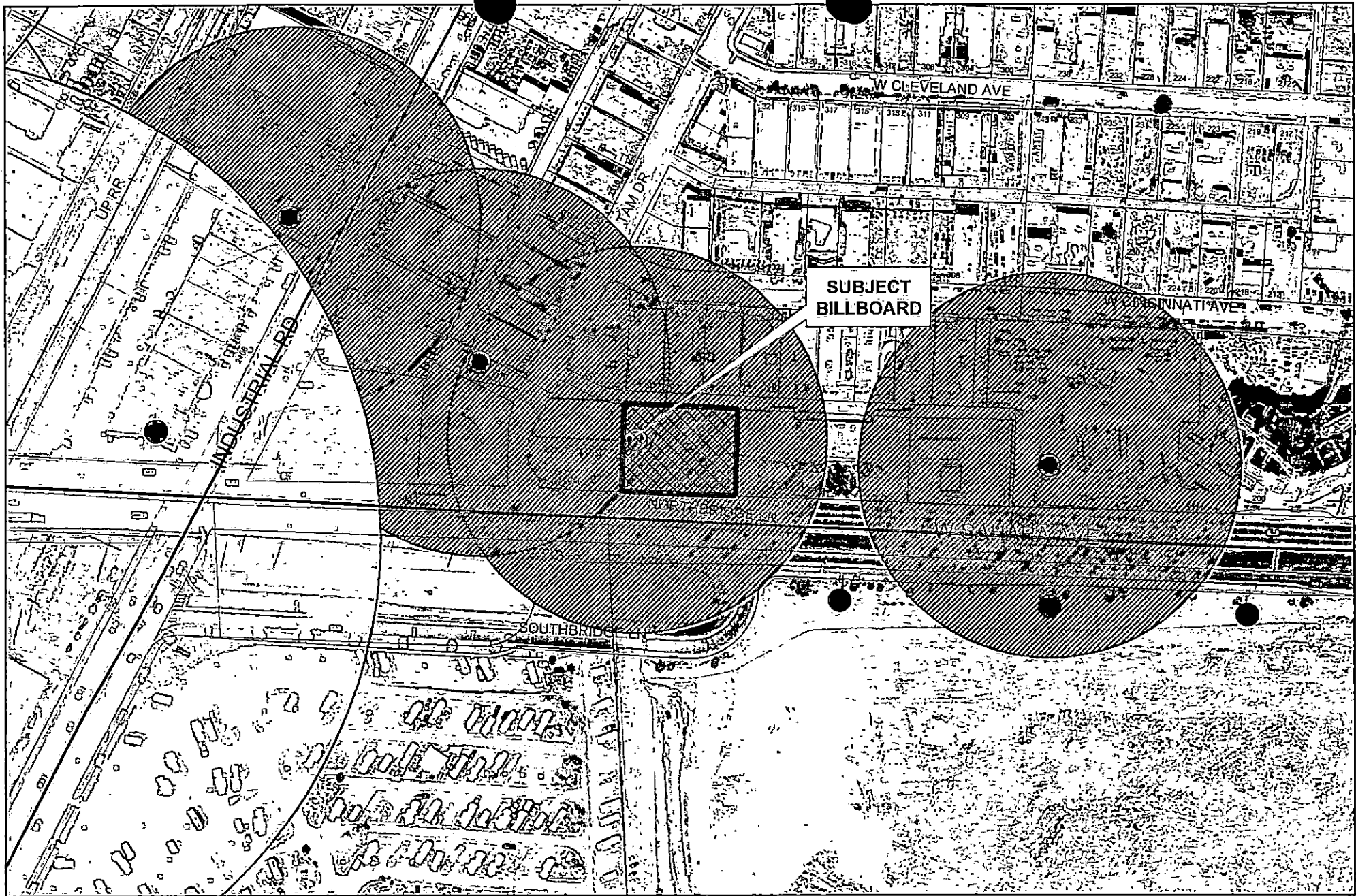


CASE: RQR-18679

SEPARATION RADIUS: 300 FT

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





RQR-18679

City of Las Vegas Billboard Data

- | | | |
|--------------------------------------|--|-------------------------------------|
| Subject Parcel | 300 Foot Buffer Around Billboard | Off Premise Sign Exclusion Area |
| City of Las Vegas Billboard Location | 750 Foot Buffer Around Freeway Billboard | Exempt - Off Premise Area Sign Area |
| Clark County Billboard Location | | |



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 12, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-18679 - APPLICANT: LAMAR ADVERTISING - OWNER:
AMBER INVESTMENT COMPANY**

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

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RQR-18679 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Two-Year Review of an approved Special Use Permit (U-0052-95) which allowed a 40 foot tall, 14-foot x 48-foot Off Premise Advertising (Billboard) Sign at 336 West Sahara Avenue.

The subject off-premise advertising (billboard) sign is not in compliance with city requirements, the standards of the Downtown Centennial Plan, and contains graffiti. This off-premise advertising (billboard) sign is not considered appropriate for this location. Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related, Relevant City Actions by P&D, Fire, Bldg, etc.</i>	
06/21/95	The City Council approved a Special Use Permit (U-0052-95) for a 14-foot by 48-foot, double-faced billboard on the subject property. The Board of Zoning Adjustment recommended denial on May, 23, 1995.
08/16/00	The City Council approved a Required Five-Year Review [U-0052-95(1)] for the 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign subject to a one-year review. The Planning Commission recommended approval on June 22, 2000.
12/19/01	The City Council approved a Required One-Year Review [U-0052-95(2)] for the 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign subject to a one-year review. The Planning Commission recommended approval November 1, 2001.
01/22/03	The City Council approved a Required One-Year Review (RQR-1222) for the 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign subject to a two-year review. The Planning Commission recommended approval December 19, 2002.
03/02/05	The City Council approved an appeal the Planning Commissions denial of a request for a Required One Year Review of an approved Special Use Permit, which allowed a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 336 West Sahara Avenue. The Planning Commission and staff recommended denial.
03/08/07	A site inspection was conducted and photographs were taken depicting graffiti on the pole.
<i>Related Building Permits/Business Licenses</i>	
07/26/95	A building permit was issued for the subject sign. Final inspections were not conducted.

RQR-18679 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

Pre-Application Meeting
A pre-application meeting is not required, nor was one held.
Neighborhood Meeting
A neighborhood meeting is not required, nor was one held.

Details of Application Request
Site Area
Net Acres 0.55

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
North	Multi-family Residential	MXU (Mixed Use)	R-4 (High Density Residential)
South	Undeveloped	Clark County	Clark County
East	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
West	Shopping Center	C (Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Downtown Centennial Plan	X		N
Redevelopment Plan Area	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
G-O Gaming Enterprise 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

RQR-18679 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not located within the Exclusionary Zone	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	672 SF	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	290 feet to another Off Premise Sign	N
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	85 feet from "R" zoned property to the north.	N

RQR-18679 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y
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ANALYSIS

This is the fifth review on the subject off-premise advertising (billboard) sign. A site inspection yielded that there is graffiti on the pole. A condition of approval will require that this is removed. Additionally, with a distance separation of 290 feet the sign does not meet the required 300-foot separation distance from another off-premise advertising (billboard) sign and only 85 feet from residential property where 300 feet is the minimum required. This sign is located within the Northern Strip of the Downtown Centennial Plan. The standards set forth in this plan require off-premises advertising signs to be directly mounted to and flush with the wall of a structure and shall not be freestanding. Therefore, this sign is not in compliance with the standards of the Arts District. Also a final inspection was not conducted on the subject sign; therefore, the sign is not in compliance with city requirements. Due to these reasons denial of this request is recommended.

FINDINGS

The subject off-premise advertising (billboard) sign is not in compliance with city requirements, the standards of the Downtown Centennial Plan, and contains graffiti. This off-premise advertising (billboard) sign is not considered appropriate for this location. Denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT

9

RQR-18679 - Staff Report Page Five
April 12, 2007 - Planning Commission Meeting

SENATE DISTRICT 10

NOTICES MAILED 73

APPROVALS 0

PROTESTS 0

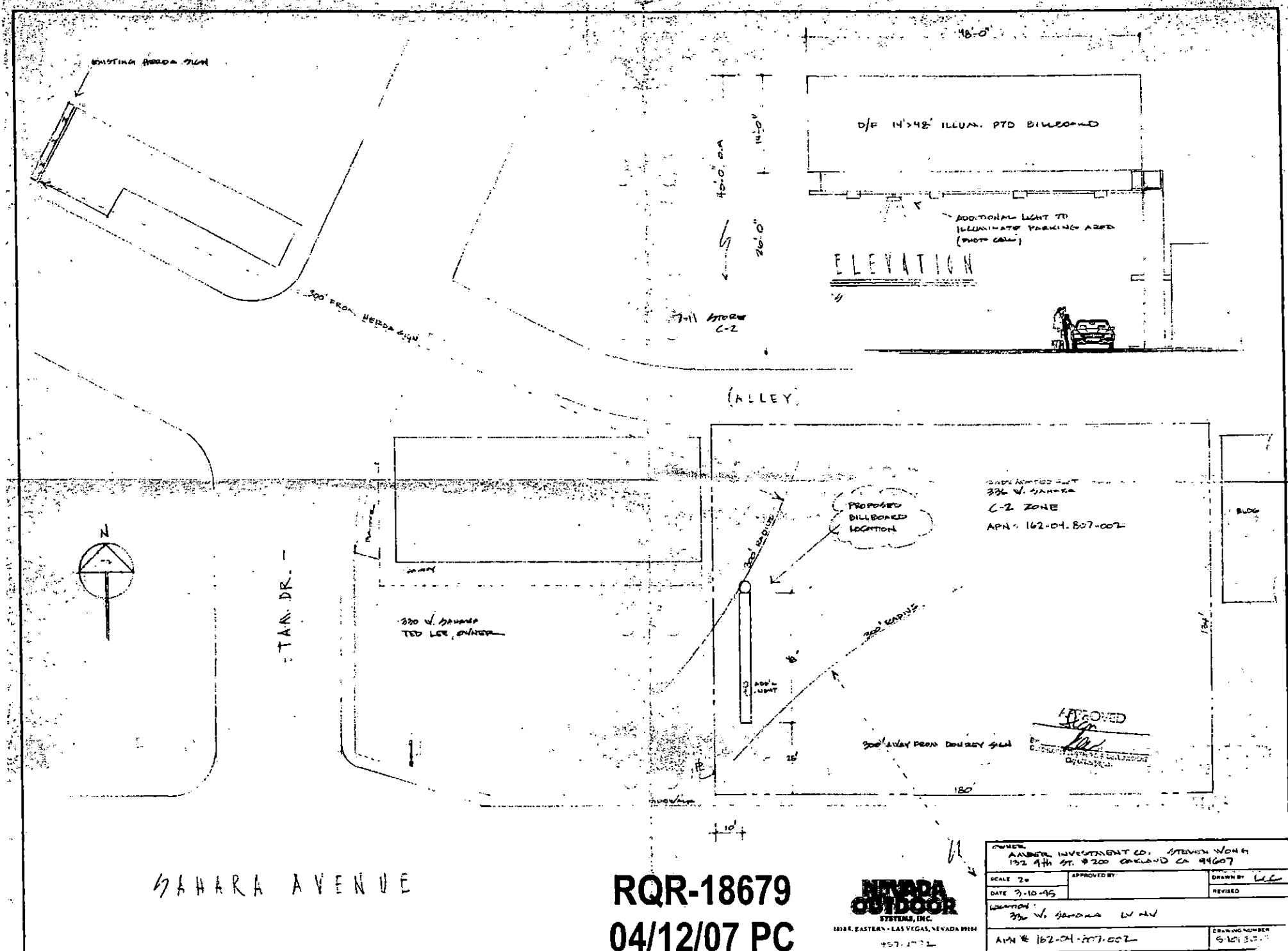


Case Number: **RQR-18679** APN: **162-04-807-002**
Name of Property Owner: **Amber Investment Co.**
Name of Applicant: **Lamar Advertising**
Name of Representative: **KKBR:F**

Yes _____ **No** ✓

APN: _____

 MARLO C. SIMPSON
NOTARY PUBLIC
STATE OF NEVADA
APPT. NO. 05-101142-1
MY APPT. EXPIRES OCT. 27, 2009



SAHARA AVENUE

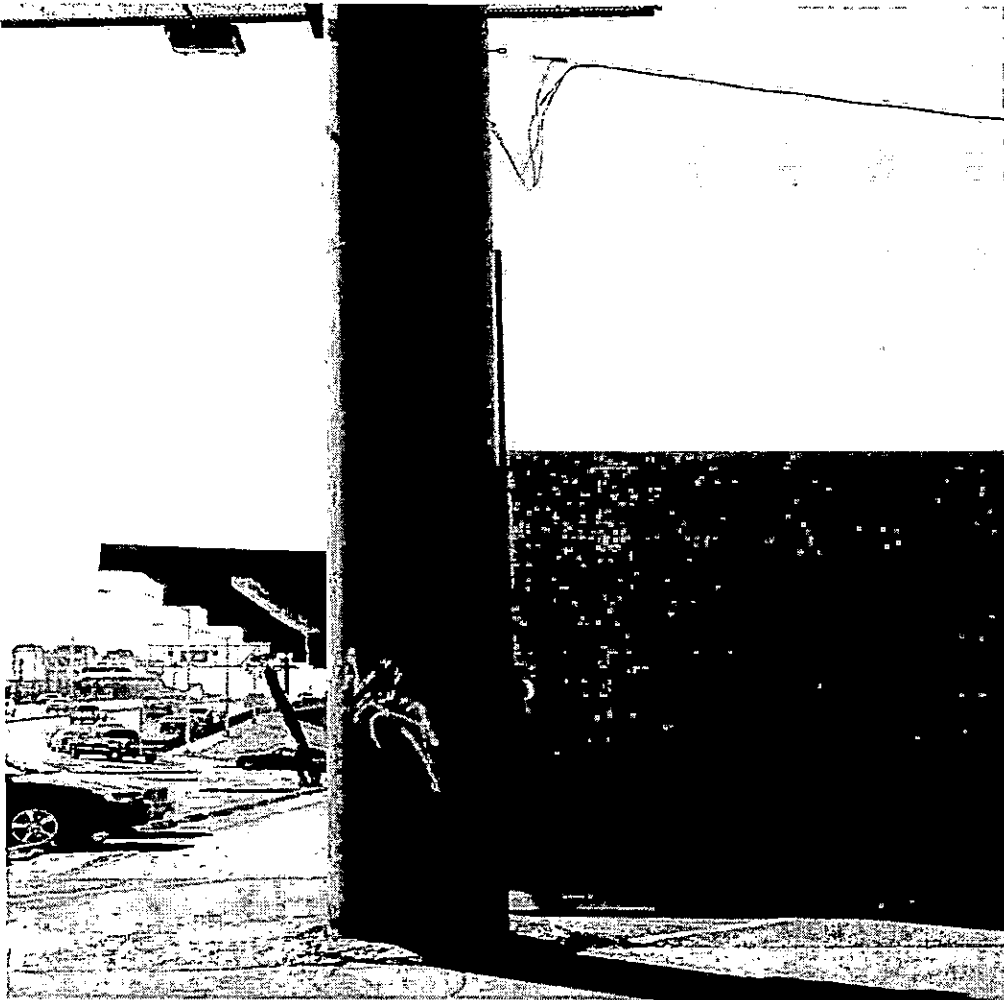
RQR-18679
04/12/07 PC

NEVADA
OUTDOOR
SYSTEMS, INC.

1818 E. EASTERN - LAS VEGAS, NEVADA 89101

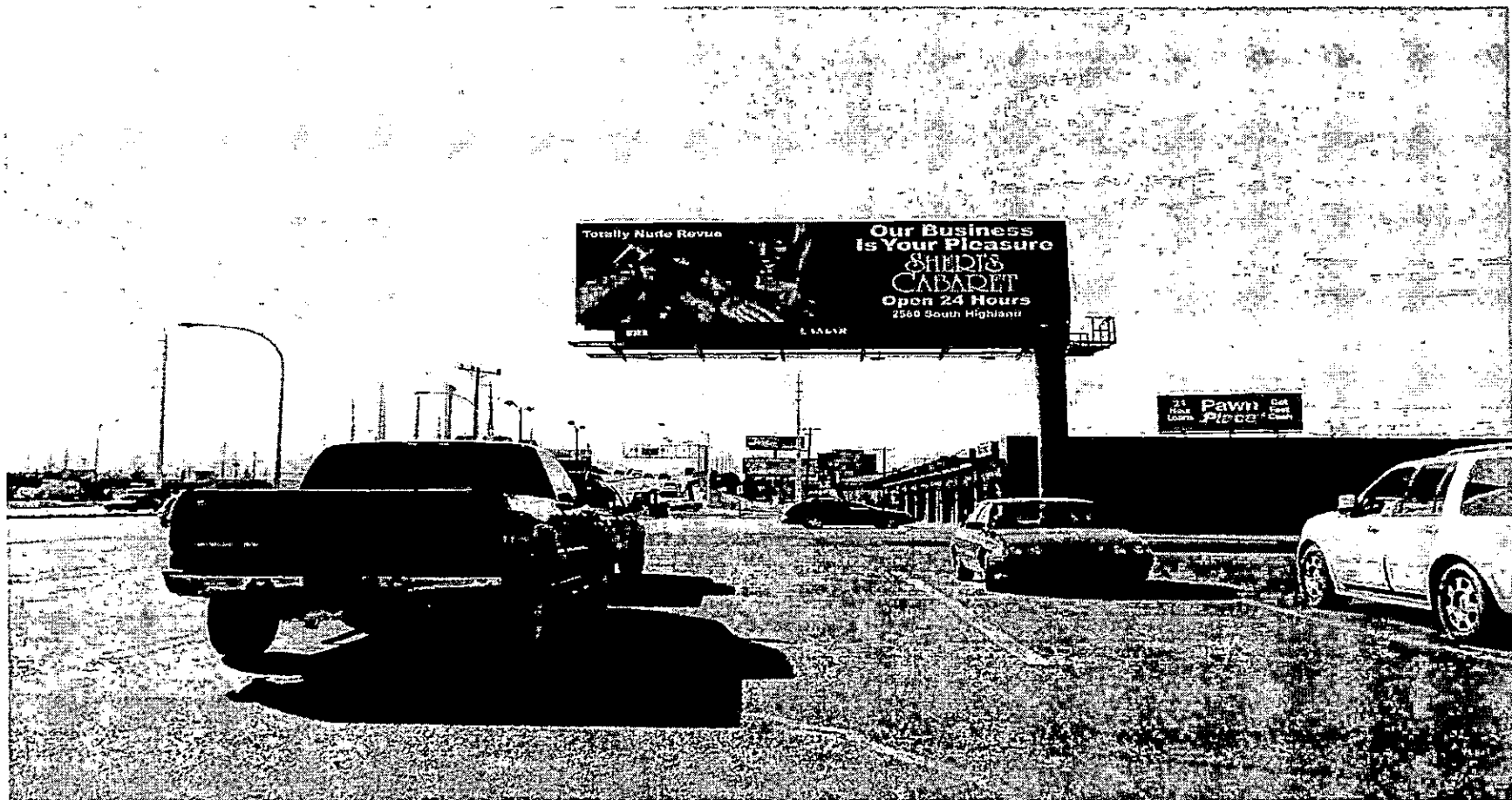
457-1772

OWNER AMSTER INVESTMENT CO. STEVEN WONG 192 4TH ST. #200 OAKLAND CA 94607		
SCALE 2"	APPROVED BY	DRAWN BY <i>WJ</i>
DATE 3-10-05		REVISED
LOCATION 336 W. GARDNER LV NV		
APN # 162-04-807-002		DRAWING NUMBER 5-107-302



RQR-18679 - APPLICANT: LAMAR ADVERTISING - OWNER: AMBER INVESTMENT COMPANY
336 WEST SAHARA AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



RQR-18679 - APPLICANT: LAMAR ADVERTISING - OWNER: AMBER INVESTMENT COMPANY
336 WEST SAHARA AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



RQR-18679 - APPLICANT: LAMAR ADVERTISING - OWNER: AMBER INVESTMENT COMPANY
336 WEST SAHARA AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



RQR-18679 - APPLICANT: LAMAR ADVERTISING - OWNER: AMBER INVESTMENT COMPANY
336 WEST SAHARA AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

March 3, 2005

Mr. Steve Wong
Amber Investments
132 9th Street, Suite #200
Oakland, California 94607

RE: RQR-5767 - REQUIRED TWO YEAR REVIEW
CITY COUNCIL MEETING OF MARCH 2, 2005

Dear Mr. Wong:

The City Council at a regular meeting held March 2, 2005 considered the Appeal filed by the Applicant from the Denial by the Planning Commission of a Required Two-Year Review of an approved Special Use Permit (U-0052-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF PREMISE ADVERTISING (BILLBOARD) SIGN at 336 West Sahara Avenue (APN 162-04-807-002), C-1 (Limited Commercial) Zone.

The City Council granted the Appeal; thereby APPROVING the Required Two-Year Review. The Notice of Final Action was filed with the Las Vegas City Clerk on March 3, 2005. This approval is subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-1-05

CLV 7009

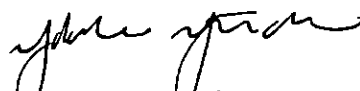
RQR-18679

04/12/07 PC

Mr. Steve Wong
RQR-5767 – Page Two
March 3, 2005

4. All City Code requirements and design standards of all City Departments shall be satisfied.

Sincerely,



Ydileena Yturralde
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

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

Mr. Scott Naftzger
Lamar Outdoor Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

RQR-18679
04/12/07 PC



DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

Sign Certification Application

NOTE: This is not a CONSTRUCTION PERMIT application. A
Construction Permit must be obtained from the Department of Building and Safety.

Application for...

☐ On Premise sign ☒ Off Premise sign (special use permit required)

Permanent sign:

☐ Wall ☐ Freestanding ☐ Roof ☐ Canopy ☐ Marquee
☐ Projecting ☐ Suspended ☐ Incidental ☐ Monument ☐ Flag
☐ Window ☐ Entry Statement ☐ other: _____

Temporary sign:

☐ Inflated Devices ☐ Search Lights ☐ Pennants ☐ Political sign
☐ Sub. Sale ☐ Sub. Directional ☐ Weekend Direct. ☐ Construction
☐ Window ☐ Real Estate ☐ Banner ☐ other: _____

Address of sign location: 336 W SAHARA
Parcel Number(s): 162-04-807-002

Sign Owner: STEVEN WONG Phone Num.: _____
Address: _____

Sign Company: R+L VENTURES Phone Num.: _____
Address: _____

Sign Specifications:

Area of Sign face: 672 Height of sign: 40'

☐ Master Signage Plan attached ☐ Permission Letter (if required)
☐ Proof of insurance (if req'd) ☐ Encroachment Agree'm't (if req'd)

Signature: _____ Date: _____

Office Use Only

Fee: \$336.00 Zone: C-21 Map Num.: R-04-8
Reviewed by: _____ Date: 7/20/95 Tag Num.: 1000

Comments: U-52-95

Submitted at Planning Commission

Date 4/12/07 Item # 77

08/28/95

CITY OF LAS VEGAS

PAG

10:28

INSPECTION REPORT

ATTENTION CONTRACTOR: RETAIN ON JOB SITE FOR RECORDS

LARRY GLAZIER (74) 178
PERMIT NBR: 95-575443SCHD DATE: 08/29/95 INSPECTION NBR:
APPLICATION NBR: 235525-6
PERMIT ISSUE DT: 07/26/95

ADDRESS: 336 W SAHARA AV

SUBDIVISION: NO RECORDED SUB

BUSINESS: WONG

CONTRACTOR: R & L VENTURES

CALL-IN DATE & TIME: 08/28/95 12:20

WORK DESCRIPTION: SIGN

LOT: 0 BLOCK: 0

MAP NBR: 2524-98

CONTACT PHONE: 457-2772

REQUESTED INSPECTION: SIGN INSPECTION (225)

PARTIAL

PARTIAL

INSPN

APPRVL (P)

PARTIAL DESCR

APPRVD (A)

STOP

PERMIT

TEMPORARY

HOLD (H)

WORK (S)

REQUIRED

APPROVAL (T) UNTIL

REJECTED (R) - REINSPECTION REQUIRED - CALL 229-2071

REFEE (F) - REINSPECTION FEE REQUIRED - PAY AT CITY HALL

3RD FLOOR - 400 E STEWART AVENUE

PROJECT COMPLETE

BRING HARD CARD WITH FIRE QUALITY CONTROL & PLANNING
APPROVALS SIGNED OFF TO BLDG. & SAFETY FOR C. OF O. ISSUANCE
(COMMERCIAL ONLY).

COMMENTS

E 80902 TAG

INSPECTOR SIGNATURE:

Pat W. [Signature]

DATE: 8-29-95

IF YOU HAVE ANY QUESTIONS ON THIS INSPECTION, YOU MAY CALL THE INSPECTOR
FROM 7:00 AM - 7:15 AM OR 3:15 PM - 3:30 PM AT 229-6765

FOR ADDITIONAL ASSISTANCE CALL 229-6251.

PERMIT COMMENT: ENGINEERING ATTACHED

PERMIT	SCHD DT	TYPE	ASLT	PARTIAL	INSPN	COMMENT
95-575443	08/29/95	133			57	
	08/29/95	225	R		74	INSTALL NO. 2 CU. OR USE 90A BRK
	08/29/95	133	R		74	NO FINAL ELECT.
	08/29/95	225	P		74	PUMP OUT HOLE

* PRIOR INSPECTIONS FOR THIS PERMIT



DEPARTMENT C BUILDING & SAFETY - CITY OF LAS VEGAS, NEVADA

FOR INSPECTION CALL 229-2071

Approved Plans Must Be on Job Site During Construction

JOB ADDRESS 336 W SAHARA AV

MAP NO. 2524 98 DATE ISSUED 07/26/95

DESCR. OF WORK SIGN

CONTRACTOR R & L VENTURES

OWNER WONG

NOTICE: DO NOT COVER WORK REQUIRING INSPECTION UNTIL INSPECTION IS MADE. REQUIRED INSPECTION MAY VARY FROM THOSE DESIGNATED BELOW.

DESCRIPTION	TYPE	PERMIT NO.
BUILDING		95875443

INSPECT	DESCRIPTION	APPROVED	DATE
☐ 101	FOOTING, LAYOUT, REBAR, ZONING		
☐ 103	STEM WALL-FORMS & REBAR		
☐ 105	PRE-SLAB		
☒ 201	UNDERGROUND ELECTRICAL		
☐ 407	UNDERSLAB PLUMBING		

Pour No Concrete Until Above is Approved

☐ 107	ROOF SHEATHING		
☐ 109	SHEAR		
☐ 120	FRAMING		
☐ 123	INSULATION		
☐ 126	HOOD SHAFT		
☒ 220	ROUGH ELECTRICAL		
☐ 223	LOW VOLTAGE ELECTRICAL		
☐ 220	ROUGH MECHANICAL		
☐ 420	TOP OUT:WATER, GAS, WASTE		

Do Not Sheetrock Until Above is Approved

☐ 115	BLDG. INVESTIGATION		
☐ 125	DRYWALL NAILING		
☐ 127	CEILING GRID		
☐ 128	ROOF DRY-IN		
☐ 129	EXTERIOR LATH/STUCCO		
☐ 131	WALL GROUT & STEEL		
☐ 133	ELEC. METER TAG		
☐ 139	TEMP POWER/TAG/TEMP BLDG. FINAL		
☐ 140	BUILDING FINAL		
☐ 150	OTHER		
☐ 203	UNDER GROUND		
☐ 215	ELEC. INVESTIGATION		
☒ 225	SIGN INSPECTION		
☐ 231	SERVICE CHANGE		
☐ 235	EMERGENCY ELECTRICAL TEST		
☐ 239	TEMP ELEC/POLE/CONST POWER		
☐ 240	FINAL ELECTRICAL		
☐ 250	OTHER		
☐ 305	HOOD		
☐ 315	MECHANICAL INVESTIGATION		
☐ 339	TEMP MECHANICAL		
☐ 340	FINAL MECHANICAL		
☐ 350	OTHER		

INSPECT	DESCRIPTION	APPROVED	DATE
☐ 401	ON SITE SEWER (MAIN)		
☐ 403	ON SITE WATER		
☐ 404	IRRIGATION		
☐ 405	BUILDING SEWER (YARD LINES)		
☐ 415	PLUMBING INVESTIGATION		
☐ 423	FINAL GAS TEST		
☐ 439	TEMP PLUMBING		
☐ 440	FINAL PLUMBING		
☐ 443	KICKER/FLUSH (FIRE)		
☐ 445	UNDERGROUND HYDRO (FIRE)		
☐ 450	OTHER		
☐ 501	UNDER/ABOVE GROUND TANK		
☐ 503	HOOD SYSTEM		
☐ 505	UNDERGROUND FINAL/FLOW		
☐ 507	SPRINKLER SYSTEM, HYDRO/OVERHD		
☐ 509	FIRE ALARM SYSTEM		
☐ 513	EXTINGUISHING SYSTEM		
☐ 515	FIRE INVESTIGATION		
☐ 516	MEDICAL GAS		
☐ 517	LIQUID PETROLEUM GAS		
☐ 519	SUPERVISION/MONITORING		
☐ 539	TEMP FIRE		
☐ 540	FINAL FIRE		
☐ 550	OTHER		
☐ 640	PLANNING COMPLETE		
☐ 650	OTHER		
☐ 901	POOL PRE-GUNITE		
☐ 903	POOL POOL GAS TEST		
☐ 910	POOL PRE-PLASTER/FINAL		
☐ 913	TRAILER		
☐ 914	DEMOLITION/TRAILER REMOVAL		
☐ 915	INVESTIGATION		
☐ 939	TEMP CERT OF OCCUPANCY		
☐ 940	CERT. OF OCCUPANCY		

Occupancy Approval

Planning Dept. _____

Quality Cont. _____

Fire Dept. _____

Bldg. Dept. _____

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

RQR-18680 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: RANCHO DRIVE, LLC - Required One-Year Review of an approved Special Use Permit (U-0037-95) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD). SIGN at 4950 Rancho Drive (APN 125-35-401-001), C-1 (Limited Commercial) Zone, Ward 6 (Ross).

IF APPROVED: C.C.: 05/16/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location, Aerial, Separation and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for RQR-9375
5. City Council Approval Letter for RQR-5166
6. City Council Approval Letter for U-0037-95(2)
7. Telephone Protest by Carl Cabel
8. Submitted at meeting – Sign Certification Application, Inspection Report and Building and Safety Inspection application form by Kummer Kaempfer Bonner Renshaw & Ferrario

MOTION:

STEINMAN – DENIED – Motion carried with TROWBRIDGE and DUNNAM voting NO

To be heard by City Council on 5/16/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 78 – RQR-18680

MINUTES – Continued:

JIM MARSHALL, Planning and Development Department, stated the billboard is inappropriate at this location and does not have all the required permits. He recommended denial and noted that the Commissioners recommended denial on the last review.

MARGO WHEELER, Director of Planning and Development Department, pointed out this billboard had proof of final inspection from the Building Department and DOUG RANKIN, Planning and Development Department, clarified that the billboard does not have a permit for the electronic reader board.

ATTORNEY STEPHANIE ALLEN, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and submitted documentation supporting her claim that her client is working to mitigate the LED board. She pointed out the area has not changed significantly since the billboard's last review and noted that another billboard in the area is scheduled to be removed. She respectfully requested approval.

MS. WHEELER informed the Commissioners that a substantial change to a billboard, such as the addition of an electronic reader board, requires an application for a Special Use Permit (SUP) and not a letter to staff, as suggested by ATTORNEY ALLEN. DEPUTY CITY ATTORNEY JAMES LEWIS confirmed MS. WHEELER'S statement.

ATTORNEY ALLEN explained that her client had acted in good faith and was more than willing to correct the situation. DEPUTY CITY ATTORNEY LEWIS informed the Commissioners that the billboard companies were well aware of the appropriate procedures to obtain SUPs for electronic reader boards and that the City disagrees with ATTORNEY ALLEN'S interpretation. He added that the LED board was a sufficient changed condition to the billboard which could support denial of this item.

ATTORNEY ALLEN argued that the staff report refers to the sign as an illuminated billboard and that the message board should be considered illumination. MS. WHEELER informed ATTORNEY ALLEN that staff does not consider a message board to be merely illumination.

COMMISSIONER TRUESDELL expressed his support with a six month review to make sure the other billboard is removed. He clarified that he could support one billboard on the site but not two.

COMMISSIONER TROWBRIDGE observed the applicant is currently violating the Code and questioned the appropriateness of allowing this use to continue. MS. WHEELER pointed out

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 78 – RQR-18680

MINUTES – Continued:

this billboard is also lacking the required building and electrical permits, in addition to the necessary SUP. ATTORNEY ALLEN suggested that the applicant could remedy this situation within six months.

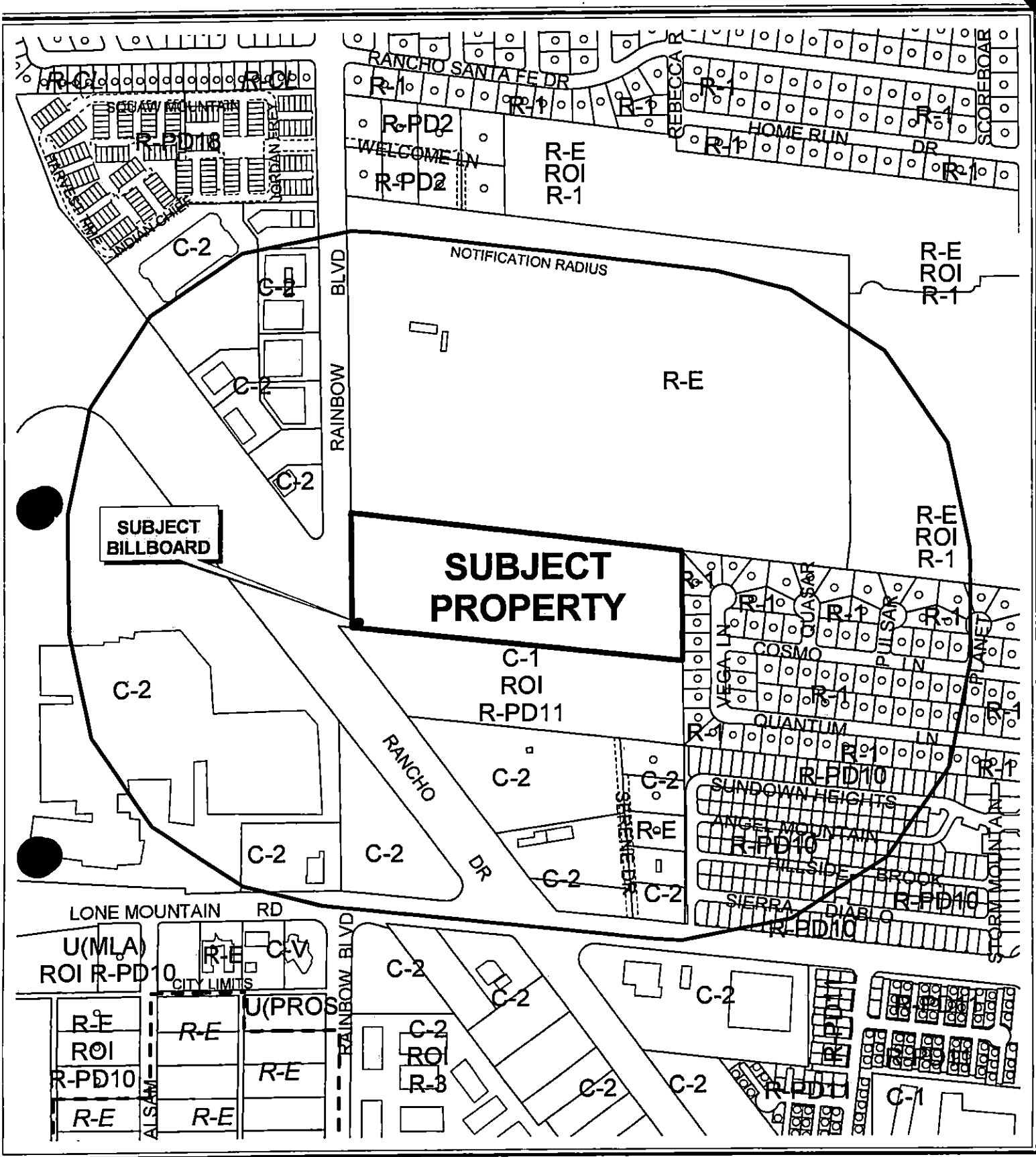
COMMISSIONER STEINMAN observed that this billboard is a great example of inappropriate actions by the billboard industry and noted the applicant had not honored promises to remove illegal embellishments on other billboards.

MS. WHEELER informed ATTORNEY ALLEN that the billboard moratorium only restricted new billboard applications and did not impact SUP applications.

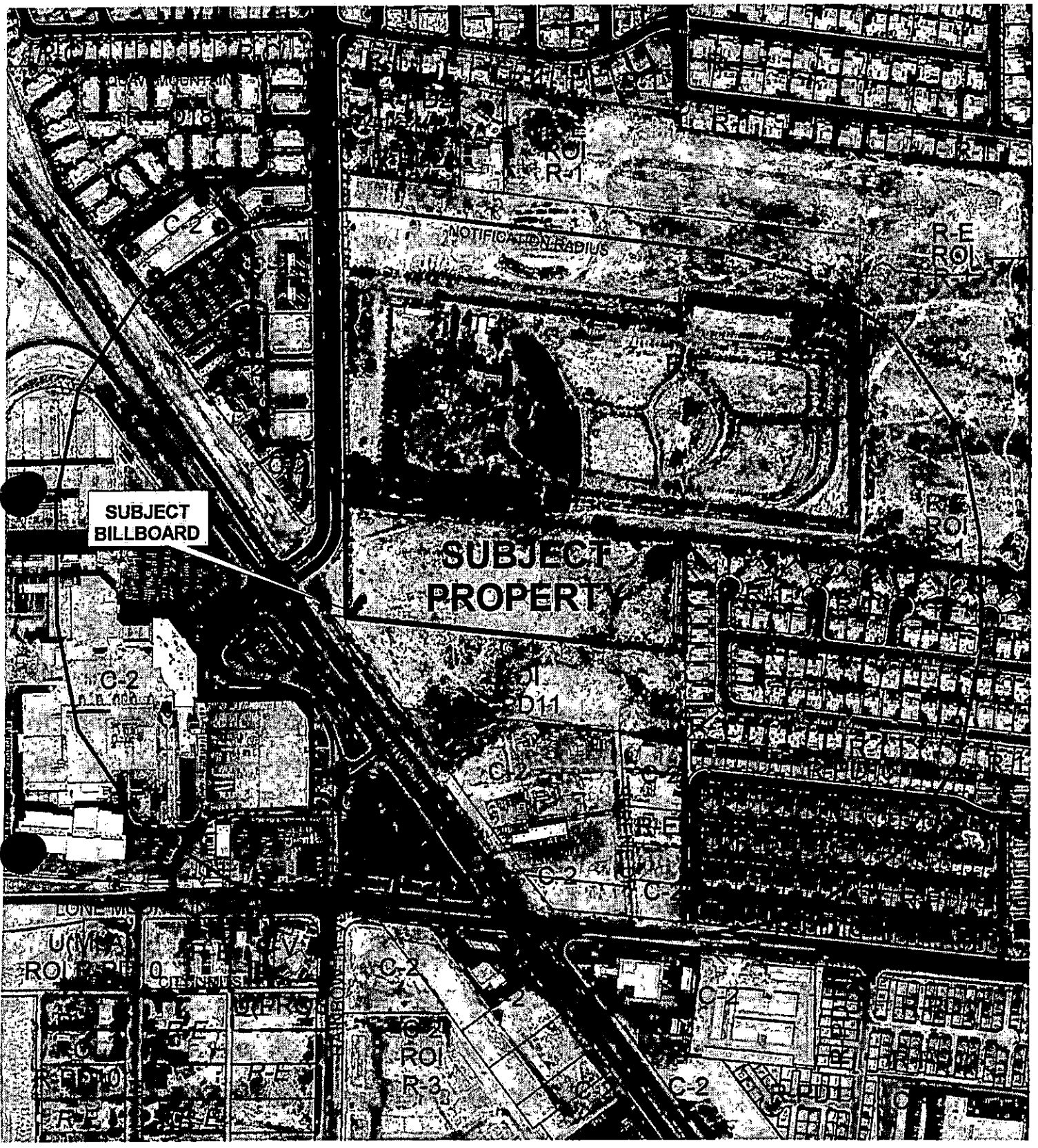
CHAIRMAN DAVENPORT declared the Public Hearing closed.

(11:22 – 1:33)

4-626



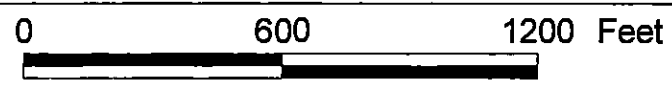
CASE: **RQR-18680**
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

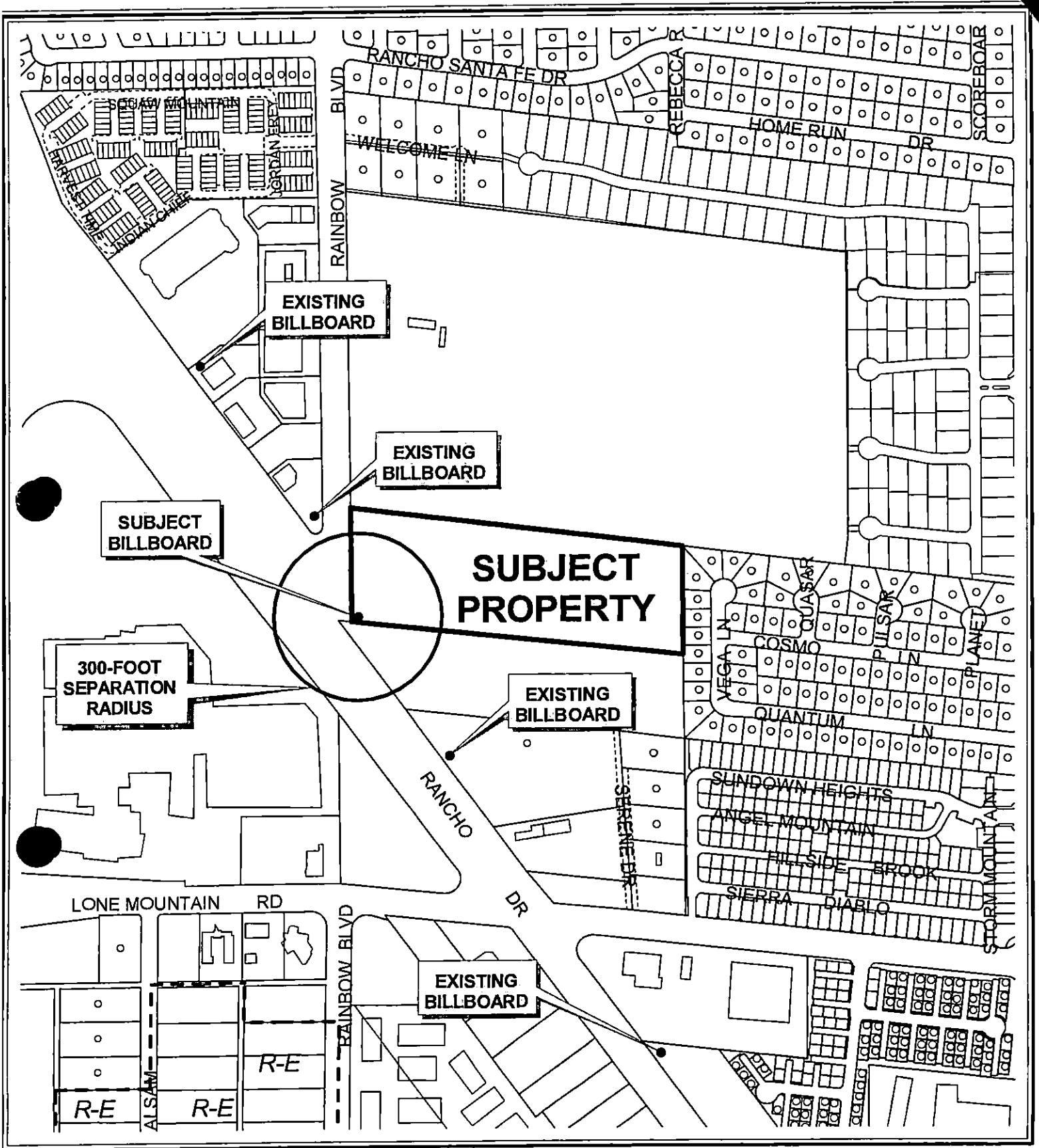


CASE: RQR-18680

RADIUS: 1000 FT

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



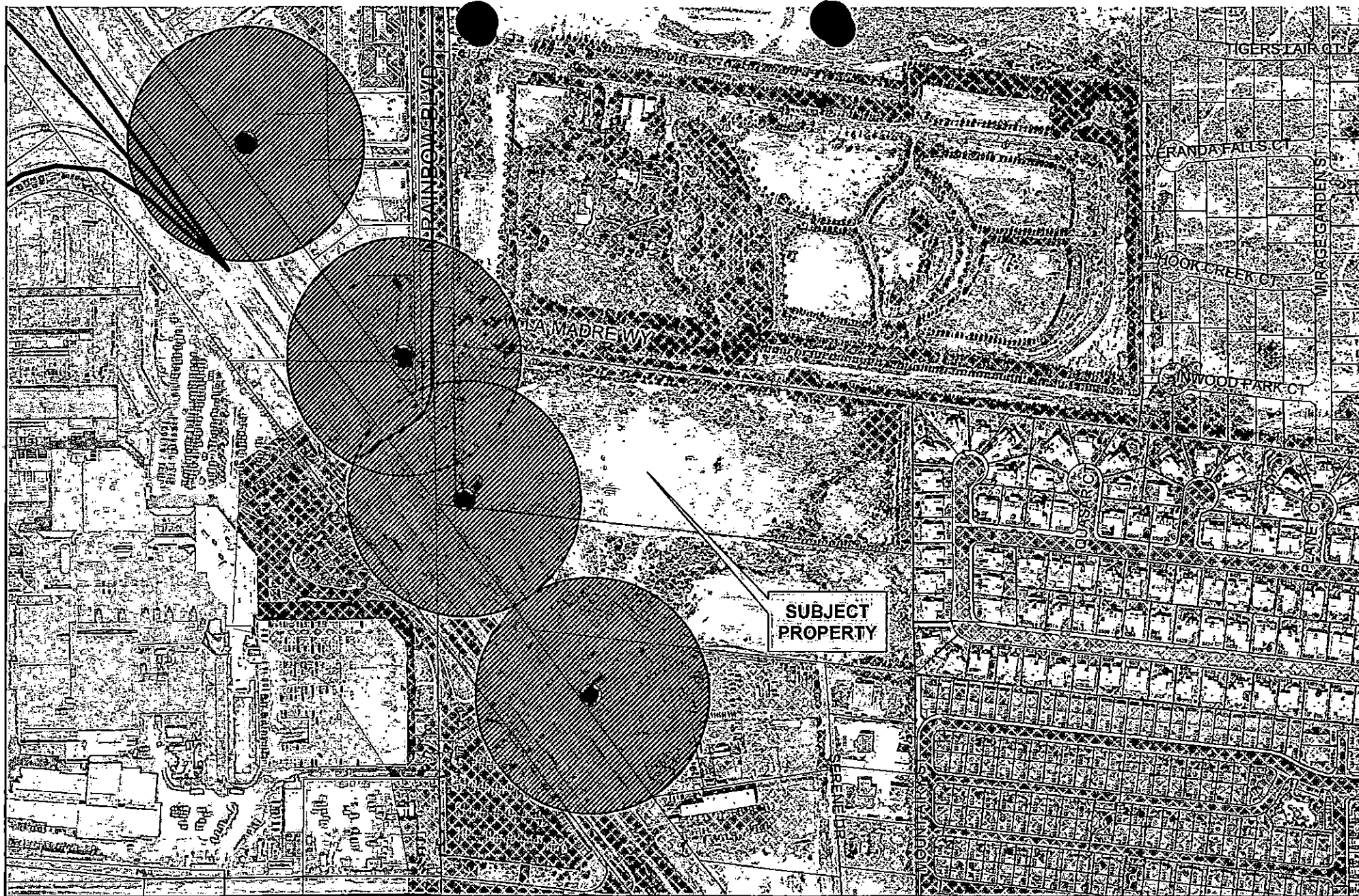


CASE: **RQR-18680**

SEPARATION RADIUS: 300 FT

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





RQR-18680

City of Las Vegas Billboard Data

- | | | |
|--|--|---|
|  Subject Parcel |  300 Foot Buffer Around Billboard |  Off Premise Sign Exclusion Area |
|  City of Las Vegas Billboard Location |  750 Foot Buffer Around Freeway Billboard |  Exempt - Off Premise Area Sign Area |
|  Clark County Billboard Location | | |



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 12, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-18680 - APPLICANT: LAMAR ADVERTISING - OWNER: RANCHO DRIVE, LLC**

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

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. The applicant shall obtain all appropriate permits for the "illuminated message board" embellishment on the subject sign within 30 days of approval of this application.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RQR-18680 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required One-Year Review of an approved Special Use Permit (U-0037-95) which allowed a 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 4950 Rancho Drive.

The continuation of the off-premise advertising (billboard) sign use at this location is not considered appropriate. The off-premise advertising (billboard) sign is located in the exclusionary zone and does not have all of the required permits. Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Blug, etc.</i>	
05/17/95	The City Council approved a Special Use Permit (U-0037-95) for a 40-foot tall, 14-foot by 48-foot Off Premise Advertising (Billboard) Sign on the subject property, subject to review in five years. The Board of Zoning Adjustment and staff recommended approval.
03/24/97	The City Council adopted Ordinance No. 4073, amending the Las Vegas Zoning Code as Title 19A. The Off-Premise Sign Exclusionary Zone, including the subject site as part of a larger area, was established therein.
07/05/00	The City Council approved a Required Five-Year Review [U-0037-95(1)] of an approved Special Use Permit which allowed the off-premise sign, thereby allowing the use to continue on the subject property, subject to review in two years. The Planning Commission and staff recommended approval.
10/16/02	The City Council approved a Required Two Year Review [U-0037-95(2)] of an approved Special Use Permit which allowed the off-premise sign, thereby allowing the use to continue on the subject property, subject to review in two years. The Planning Commission and staff recommended approval.
11/17/04	The City Council approved a Required Two Year Review (RQR-5166) of an approved Special Use Permit which allowed the off-premise sign, thereby allowing the use to continue on the subject property, subject to review in one year. The Planning Commission recommended approval and staff recommended denial.
01/18/06	The City Council approved an appeal of the Planning Commissions decision to deny a Required Two Year Review (RQR-5166) of an approved Special Use Permit which allowed the off-premise sign, thereby allowing the use to continue on the subject property, subject to review in one year. The Planning Commission and staff recommended denial.
03/08/07	A site inspection was conducted and photographs were taken depicting an illuminated message board.

NG

RQR-18680 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

Related Building Permits/Business Licenses	
06/26/95	A building permit (#95874141) was issued for a sign at 4950 North Rancho Drive. A final inspection was completed 07/28/95.
Pre-Application Meeting	
A pre-application meeting is not required, nor was one held.	

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

Details of Application Request	
Site Area	
Net Acres	10.52

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family Residential	SC (Service Commercial)	R-E (Residence Estates)
South	Undeveloped	MLA (Medium-Low Attached Density Residential)	C-1 (Limited Commercial) under Resolution of Intent to R-PD11 (Residential Planned Development – 11 Units per Acre)
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Casino	GC (General Commercial)	C-2 (General Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (200-Foot)	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

RQR-18680 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Off-Premise Advertising (Billboard) Sign	Minimum 300-foot distance separation from any other off-premise sign	Approximately 400 feet separation	Y
Location	No off-premise sign may be located within the public right-of-way	Located east of the Rainbow Boulevard right-of-way	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The north and south faces are each 672 square feet.	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is set back approximately 190 feet from the right-of-way line of the intersection of Rainbow Boulevard and Rancho Drive.	Y
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Screened from view by sign faces and metal panel on side not facing the right-of-way	Y

RQR-18680 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y
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ANALYSIS

This is the fifth review of the subject off-premise advertising (billboard) sign. One of the sign faces of the off-premise advertising (billboard) sign contains an illuminated message board, which does not have a permit. Additionally, the sign is located within the Billboard Exclusionary Zone. It was constructed in this area prior to adoption of the Exclusionary Zone in 1997 and continues as a nonconforming use. The subject site is located in the Rancho Corridor. A Multi-Use Transportation Trail is proposed along the north side of Rancho Drive adjacent to the subject property. The off-premise advertising (billboard) sign does not have all of the required permits and is located in the exclusionary zone. Denial of this request is recommended.

FINDINGS

The continuation of the off-premise advertising (billboard) sign use at this location is not considered appropriate. The billboard is located in the exclusionary zone and does not have all of the required permits. Denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

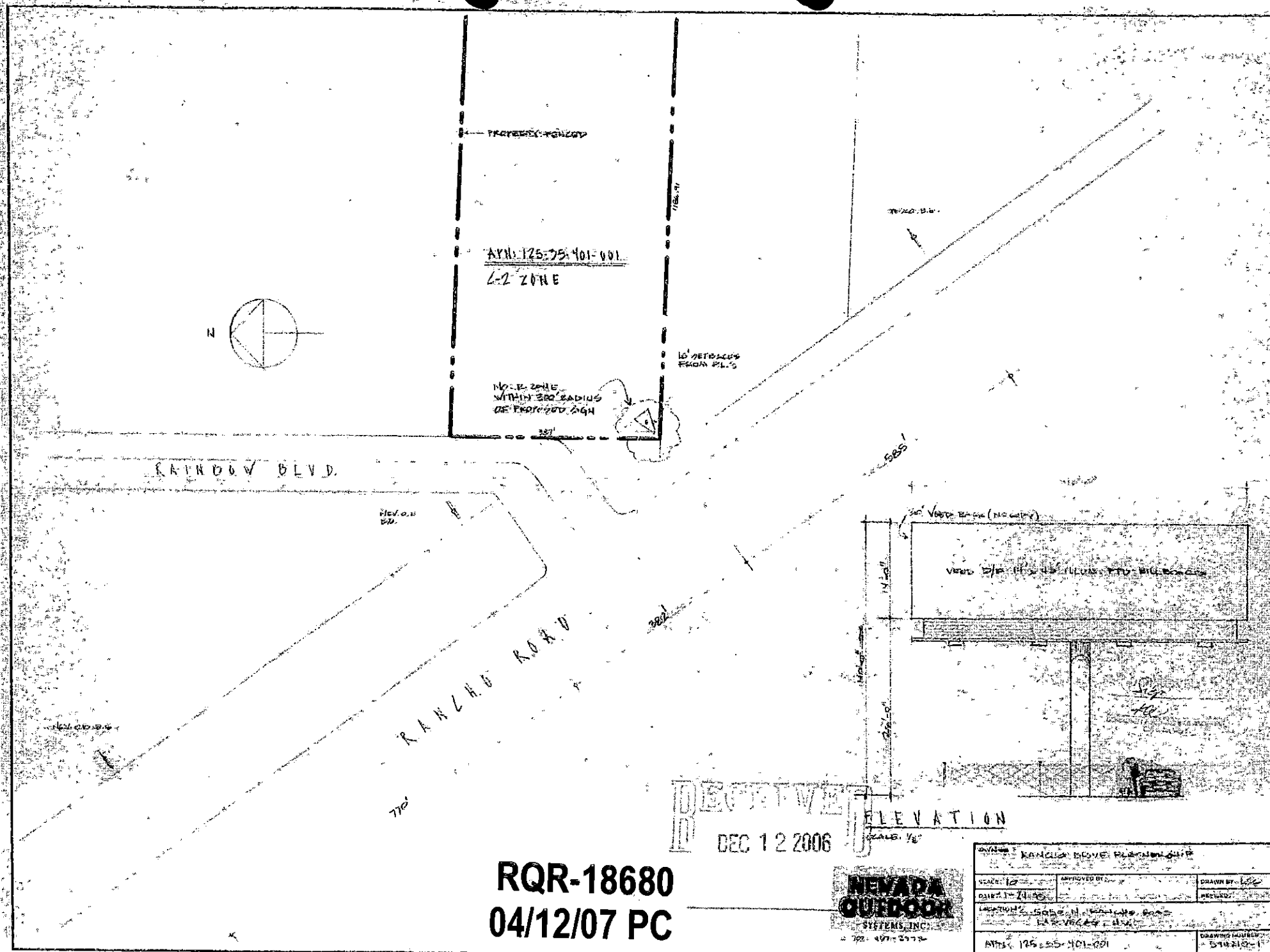
ASSEMBLY DISTRICT 1

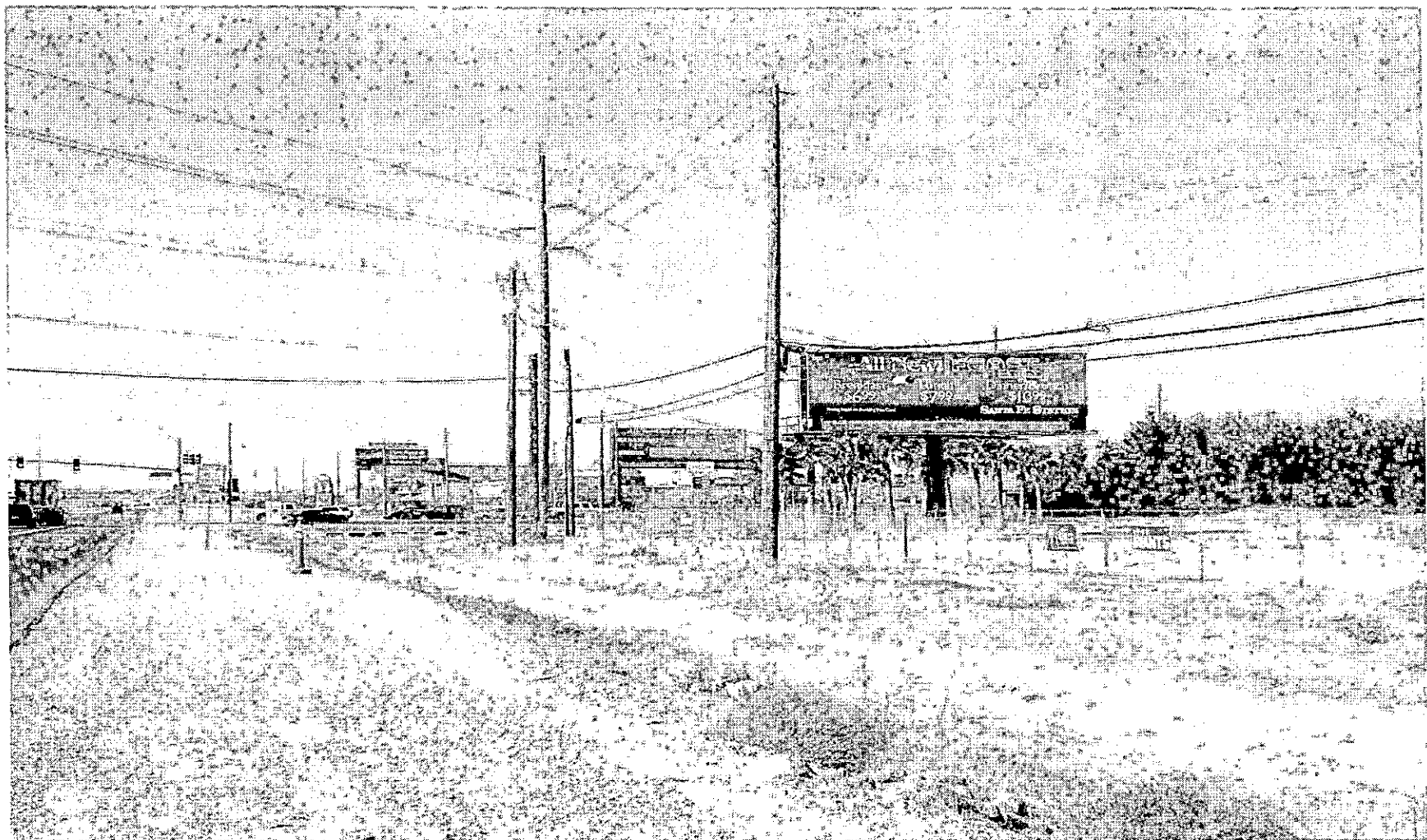
SENATE DISTRICT 6

NOTICES MAILED 225

APPROVALS 0

PROTESTS 1





RQR-18680 - APPLICANT: LAMAR ADVERTISING - OWNER: RANCHO DRIVE, LLC
4950 RANCHO DRIVE
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



RQR-18680 - APPLICANT: LAMAR ADVERTISING - OWNER: RANCHO DRIVE, LLC
4950 RANCHO DRIVE
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

January 23, 2006

Mr. John Moran
Rancho Drive, LLC
630 South 4th Street
Las Vegas, Nevada 89101

RE: RQR-9375 - REQUIRED REVIEW
CITY COUNCIL MEETING OF JANUARY 18, 2006

Dear Mr. Moran:

The City Council at a regular meeting held January 18, 2006 considered Appeal filed by the Applicant from the Denial by the Planning Commission of a Required One-Year Review of an Approved Special Use Permit (U-0037-95) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the south side of Rancho Drive, approximately 200 feet south of Rainbow Boulevard (APN 125-35-401-001), C-1 (Limited Commercial) Zone.

The City Council granted the Appeal; thereby, APPROVING the Required Review. The Notice of Final Action was filed with the Las Vegas City Clerk on January 19, 2006. This approval is subject to:

Planning and Development

1. The illegal embellishment shall be removed within 10 days of final approval.
2. This Special Use Permit shall be reviewed in one (1) year, at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CIV 7000

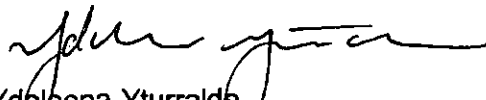
RQR-18680
04/12/07 PC

Mr. John Moran
RQR-9375 – Page Two
January 23, 2006

location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

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

Sincerely,



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

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

Mr. Scott Naftzger
Lamar Advertising Company
1863 Helm Drive
Las Vegas, Nevada 89107

RQR-18680
04/12/07 PC



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY

MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

November 19, 2004

Rancho Drive, LLC
630 South 4th Street, Suite #400
Las Vegas, Nevada 89101

RE: RQR-5166 - REQUIRED REVIEW
CITY COUNCIL MEETING OF NOVEMBER 17, 2004

Dear Applicant:

The City Council at a regular meeting held November 17, 2004 APPROVED the request for Required Two Year Review of an Approved Special Use Permit (U-0037-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on the east side of Rancho Drive, approximately 200 feet south of Rainbow Boulevard (APN 125-35-401-001), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on November 18, 2004. This approval is subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in one (1) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

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

VOICE 702.229.6011

TDD 702.386.9108

www.lasvegasnevada.gov
18112-001-6/04

RQR-18680
04/12/07 PC

Rancho Drive, LLC
RQR-5166 – Page Two
November 19, 2004

4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

Sincerely,



Vicky Darling
Assistant Deputy City Clerk for
Barbara Jo Ronemus, City Clerk

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

Mr. Scott Naftzger
Lamar Outdoor Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

RQR-18680
04/12/07 PC



October 17, 2002

Rancho Drive Limited Liability Company
630 South 4th Street, Suite #400
Las Vegas, Nevada 89101

RE: U-0037-95(2) - REQUIRED TWO YEAR REVIEW
CITY COUNCIL MEETING OF OCTOBER 16, 2002

Dear Applicant:

The City Council at a regular meeting held October 16, 2002 APPROVED the Required Two Year Review on an approved Special Use Permit WHICH ALLOWED A 40-FOOT HIGH, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on property located adjacent to the east side of Rancho Drive, approximately 200 feet south of Rainbow Boulevard (APN: 125-35-401-001), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on October 17, 2002. This approval is subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising sign (billboard) supporting structure shall be designed to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

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

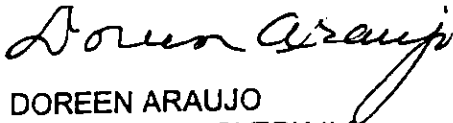
VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

RQR-18680
04/12/07 PC

Rancho Drive Limited Liability Company
U-0037-95(2) – Page Two
October 17, 2002

4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

Sincerely,



DOREEN ARAUJO
DEPUTY CITY CLERK II for
BARBARA JO RONEMUS, CITY CLERK

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

Mr. Scott Naftzger
Lamar Outdoor Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

RQR-18680
04/12/07 PC

Telephone Protest/ Approval Log

Meeting Date: 04/12/07

Case Number: RQR-18680

Date: 04/05/07
Name: Carl W. Cabel
Address: 6520 Sundown Heights
Las Vegas, NV. 89130
Phone: (702) 515-0404
☒ PROTEST ☐ APPROVE

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

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

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

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

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

ITEM # 78
CASE # RQR-18680
PC MTG 4-12-07

P



LV-156

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

Sign Certification Application

NOTE: This is not a CONSTRUCTION PERMIT application. A Construction Permit must be obtained from the Department of Building and Safety.

Application for...

☐ On Premise sign ☒ Off Premise sign (special use permit required)

Permanent sign:

☐ Wall ☒ Freestanding ☐ Roof ☐ Canopy ☐ Marquee
☐ Projecting ☐ Suspended ☐ Incidental ☐ Monument ☐ Flag
☐ Window ☐ Entry Statement ☐ other: _____

Temporary sign:

☐ Inflated Devices ☐ Search Lights ☐ Pennants ☐ Political sign
☐ Sub. Sale ☐ Sub. Directional ☐ Weekend Direct. ☐ Construction
☐ Window ☐ Real Estate ☐ Banner ☐ other: _____

Address of sign location: 4950 N. RANCHO DR.
SE corner Rancho & Rainbow
Parcel Number(s): 125-35-401-001

Sign Owner: Nu. Outdoor
Address: 1818 S. Eastern

Phone Num.: 457-2772

Sign Company: R+L Ventures
Address: 1818 S. Eastern

Phone Num.: 457-2772

Sign Specifications:

Area of Sign face: 672 Height of sign: 40

☐ Master Signage Plan attached ☐ Permission Letter (if required)
☐ Proof of insurance (if req'd) ☐ Encroachment Agreem't (if req'd)

Signature: [Signature] Date: 6-13-95

Office Use Only

Fee: \$336.00 Zone: C2 Map Num.: G-35-7
Reviewed by: _____ Date: 6/14/95 Tag Num.: 963

Comments: U-37-95 G.R. # 342255
6/26/95

Submitted at Planning Commission

Date 4/12/07 Item # 78

06/28/95
15:28

CITY OF LAS VEGAS
INSPECTION REPORT

PAGE 1

ATTENTION CONTRACTOR: RETAIN ON JOB SITE FOR RECORDS

KEEFE BEYER (714) 400-1000
PERMIT NBR: 95-874141
ADDRESS: 4950 N RANCHO DR
SUBDIVISION: NO RECORDED SUB
BUSINESS: RANCHO DR. PARTNERSHIP
CONTRACTOR: R & L VENTURES
CALL-IN DATE & TIME: 06/28/95 15:50
WORK DESCRIPTION: SIGN

SCHD DATE: 06/29/95 INSPECTION NBR: 52
APPLICATION NBR: 222046-7

LOT: BLOCK:
MAP NBR: 1719-92
CONTACT PHONE: 457-2172

REQUESTED INSPECTION: SIGN INSPECTION (225)

PARTIAL
INSPN

PARTIAL
APPRVL (CP)

PARTIAL DESCR

Underground

APPRVD (A)

STOP

PERMIT

TEMPORARY

HOLD (H)

WORK (S)

REQUIRED

APPROVAL (T) UNTIL

REJECTED (R) - REINSPECTION REQUIRED - CALL 229-2071

REFEE (F) - REINSPECTION FEE REQUIRED - PAY AT CITY HALL
3RD FLOOR - 400 E STEWART AVENUE

PROJECT COMPLETE - BRING HARD CARD WITH FIRE QUALITY CONTROL & PLANNING
APPROVALS SIGNED OFF TO ELOG. & SAFETY FOR C. OF Q. ISSUANCE
(COMMERCIAL ONLY).

COMMENTS

INSPECTOR SIGNATURE:

D. Semenza

DATE:

6/29/95

IF YOU HAVE ANY QUESTIONS ON THIS INSPECTION, YOU MAY CALL THE INSPECTOR
FROM 7:00 AM - 7:15 AM OR 3:15 PM - 3:30 PM AT 229-6769

FOR ADDITIONAL ASSISTANCE CALL 229-6251.

NO PRIOR INSPECTIONS FOR THIS PERMIT



DEPARTMENT C. BUILDING & SAFETY - CITY OF LAS VEGAS, NEVADA
FOR INSPECTION CALL 229-2071

Approved Plans Must Be on Job Site During Construction

JOB ADDRESS 4950 N RANCHO DR
MAP NO. 1719 92 DATE ISSUED 06/26/95
DESCR. OF WORK SIGN
CONTRACTOR R & L VENTURES
OWNER RANCHO DR. PARTNERSHIP

NOTICE: DO NOT COVER WORK REQUIRING INSPECTION
UNTIL INSPECTION IS MADE. REQUIRED INSPECTION MAY
VARY FROM THOSE DESIGNATED BELOW.

DESCRIPTION	TYPE	PERMIT NO.
BUILDING		95874141

INSPECT	DESCRIPTION	APPROVED	DATE
☐ 101	FOOTING, LAYOUT, REBAR, ZONING		
☐ 103	STEM WALL-FORMS & REBAR		
☐ 105	PRE-SLAB		
☒ 101	UNDERGROUND ELECTRICAL	INS. SUPV. 42 CLV	6/29/95
☐ 407	UNDERSLAB PLUMBING		

Pour No Concrete Until Above is Approved

☐ 107	ROOF SHEATHING		
☐ 109	SHEAR		
☐ 120	FRAMING		
☐ 123	INSULATION		
☐ 126	HOOD SHAFT		
☒ 220	ROUGH ELECTRICAL		
☐ 223	LOW VOLTAGE ELECTRICAL		
☐ 220	ROUGH MECHANICAL		
☒ 220	TOP OUT-WATER, GAS, WASTE		

Do Not Sheetrock Until Above is Approved

☐ 115	BLDG. INVESTIGATION		
☐ 125	DRYWALL NAILING		
☐ 127	CEILING GRID		
☐ 128	RDDF DRY-IN		
☐ 129	EXTERIOR LATH/STUCCO		
☐ 131	WALL GROUT & STEEL		
☐ 133	ELEC. METER TAG		
☐ 139	TEMP POWER/TAG/TEMP BLDG. FINAL		
☐ 140	BUILDING FINAL		
☐ 150	OTHER		
☐ 203	UFER GROUND		
☐ 215	ELEC. INVESTIGATION		
☒ 225	SIGN INSPECTION		
☐ 231	SERVICE CHANGE		
☐ 235	EMERGENCY ELECTRICAL TEST		
☐ 239	TEMP ELEC/POLE/CONST POWER		
☐ 240	FINAL ELEC. INSPECTION	ELECT. INSP. 71 CLV	6/29/95
☐ 250	OTHER		
☐ 305	HOOD		
☐ 315	MECHANICAL INVESTIGATION		
☐ 339	TEMP MECHANICAL		
☐ 340	FINAL MECHANICAL		
☐ 350	OTHER		

INSPECT	DESCRIPTION	APPROVED	DATE
☐ 401	DN SITE SEWER (MAIN)		
☐ 403	ON SITE WATER		
☐ 404	IRRIGATION		
☐ 405	BUILDING SEWER (YARD LINES)		
☐ 415	PLUMBING INVESTIGATION		
☐ 423	FINAL GAS TEST		
☐ 439	TEMP PLUMBING		
☐ 440	FINAL PLUMBING		
☐ 443	KICKER/FLUSH (FIRE)		
☐ 445	UNDERGROUND HYDRO (FIRE)		
☐ 450	OTHER		
☐ 501	UNDER/ABOVE GROUND TANK		
☐ 503	HDD SYSTEM		
☐ 505	UNDERGROUND FINAL/FLOW		
☐ 507	SPRINKLER SYSTEM HYDRO/OVERHD		
☐ 509	FIRE ALARM SYSTEM		
☐ 513	EXTINGUISHING SYSTEM		
☐ 515	FIRE INVESTIGATION		
☐ 516	MEDICAL GAS		
☐ 517	LIQUID PETROLEUM GAS		
☐ 519	SUPERVISION/MONITORING		
☐ 539	TEMP FIRE		
☐ 540	FINAL FIRE		
☐ 550	OTHER		
☐ 640	PLANNING COMPLETE		
☐ 650	OTHER		
☐ 901	POOL PRE-GUNITE		
☐ 903	POOL POOL GAS TEST		
☐ 910	POOL PRE-PLASTER/FINAL		
☐ 913	TRAILER		
☐ 914	DEMOLITION/TRAILER REMOVAL		
☐ 915	INVESTIGATION		
☐ 939	TEMP CERT OF OCCUPANCY		
☐ 940	CERT. OF OCCUPANCY		

Occupancy Approval

Planning Dept. _____
Quality Cont. _____
Fire Dept. _____
Bldg. Dept. _____

POST THIS CARD ON FRONT OF BUILDING

FOR TECHNICAL ASSISTANCE CALL: 229-6916 BRING HARD CARD WITH FIRE QUALITY CONTROL & PLANNING APPROVALS SIGNED OFF
TO BLDG. & SAFETY FOR CERTIFICATE OF OCCUPANCY ISSUANCE (Commercial Only)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

RQR-18714 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING -
APPLICANT: LAS VEGAS BILLBOARDS - OWNER: RICHARD E. WILKIE -
Required Two Year Review of an approved Special Use Permit (SUP-4690), WHICH
ALLOWED A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING
(BILLBOARD) SIGN at 2001 Western Avenue (APN 162-04-703-010), M (Industrial) Zone,
Ward 3 (Reese).

IF APPROVED: C.C.: 05/16/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location, Aerial, Separation and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for SUP-4690
6. Submitted at meeting –Building and Safety Inspection application form by Las Vegas Billboards

MOTION:

STEINMAN – APPROVED subject to conditions and amending Condition 1 as follows:

1. This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

– UNANIMOUS with EVANS excused

To be heard by City Council on 5/16/2007

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 79 – RQR-18714

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated the billboard sign is inappropriate and the applicant has not complied with Condition 6. He recommended denial.

DAVID HARRIS, 5665 South Valley View Boulevard, appeared on behalf of the applicant and described his efforts to obtain a final inspection from the Building Department. He explained he could not obtain a final inspection until Nevada Power Company meter is installed on the billboard and he could not state when that would occur.

MR. HARRIS informed COMMISSIONER STEINMAN that he was not familiar with a letter from SANDRA MONTGOMERY included in the backup requesting an extension of time.

COMMISSIONER STEINMAN expressed his support, stating this location is appropriate for a billboard. He stressed the importance of making sure this billboard had all necessary permits and MARGO WHEELER, Director of Planning and Development Department, stated her staff would follow the progress of the final inspection application and ensure the billboard's compliance with all conditions.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(11:33 – 11:39)

4-968

CONDITIONS:

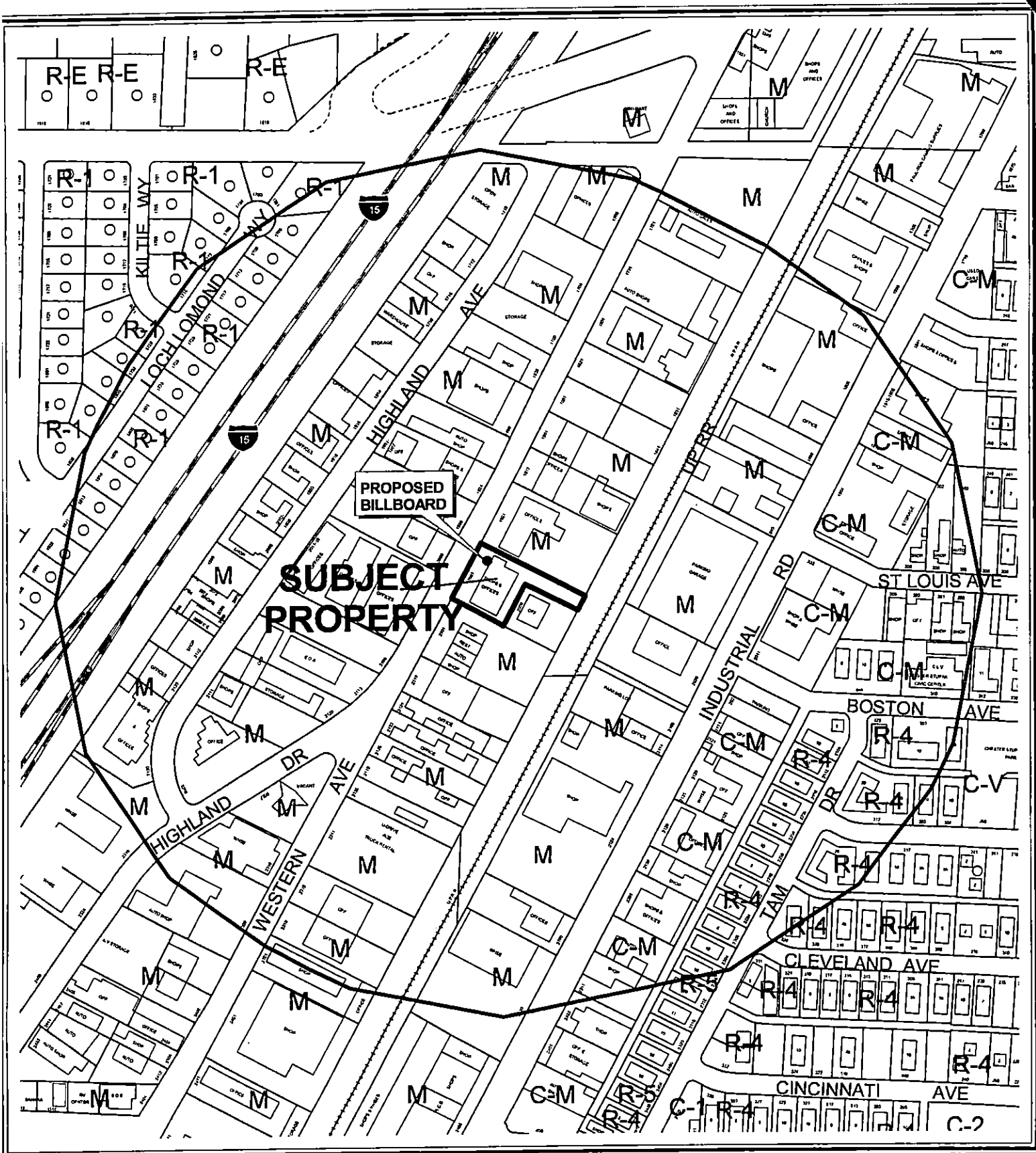
Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 79 – RQR-18714

CONDITIONS – Continued:

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



CASE: RQR-18714

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



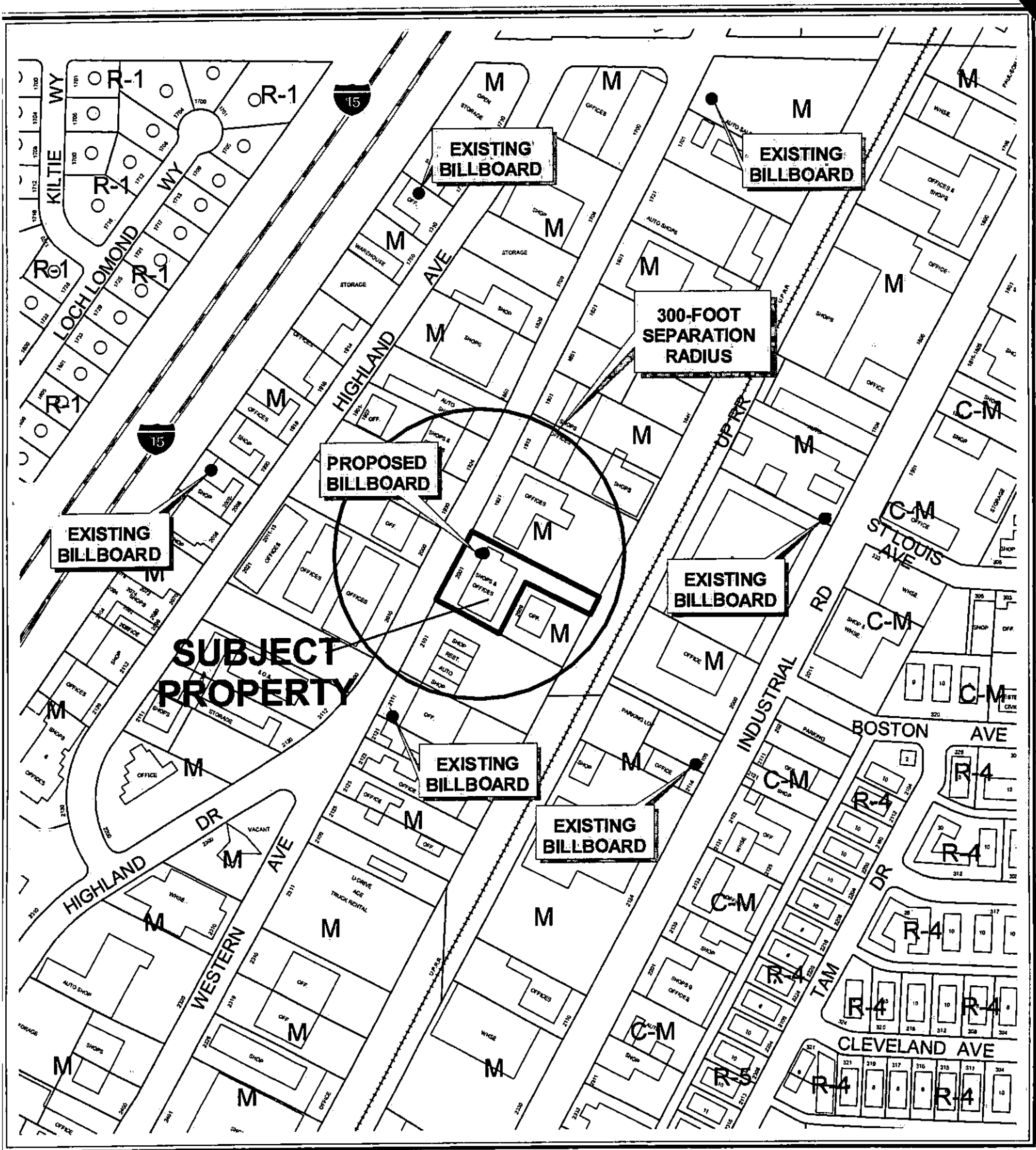
CASE: RQR-18714

RADIUS: 1000 FT

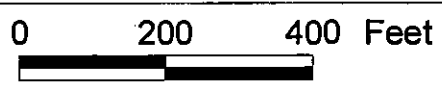
ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 200 400 Feet





CASE: RQR-18714
SEPARATION RADIUS: 300 FT
ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)





RQR-18714

City of Las Vegas Billboard Data

- | | | | | | |
|---|--------------------------------------|---|--|---|-------------------------------------|
|  | Subject Parcel |  | 300 Foot Buffer Around Billboard |  | Off Premise Sign Exclusion Area |
|  | City of Las Vegas Billboard Location |  | 750 Foot Buffer Around Freeway Billboard |  | Exempt - Off Premise Area Sign Area |
|  | Clark County Billboard Location | | | | |



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 12, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-18714 - APPLICANT: LAS VEGAS BILLBOARDS -****OWNER: RICHARD E. WILKIE**

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

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RQR-18714 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Two Year Review of an approved Special Use Permit (SUP-4690), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 2001 Western Avenue.

The subject off-premise advertising (billboard) sign is not considered appropriate. There have not been final inspections conducted for the off-premise advertising (billboard) sign; therefore, all city requirements have not been satisfied. Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/15/04	The City Council approved a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premise (Billboard) Sign at 2001 Western Avenue. The Planning Commission and staff recommended approval.
03/08/07	A site inspection was conducted and photographs were taken depicting bird droppings on the subject sign.
<i>Related Building Permits/Business Licenses</i>	
08/18/05	A building permit (#5005837) was issued for the subject sign. Final inspections were not conducted.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.68

RQR-18714 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Offices	L I/R (Light Industry/Research)	M (Industrial)
North	Offices	L I/R (Light Industry/Research)	M (Industrial)
South	Shops	L I/R (Light Industry/Research)	M (Industrial)
East	Offices	L I/R (Light Industry/Research)	M (Industrial)
West	Shops Offices	L I/R (Light Industry/Research)	M (Industrial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (200-Foot)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Off-Premise Advertising (Billboard) Sign	Minimum 300-foot distance separation from any other off-premise sign	Approximately 385 feet separation	Y
Location	No off-premise sign may be located within the public right-of-way	Not in right-of-way	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a M (Industrial) zoning district	Y

RQR-18714 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The north and south faces are each 672 square feet.	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is set back approximately 430 feet from the nearest intersection.	Y
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Screened from view by sign faces and metal panel on side not facing the right-of-way	Y
Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y

ANALYSIS

This is the first review of the subject off-premise advertising (billboard) sign. Building permits were issued for the subject off-premise advertising (billboard) sign. Final inspections were not conducted; therefore, the subject off-premise advertising (billboard) sign is not in compliance with city requirements. Additionally, the off-premise advertising (billboard) sign has a significant amount of bird droppings on it. A condition of approval shall be added requiring that bird deterrent devices be installed within 30 days, if approved. While the off-premise advertising (billboard) sign use is appropriate at this location, all city requirements have not been met; therefore, denial of this request is recommended.

RQR-18714 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

FINDINGS

The subject off-premise advertising (billboard) sign is not considered appropriate. There have not been final inspections conducted for the off-premise advertising (billboard) sign; therefore, all city requirements have not been satisfied. Denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 111

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-18714** APN: 162-04-703-010

Name of Property Owner: Richard E. Wilkie

Name of Applicant: Las Vegas Billboards

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:

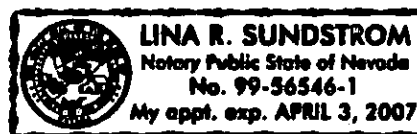
Signature of Property Owner: X Richard E. Wilkie
Print Name: Richard E. Wilkie

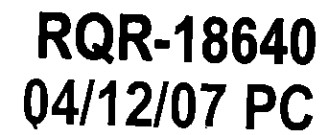
Print Name:

Subscribed and sworn before me

This 5th day of December, 2022

Notary Public in and for said County and State

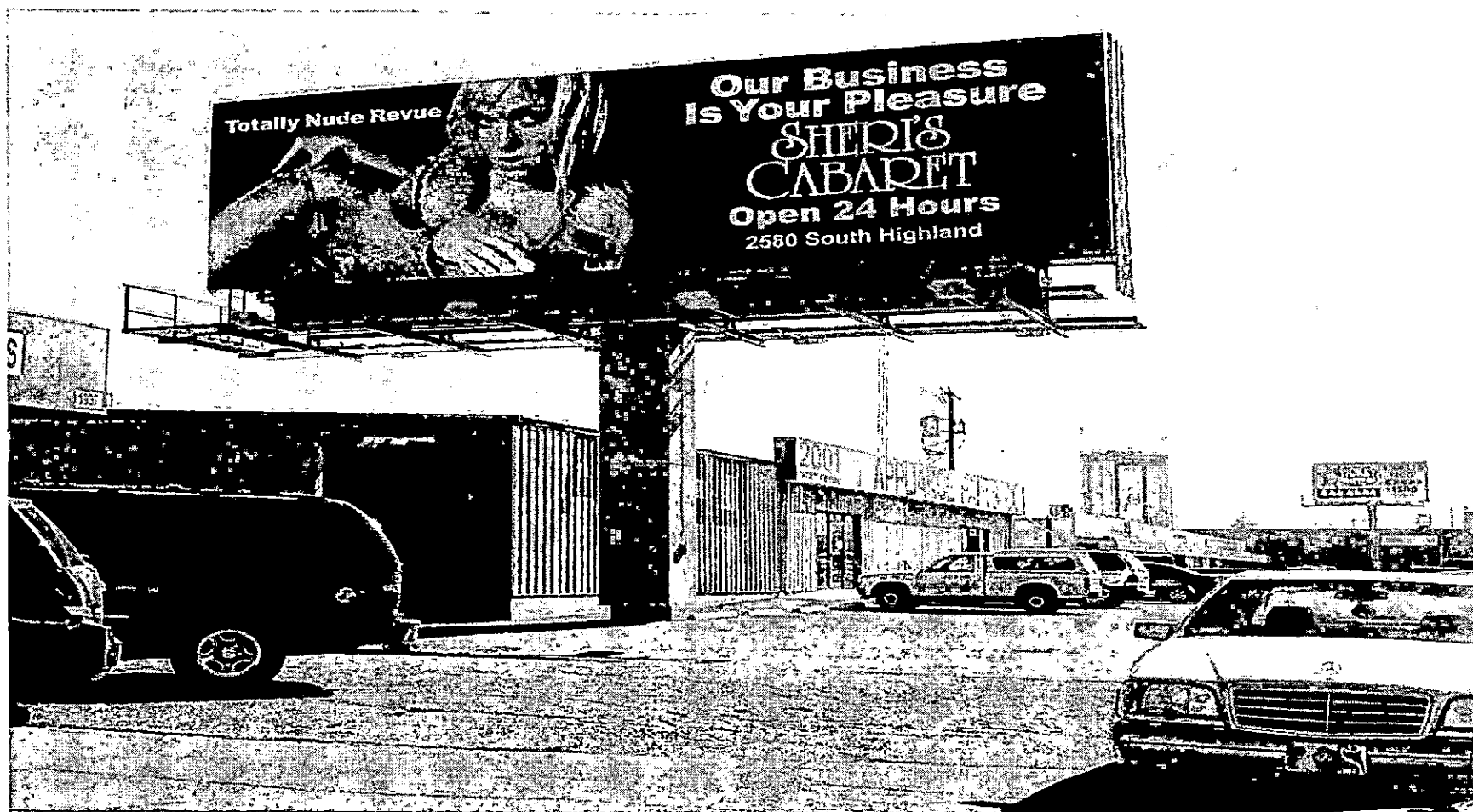






RQR-18714 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: RICHARD E. WILKIE
2001 WESTERN AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



RQR-18714 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: RICHARD E. WILKIE
2001 WESTERN AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/08/07

December 8, 2006

Subject: Justification Letter
APN: 162-04-703-010

To whom it may concern:

We are asking for an
extension of time for SUP 4690
due to unfortunate financial
reasons

If you have any
questions please feel free to
contact me at #312-2435.

Sincerely,

Sandra Montgomery / Greater Nevada
Planning

RQR-18714
04/12/07 PC



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

HARRY BROWN
RENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

December 17, 2004

Mr. Richard E. Wilkie
1205 26th Street SW
Austin, Minnesota 55912

RE: SUP-4690 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF DECEMBER 15, 2004

Dear Mr. Wilkie:

The City Council at a regular meeting held December 15, 2004 APPROVED the request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2001 Western Avenue (APN 162-04-703-010), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on December 16, 2004. This approval is subject to:

Planning and Development

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
3. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements. In particular, the sign shall be oriented away from Interstate 15 so it cannot be read from the highway.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

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

VOICE 702.229.6011

TDD 702.386.9108

www.lasvegasnevada.gov
18112-001-6/04

RQR-18714
04/12/07 PC

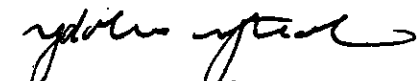
Mr. Richard E. Wilkie
SUP-4690 – Page Two
December 17, 2004

5. The off-premise advertising (billboard) sign support pole shall be designed to include finish materials to complement the existing on-site buildings.
6. Only one advertising sign is permitted per sign face.
7. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
8. If the off-premise advertising (billboard) sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising (billboard) sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
9. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

10. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

Sincerely,



Yvonne Yturraide
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

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

Ms. Lucy Stewart
2754 Highland Drive, Suite A
Las Vegas, Nevada 89109

Mr. Steve Raney
Las Vegas Billboards
5665 South Valley View Boulevard
Las Vegas, Nevada 89118

RQR-18714
04/12/07 PC



DEPARTMENT OF BUILDING & SAFETY-CITY OF LAS VEGAS, NEVADA

FOR INSPECTION CALL 229-2071

Approved Plans Must Be on Job Site During Construction

JOB-ADDRESS 1985 WESTERN AV

MAP NO. 2524 54 DATE ISSUED 08/18/05

DESCR. OF WORK 48' X 14' BILLBOARD SIGN

CONTRACTOR JONES MEDIA INC

LAS VEGAS BILLBOARD

OWNER

NOTICE: DO NOT COVER WORK REQUIRING INSPECTION UNTIL INSPECTION IS MADE. REQUIRED INSPECTION MAY VARY FROM THOSE DESIGNATED BELOW.

DESCRIPTION TYPE PERMIT NO.
BUILDING 05005837

Special Inspector Required

INSPECT	DESCRIPTION	APPROVED	DATE
☐ 101	FOOTING, LAYOUT, REBAR, ZONING		
☐ 201	UNDERGROUND ELECTRIC		
☐ 203	UNDER GROUND		
☐ 407	UNDER SLAB PLUMBING		
☐ 103	STEM WALL-FORMS & REBAR		
☐ 105	PRE SLAB		
☐ 131	WALL GROUT & STEEL		

Pour No Concrete Until Above is Signed

☐ 107	ROOF SHEATHING		
☐ 109	SHEAR		
☐ 220	ROUGH ELECTRICAL		
☐ 223	LOW VOLTAGE ELECTRIC		
☐ 320	ROUGH MECHANICAL		
☐ 420	ROUGH PLUMBING-TOP OUT		
☐ 120	FRAMING		
☐ 123	INSULATION		
☐ 126	HOOO SHAFT		

Do Not Sheetrock Until Above is Approved

☐ 125	DRYWALL NAILING		
☐ 127	CEILING GRID		
☐ 129	EXTERIOR LATH		
☐ 405	BUILDING SEWER (YARD LINES)		
☐ 240	FINAL ELECTRICAL		
☐ 340	FINAL MECHANICAL		
☐ 423	FINAL GAS TEST		
☐ 440	FINAL PLUMBING		
☐ 140	FINAL BUILDING		
☐ 150	OTHER BUILDING		
☐ 225	SIGN INSPECTION		
☐ 231	SERVICE CHANGE		
☐ 235	EMERGENCY ELECTRICAL TEST		
☐ 239	POLE/CONST. POWER		
☐ 250	OTHER ELECTRICAL		
☐ 305	HOOO		
☐ 323	MECHANICAL GAS LINE		
☐ 350	OTHER MECHANICAL		

INSPECT	DESCRIPTION	APPROVED	DATE
☐ 401	ON SITE SEWER (MAIN)		
☐ 403	ON SITE WATER		
☐ 441	IRRIGATION		
☐ 450	OTHER PLUMBING		
☐ 501	UNDER/ABOVE GROUND TANK		
☐ 503	HOOD SYSTEM		
☐ 505	UNDERGROUND FINAL FLOW		
☐ 507	SPRINKLER SYSTEM HYDRO/OVERHO		
☐ 509	FIRE ALARM SYSTEM		
☐ 513	EXTINGUISHING SYSTEM		
☐ 516	MEDICAL GAS		
☐ 517	LIQUID PETROLEUM GAS		
☐ 519	SUPERVISION/MONITORING		
☐ 540	FINAL FIRE		
☐ 543	KICKER/FLUSH (FIRE)		
☐ 545	UNDERGROUND HYDRO (FIRE)		
☐ 550	OTHER FIRE		
☒ 640	FINAL PLANNING		050806
☐ 650	OTHER		
☐ 901	POOL PRE-GUNITE		
☐ 903	POOL POOL GAS TEST		
☐ 905	POOL PRE-DECK		
☐ 910	POOL PRE-PLASTER/FINAL		
☐ 913	TRAILER		
☐ 938	CERT. OF COMPLETION		
☐ 939	TEMP CERT OF OCCUPANCY		
☐ 940	CERT. OF OCCUPANCY		
☐ 950	OTHER POOL		

Occupancy Approval

Planning Dept.
(229-6301)

Const. Serv.
(229-6137)

Fire Serv.
(229-2071)

050806 S. GEBERLE

Submitted at Planning Commission

Date 4/12/07 Item #79

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

RQR-18896 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: PEYMAN MASACHI - OWNER: RANCHO ALLEN, LLC - Required Two-Year Review of an approved Special Use Permit (U-0080-96) WHICH ALLOWED FOUR (4) 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS adjacent to the east side of Rancho Drive, south of Coran Lane (APN 139-19-705-001), C-2 (General Commercial) Zone, Ward 5.

IF APPROVED: C.C.: 05/16/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location, Aerial, Separation and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for RQR-5741

MOTION:

STEINMAN – APPROVED subject to conditions and adding the following conditions:

- The two remaining off-premises advertising billboard signs shall be removed upon the issuance of any grading permit for the site.
- Before the City Council hearing, the applicant will receive approval of the final inspection from the Building and Safety Department by getting a letter from a registered professional engineer in the State of Nevada saying the billboard is sound.
- Embellishments are to be removed within 90 days.
- UNANIMOUS with EVANS excused

To be heard by City Council on 5/16/2007

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 80 – RQR-18896

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated the signs are not in compliance with Condition 6 and noted the signs contain illegal embellishments. He recommended denial and pointed out the Commissioners had recommended approval on the last two reviews.

ATTORNEY BILL CURRAN, 300 South 4th Street, appeared on behalf of the applicant. He explained the owner had been unaware of any issues with the signs and assured the Commissioners that the applicant would address their concerns.

COMMISSIONER STEINMAN supported the inclusion of a condition requiring the removal of two signs prior to the issuance of any grading permits on the site. He also underscored the fact that the embellishments are a clear violation of the conditions and must be removed. ATTORNEY CURRAN pointed out the advertiser had installed the illegal embellishments, but acknowledged that the signs were his client's responsibility.

MARGO WHEELER, Director of Planning and Development Department, assisted COMMISSIONER STEINMAN in the crafting of the additional conditions and ATTORNEY CURRAN agreed to all conditions.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(11:39 – 11:43)

4-1180

CONDITIONS:

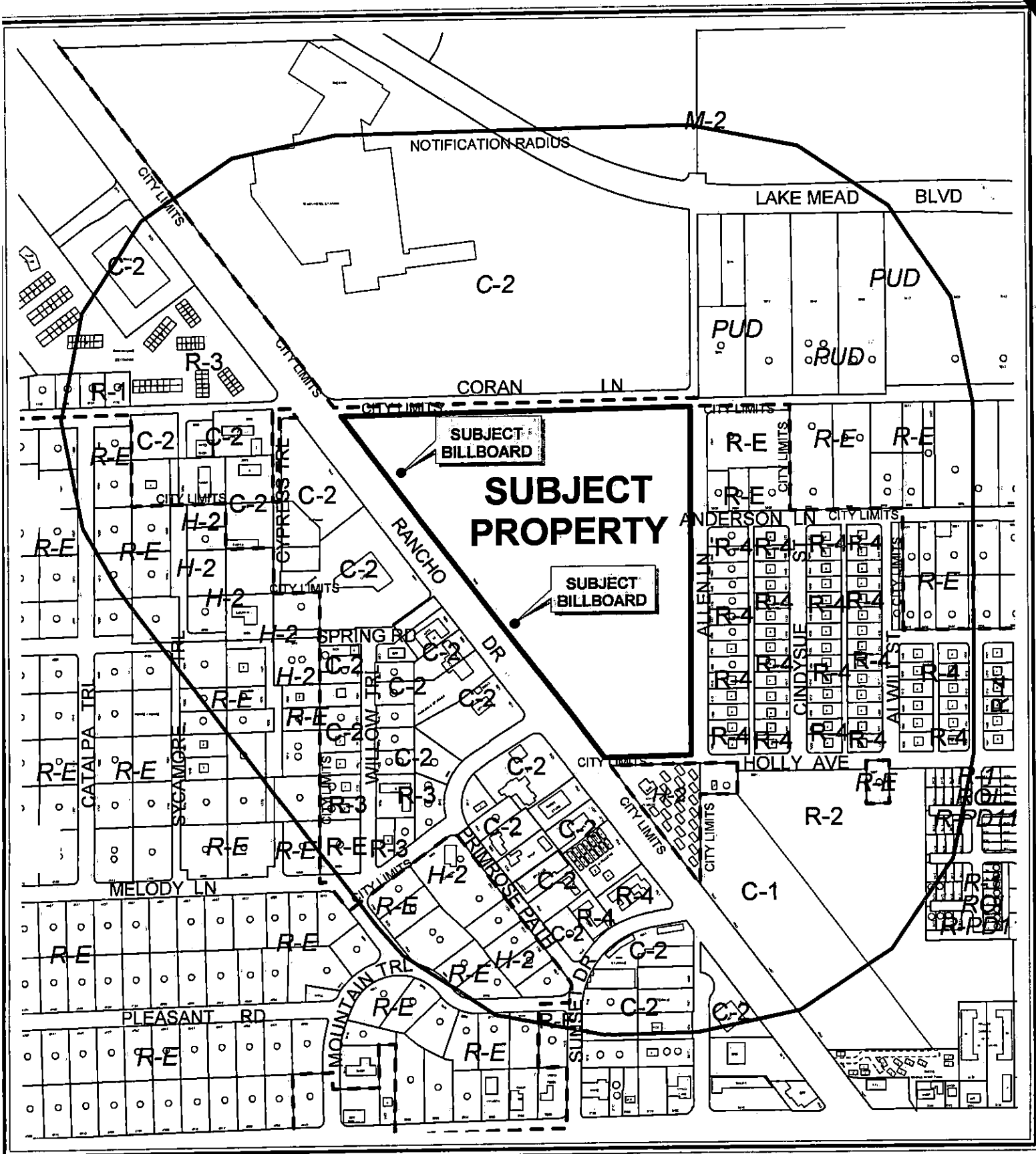
Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 80 – RQR-18896

CONDITIONS – Continued:

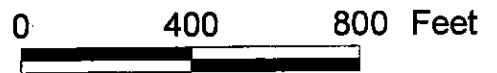
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (or Variance) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

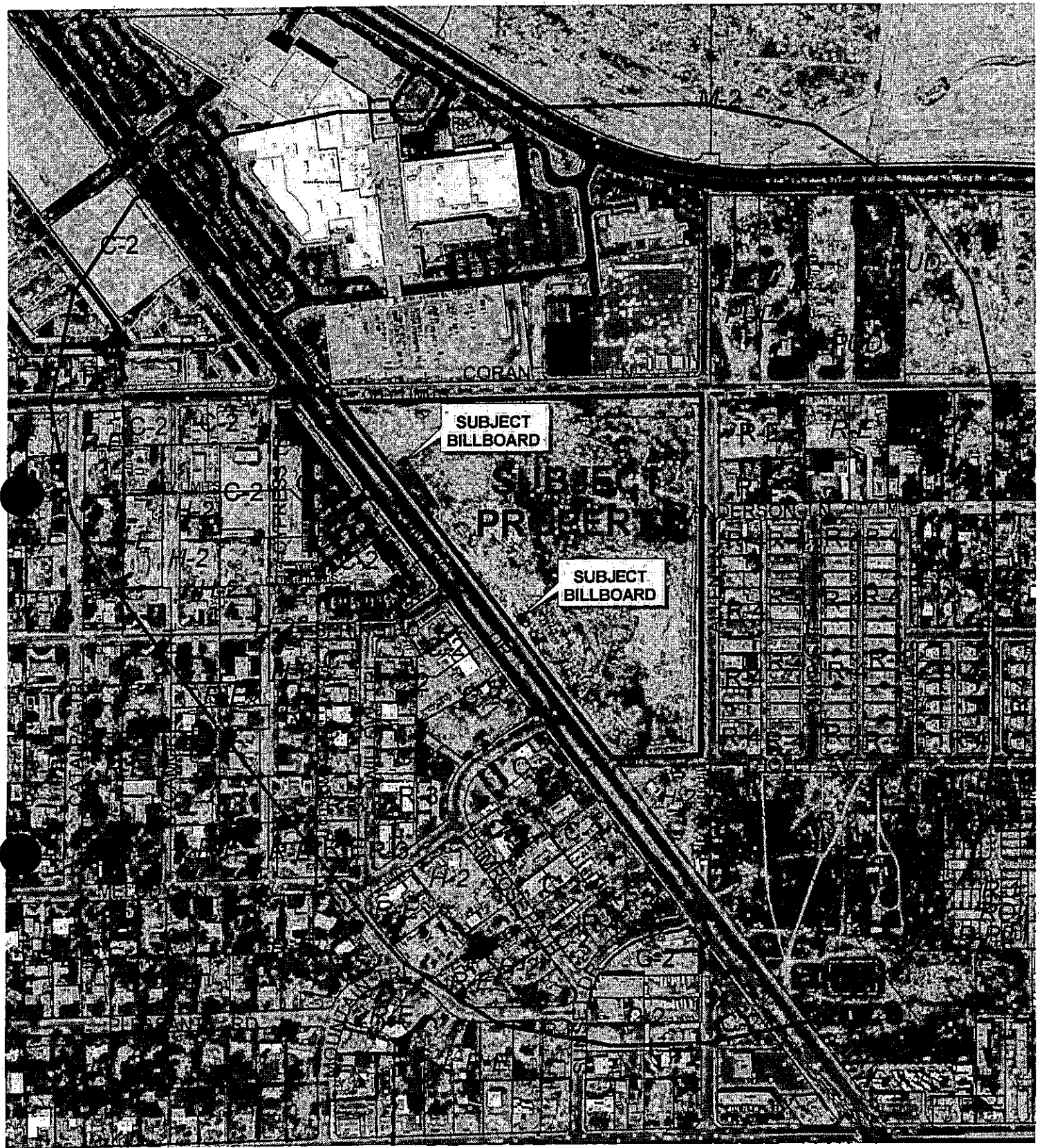


CASE: RQR-18896

RADIUS: 1000 FT

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

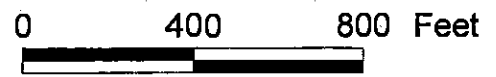


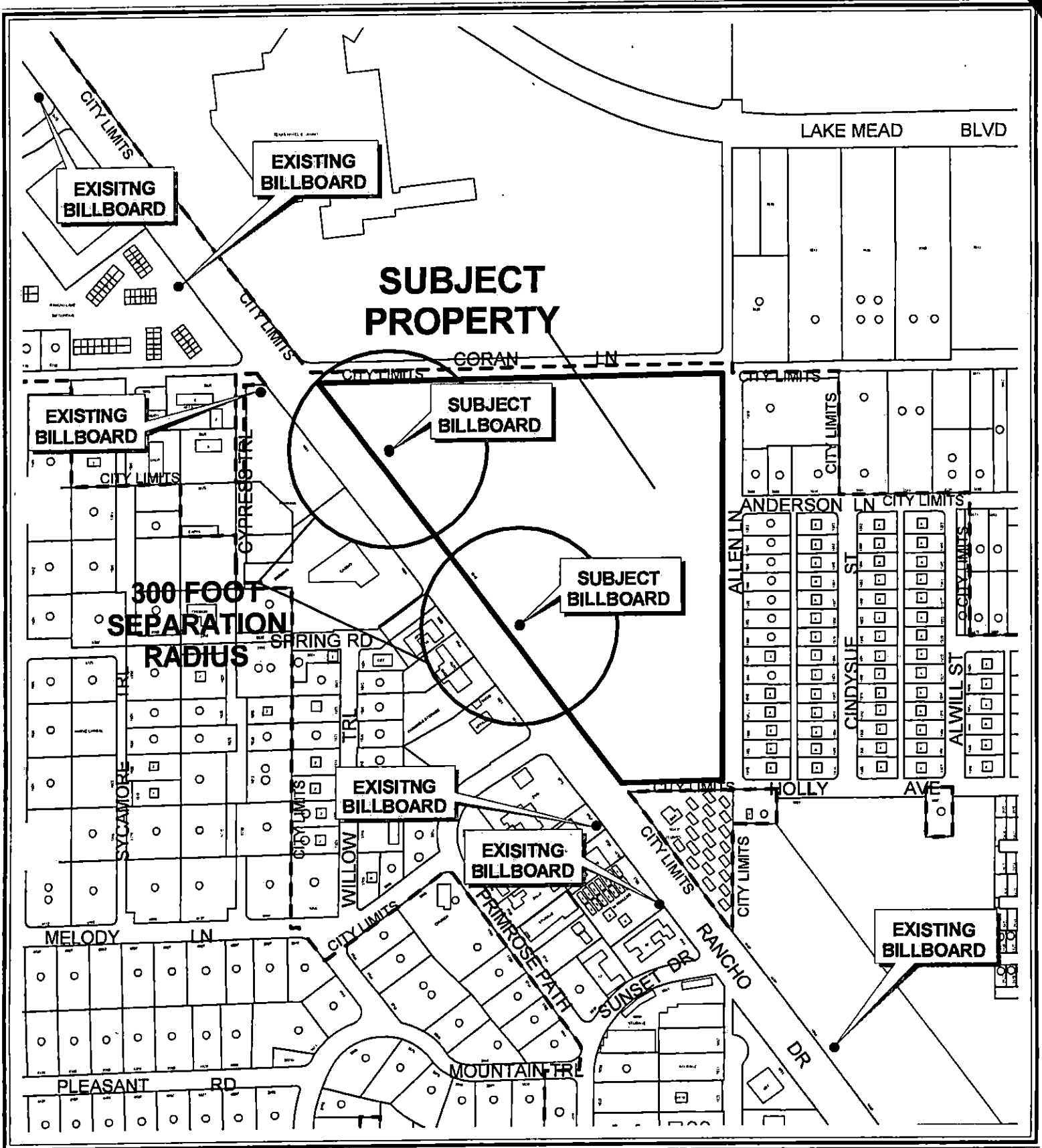


CASE: RQR-18896

RADIUS: 1000 FT

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

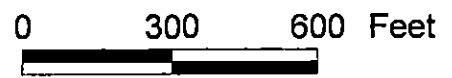


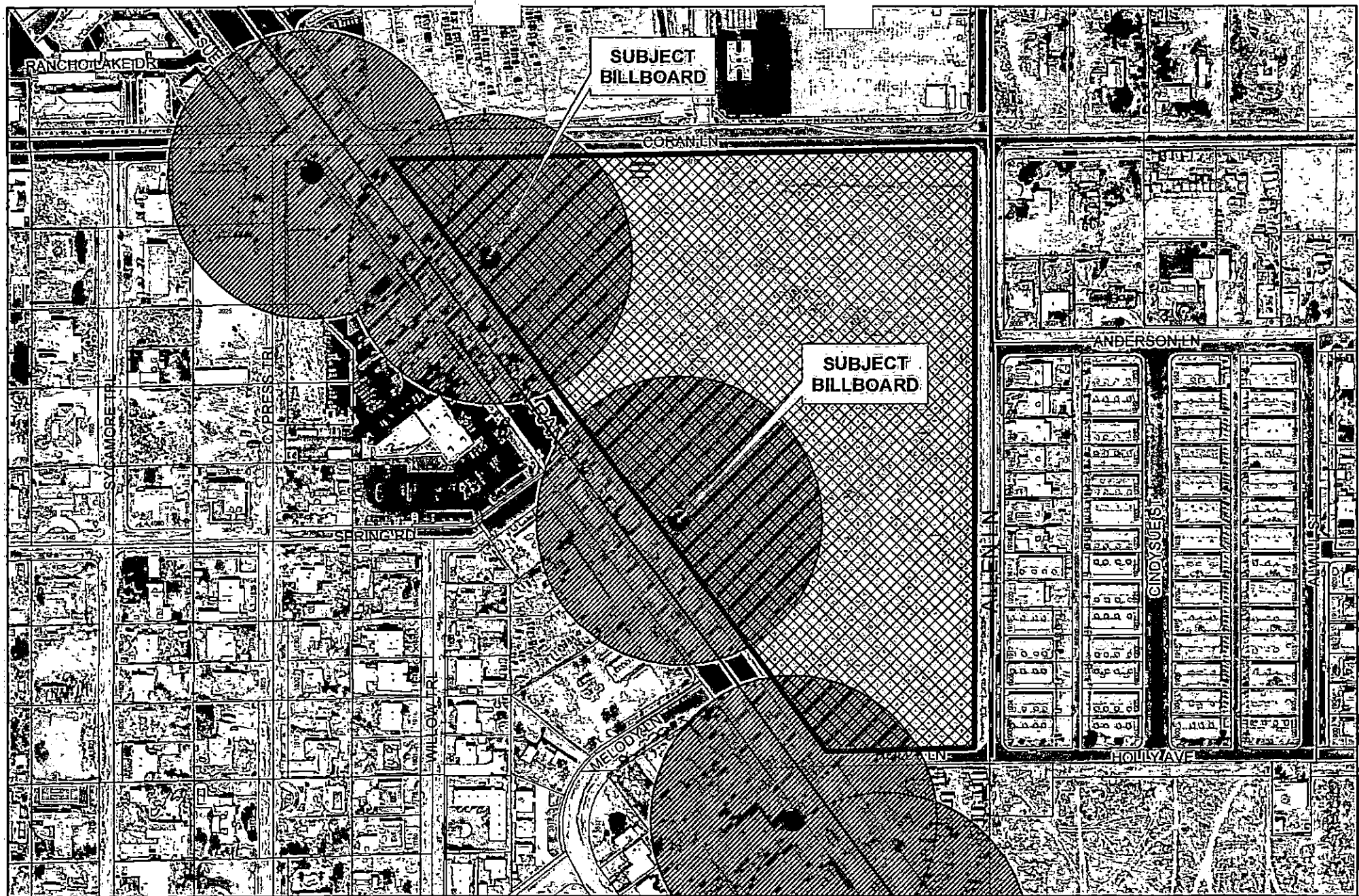


CASE: RQR-18896

SEPARATION RADIUS: 300 FT

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





RQR-18896

City of Las Vegas Billboard Data

- | | | |
|--------------------------------------|--|-------------------------------------|
| Subject Parcel | 300 Foot Buffer Around Billboard | Off Premise Sign Exclusion Area |
| City of Las Vegas Billboard Location | 750 Foot Buffer Around Freeway Billboard | Exempt - Off Premise Area Sign Area |
| Clark County Billboard Location | | |



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 12, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-18896 - APPLICANT: PEYMAN MASACHI / OWNER: RANCHO ALLEN, LLC**

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

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (or Variance) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RQR-18896 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Two-Year Review of an approved Special Use Permit (U-0080-96) which allowed four (4) 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Signs adjacent to the east side of Rancho Drive, south of Coran Lane.

The subject off-premise advertising (billboard) signs are not considered appropriate. There have not been final inspections conducted for the off-premise advertising (billboard) signs subsequent to the issuance of permits; therefore, all city requirements have not been satisfied. Additionally, both off-premise advertising (billboard) signs contain embellishments. Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg, etc.</i>	
02/18/87	The City Council approved a Variance (V-0012-87) for an Off-Premise (Billboard) Sign. The Zoning Board of Adjustment recommended approval on 02/26/87.
09/18/96	The City Council approved a Special Use Permit (U-0080-96) for an Off-Premise (Billboard) Sign. The Zoning Board of Adjustment recommended approval on 08/27/96.
11/07/01	The City Council approved a Required Five-Year Review [U-0080-96(1)] of the Special Use Permit (U-0080-96) which allowed the four Off-premises Advertising (Billboard) Signs on this site subject to a two-year review. The Planning Commission and staff recommended approval on 09/20/01.
03/02/05	The City Council approved a request for a Required Two-Year Review of an approved Special Use Permit (U-0080-96) which allowed four (4) 40-foot tall, 14-foot x 48-foot Off-premises Advertising (Billboard) Signs. The Planning Commission recommended approval. Staff recommended denial.
03/08/07	Site inspections were conducted and photographs were taken depicting embellishments on both signs.
<i>Related Building Permits/Business Licenses</i>	
12/12/96	Building permits were issued for the subject signs. Final inspections were not conducted.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this request, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this request, nor was one held.	

RQR-18896 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Net Acres	21.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	C-2 (General Commercial)
North	Casino	North Las Vegas	North Las Vegas
South	Trailer Park	SC (Service Commercial)	Clark County
East	Single Family Residential	GC (General Commercial) M (Medium Density Residential)	C-2 (General Commercial)
West	Commercial	M (Medium Density Residential) R (Rural Density Residential)	R-4 (High Density Residential) R-E (Residence Estates)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
West Las Vegas Plan	X		Y or N
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O Airport Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Off-Premise Advertising (Billboard) Sign	Minimum 300-foot distance separation from any other off-premise sign	400 feet to another Off Premise Sign; 680 feet between subject signs	Y

RQR-18896 - Staff Report Page Three
April 12, 2007 - Planning Commission Meeting

Separation from Residential	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	670 feet from existing "R" zoned property.	Y
Location	No off-premise sign may be located within the public right-of-way	Not in right-of-way	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-2 (General Commercial) zoning district	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The north and south faces are each 672 square feet.	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is set back approximately 300 feet from the nearest intersection.	Y
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Screened	Y
Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y

RQR-18896 - Staff Report Page Four
April 12, 2007 - Planning Commission Meeting

ANALYSIS

This is the third review of the subject Special Use Permit (U-0080-96). The original application approved a total of four off-premise advertising (billboard) signs on the subject property. Currently only two of those off-premise advertising (billboard) signs remain. This review will cover both of those off-premise advertising (billboard) signs.

Currently both of the subject off-premise advertising (billboard) signs contain embellishments on each sign face in the form of an additional message posted above the standard advertising space. It is also noted that, although building permits were issued for the off-premise advertising (billboard) signs, final inspections were not conducted. Therefore, all city requirements have not been satisfied. Denial of this request is recommended.

FINDINGS

The subject off-premise advertising (billboard) signs are not considered appropriate. There have not been final inspections conducted for the off-premise advertising (billboard) signs; therefore, all city requirements have not been satisfied. Additionally, both off-premise advertising (billboard) signs contain embellishments. Denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 450

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-18896** APN: 139-19-705-001
Name of Property Owner: Rancho Allen L.L.C.
Name of Applicant: Peyman Masachi
Name of Representative: _____

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

_____ Yes

_____ **X** _____ No

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

City Official: _____

Partner(s): _____

APN: _____

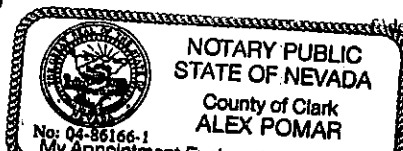
Signature of Property Owner: _____

Print Name: Peyman Masachi

Subscribed and sworn before me

This 20th day of DECEMBER, 2006

Notary Public in and for said County and State



1284'

CORAN LANE

300'

VACANT PROPERTY

PARCEL # 139-19-705-001

22.08 ACRES

675'

EXISTING

LOCATIONS

14'X 48' @ 40'

RANCHO DR.
1620'

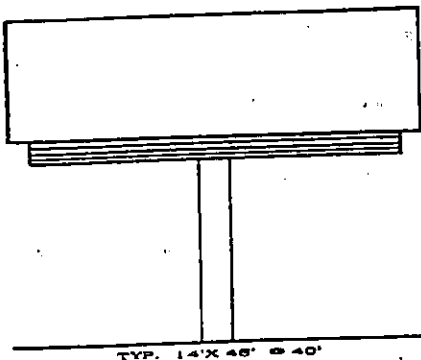
EAST ALLEN LANE

1301'

326'

RECT

DEC 2 1996



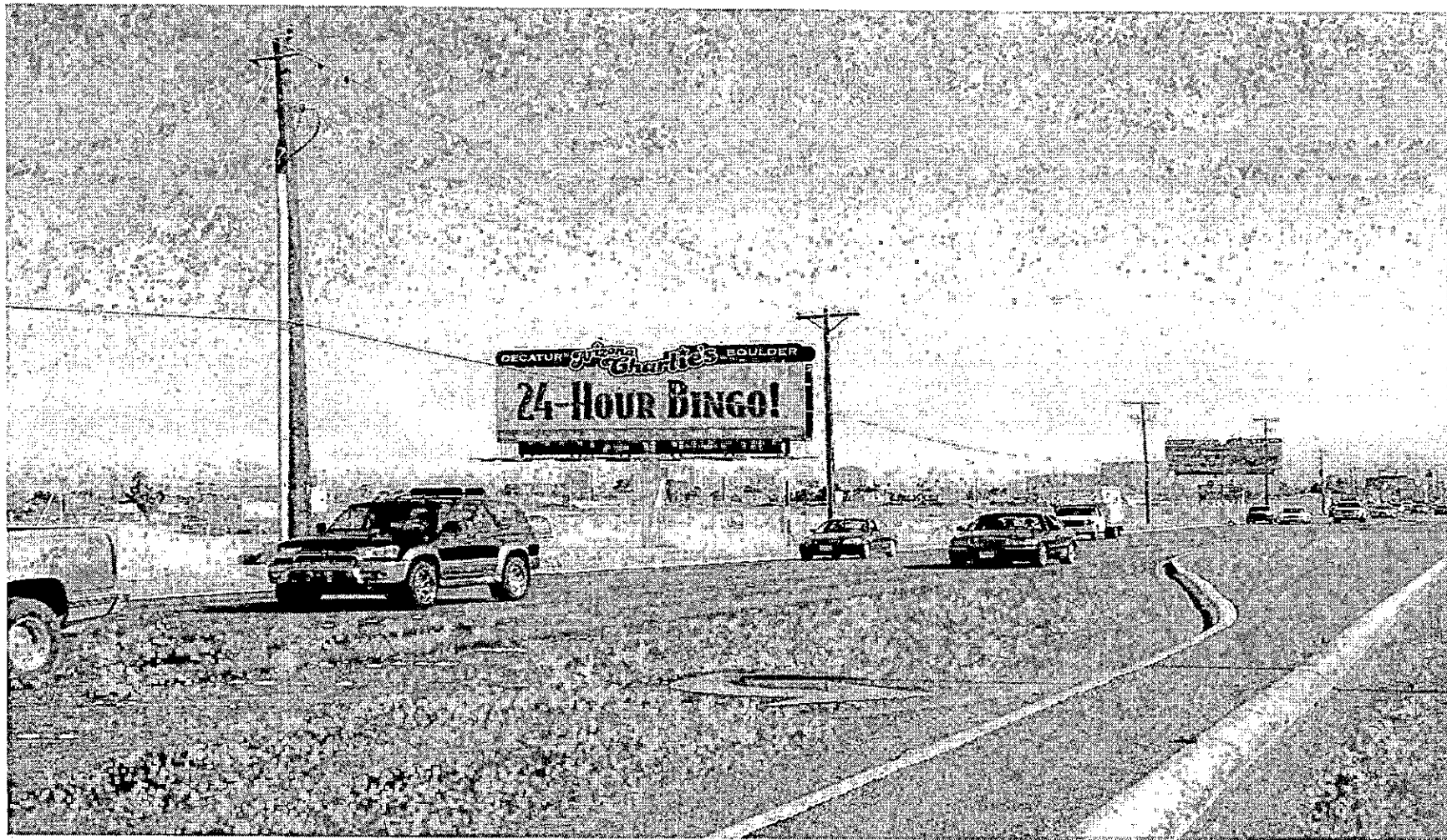
TYP. 14'X 48' @ 40'



1"=100'

RQR-18896

04/12/07 PC



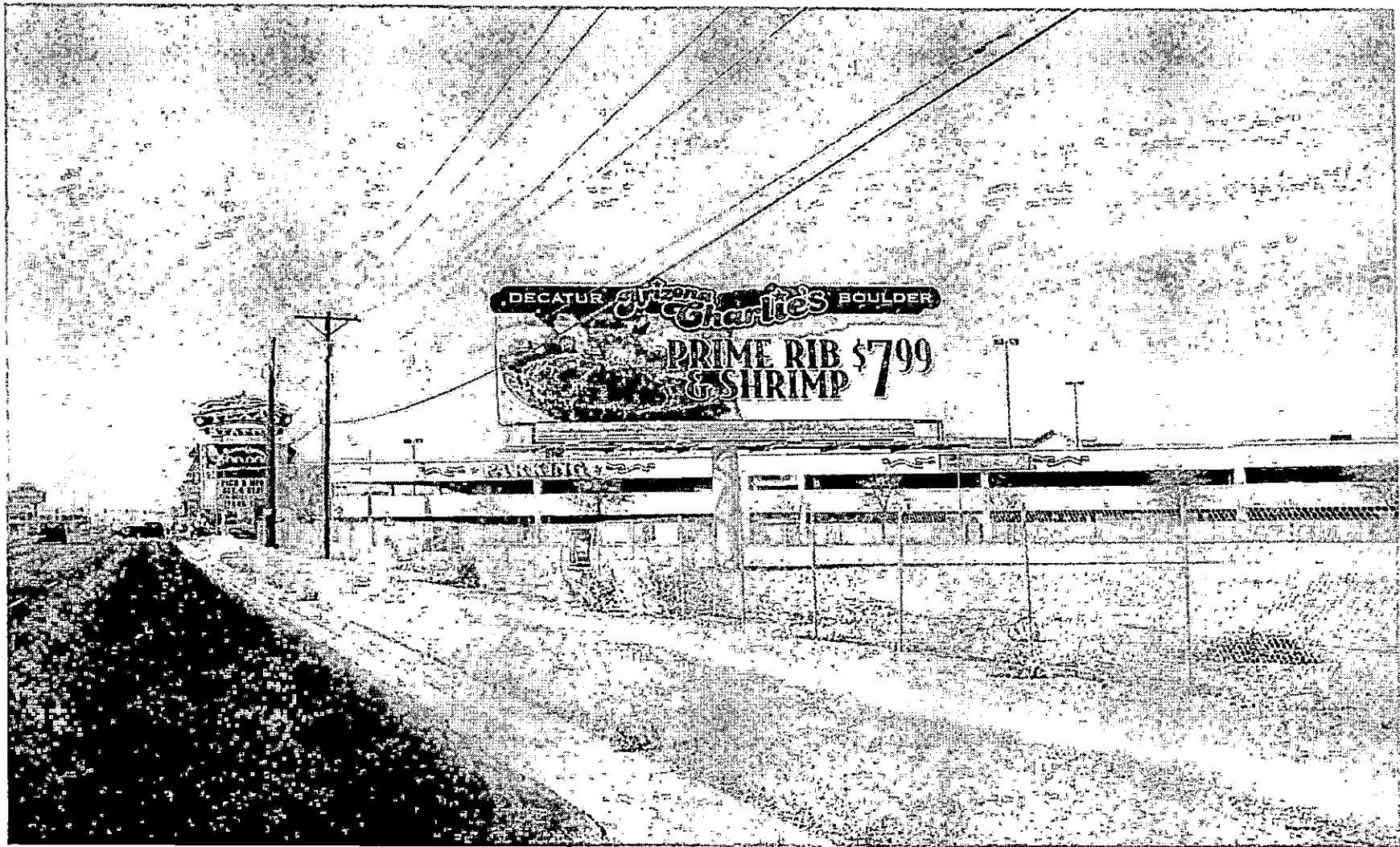
RQR-18896 - APPLICANT: PEYMAN MASACHI / OWNER: RANCHO ALLEN, LLC
EAST SIDE OF RANCHO DRIVE, SOUTH OF CORAN LANE
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



RQR-18896 - APPLICANT: PEYMAN MASACHI / OWNER: RANCHO ALLEN, LLC
EAST SIDE OF RANCHO DRIVE, SOUTH OF CORAN LANE
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



RQR-18896 - APPLICANT: PEYMAN MASACHI / OWNER: RANCHO ALLEN, LLC
EAST SIDE OF RANCHO DRIVE, SOUTH OF CORAN LANE
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



RQR-18896 - APPLICANT: PEYMAN MASACHI / OWNER: RANCHO ALLEN, LLC
EAST SIDE OF RANCHO DRIVE, SOUTH OF CORAN LANE
APRIL 12, 2007 PLANNING COMMISSION

03/08/07



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY

MICHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

April 15, 2005

Rancho Allen, LLC
270 East Flamingo Road, Suite #225
Las Vegas, Nevada 89109

RE: RQR-5741 - REQUIRED TWO YEAR REVIEW
CITY COUNCIL MEETING OF MARCH 2, 2005

Dear Applicant:

The City Council at a regular meeting held March 2, 2005 APPROVED the Required Two-Year Review of an approved Special Use Permit (U-0080-96) WHICH ALLOWED FOUR (4) 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS adjacent to the east side of Rancho Drive, south of Coran Lane (APN 139-19-705-001), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on March 3, 2005. This approval is subject to:

Planning and Development

1. This review applies to the two remaining Off-premises Advertising (Billboard) Signs on this site.
2. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-premises Advertising (Billboard) Sign is removed.
3. If the existing Off-premises Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-premises Advertising (Billboard) Sign shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
4. The Off-premises Advertising (Billboard) Signs and supporting structures shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-premises Advertising (Billboard) Signs.

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-1-05

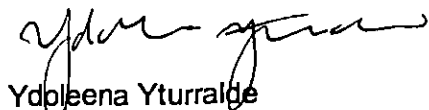
CIV 7000

RQR-18896
04/12/07 PC

Rancho Allen, LLC
RQR-5741 – Page Two
April 15, 2005

5. All City Code requirements and design standards of all City Departments shall be satisfied.
6. The two remaining off-premise advertising (billboard) signs shall be removed upon the issuance of any grading permit for the site.

Sincerely,



Ydoleena Yturralde
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk



M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Peyman Masachi
270 East Flamingo Road, Suite #225
Las Vegas, Nevada 89109

RQR-18896
04/12/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 12, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-19754 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NASIR KOSA - OWNER: ADMOOR YALDA - Request for a Special Use Permit FOR AN ACCESSORY PACKAGE LIQUOR OFF-SALE ESTABLISHMENT IN CONJUNCTION WITH AN EXISTING RETAIL BUSINESS at 1510 East Sahara Avenue (APN 162-02-411-019), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	139
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – Support petition with 139 signatures by Nasir Kosa

MOTION:

TRUESDELL – DENIED – UNANIMOUS with EVANS excused

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated the proposed use is too intense for the site and is not harmonious or compatible with surrounding land uses. He pointed out the applicant already has a license for beer and wine at this location and recommended denial.

PLANNING COMMISSION MEETING OF APRIL 12, 2007
Planning and Development Department
Item 81 – SUP-19754

MINUTES – Continued:

NASIR KOSA was present and submitted a support petition containing signatures from his customers.

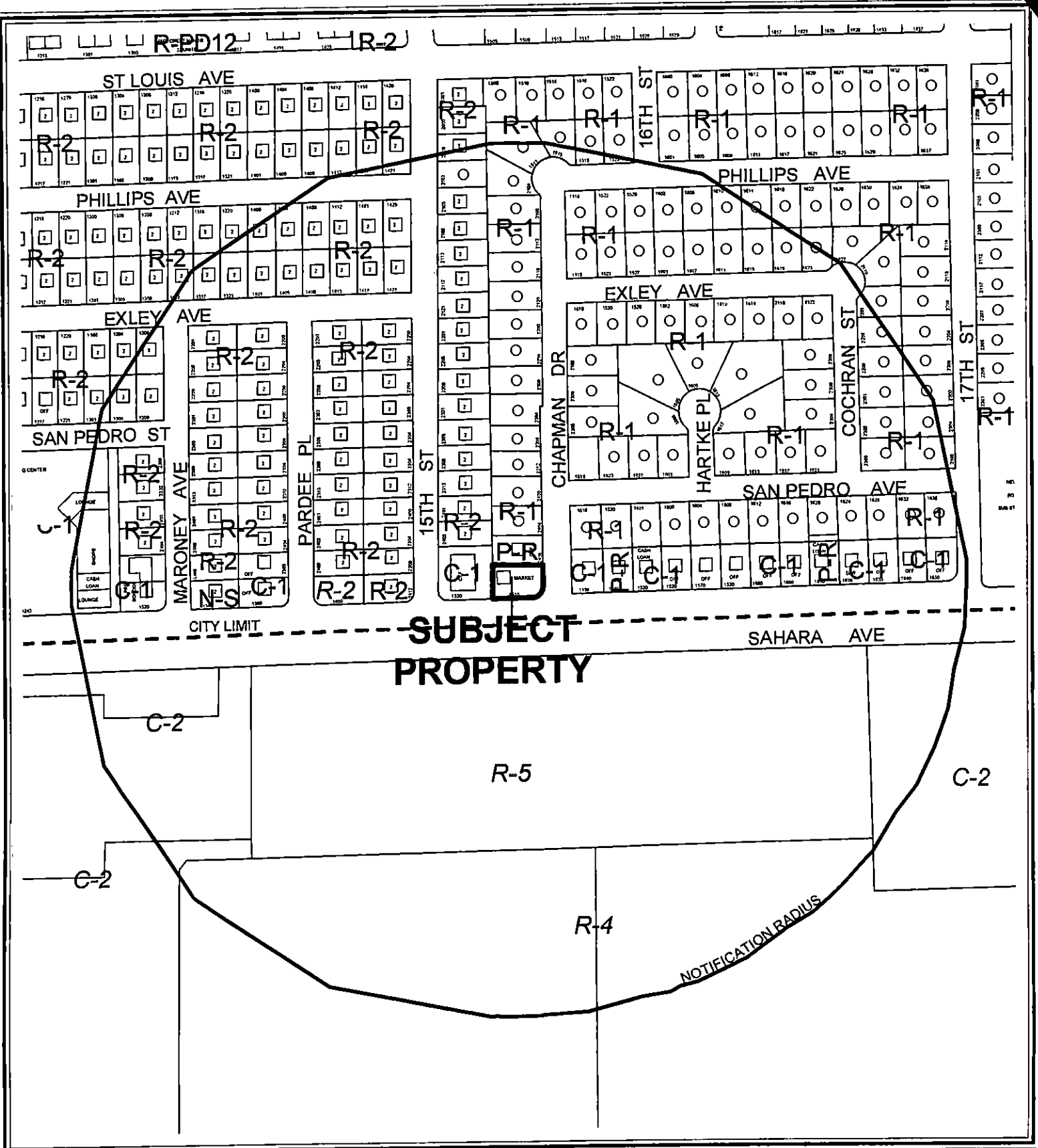
COMMISSIONER TRUESDELL expressed his opposition, stating this use is too intense and inappropriate for this area.

CHAIRMAN DAVENPORT observed that the applicant may exceed the permitted area for alcohol sales with this application and MR. RANKIN concurred. MR. KOSA explained that the liquor would be kept behind the counter and additional shelves would not be added for liquor display. CHAIRMAN DAVENPORT concurred with COMMISSIONER TRUESDELL and expressed his opposition to allowing this use in conjunction with beer and wine sales and check-cashing activities.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(11:43 – 11:48)

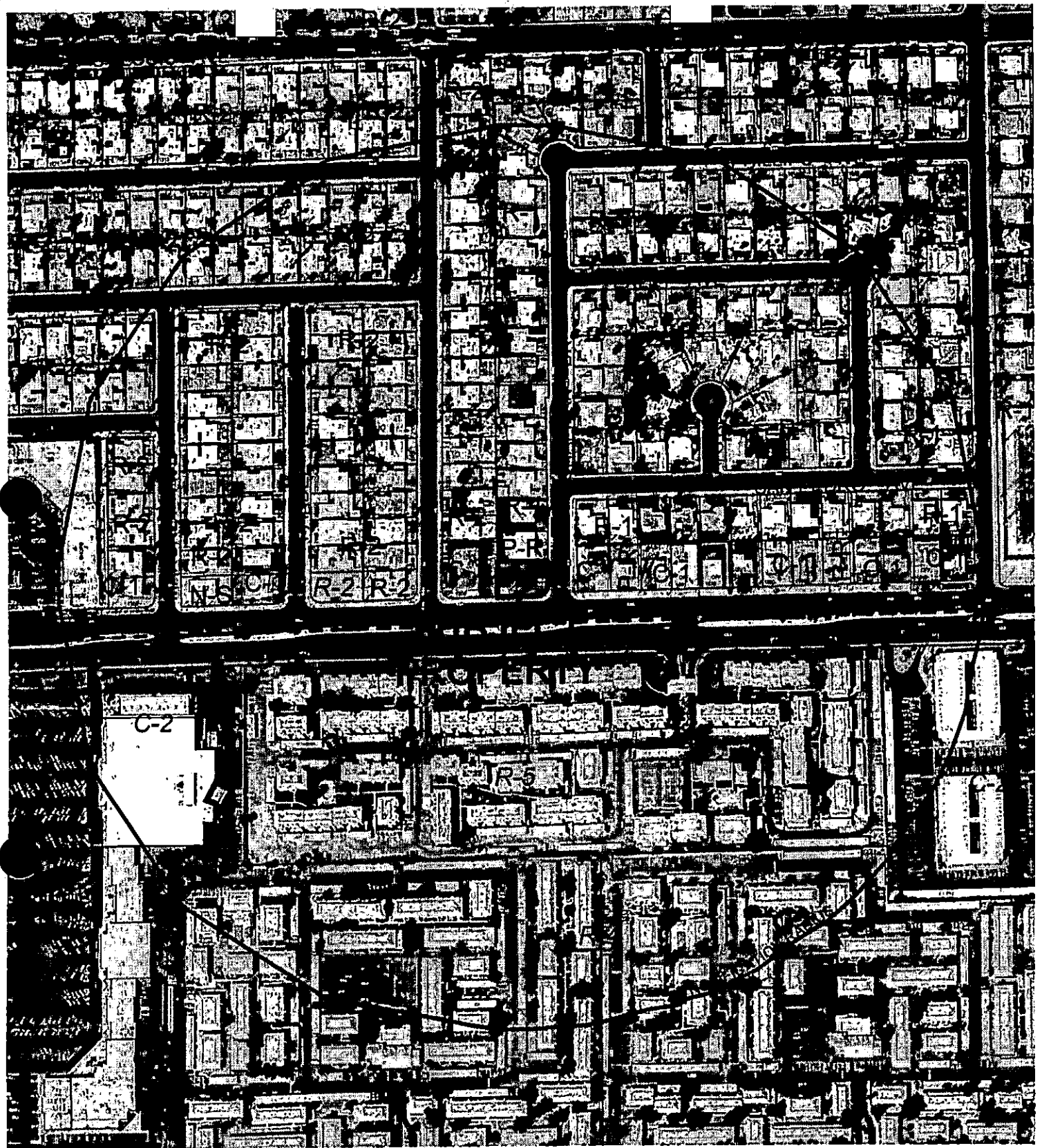
4-1330



CASE: SUP-19754

RADIUS: 1000 FT

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



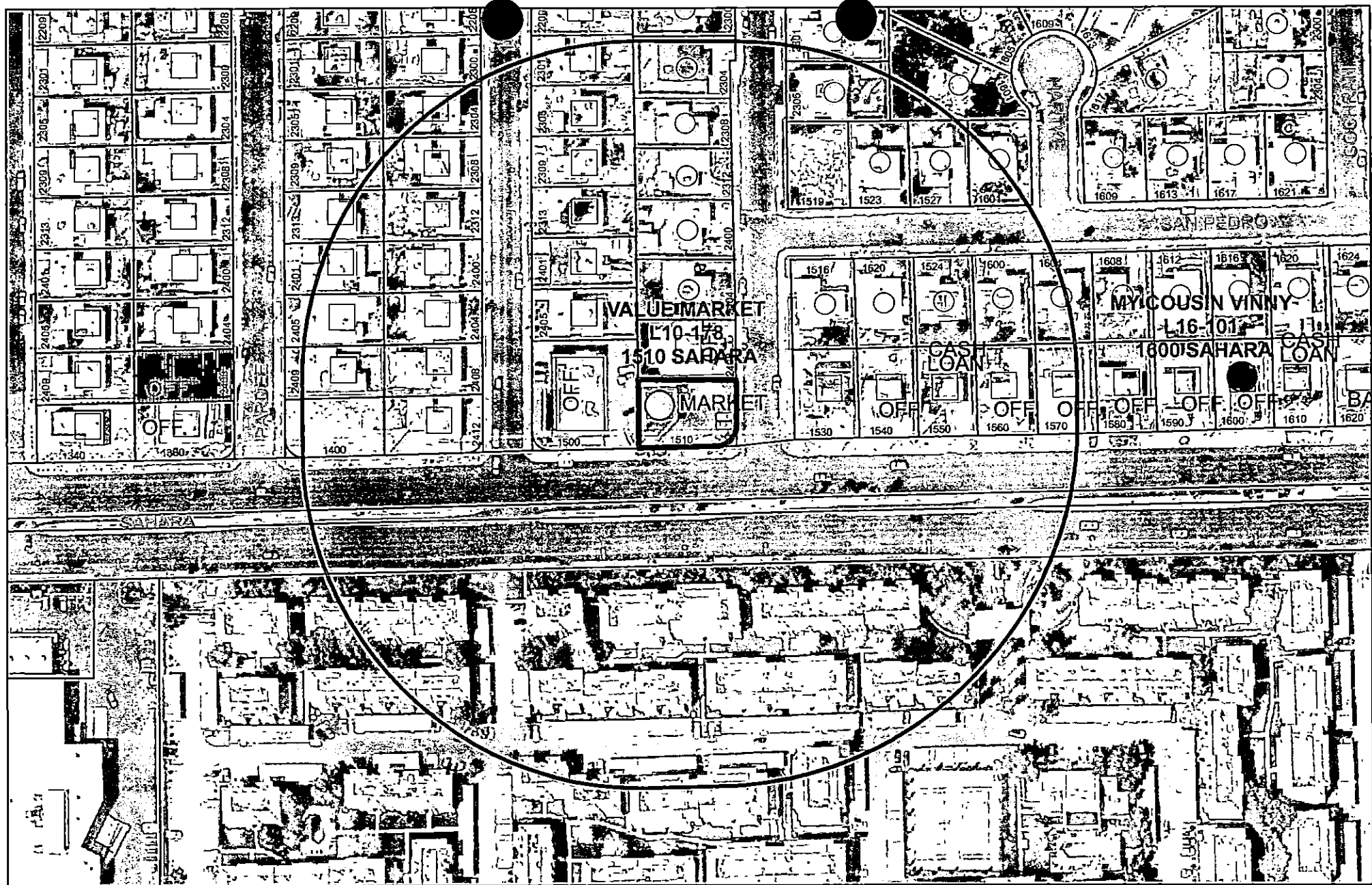
CASE: SUP-19754

RADIUS: 1000 FT

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

0 500 Feet





SUP-19754

Package Liquor Sales

Business Licenses

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

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 12, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-19754 - APPLICANT: NASIR KOSA - OWNER: ADMOOR YALDA

**** CONDITIONS ****

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0066-76) and Special Use Permit (U-0022-98) if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. 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.
7. No more than 10 percent of the retail floor space shall be devoted to the display of merchandising of alcoholic beverages.

SUP-19754 - Staff Report Page One
April 12, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit to add an Accessory Package Liquor Off-sale use in conjunction with an existing retail business at 1510 East Sahara Avenue that maintains an off-sale beer/wine/cooler sale use.

This request constitutes the third request for an increase in use. Because the applicant has not demonstrated that the proposed package liquor sales use will not be a detriment to the nearby residential areas staff has recommended denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/20/76	The City Commission approved a request for a Rezoning (Z-0066-76) from P-R (Professional Office and Parking) to C-1 (Limited Commercial).
3/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
4/27/98	The City Council approved a request for a Special Use Permit (U-0022-98) for the off-premise sale of beer and wine in conjunction with a proposed 2,600 square-foot convenience store.
1/25/99	The City Council denied a request for a Special Use Permit (U-0141-98) for packaged liquor sales in conjunction with an existing 2,600 square-foot convenience store.
9/06/99	The City Council approved General Plan Amendment (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.
9/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Southeast Sector Area as described in the Plan.
9/18/02	The City Council denied a request for a Special Use Permit (U-0072-02) for the sale of packaged liquor for off-premises consumption on the subject property. The Planning Commission and staff recommended denial.
4/12/04	Code Enforcement Case #12506: Property owner cited for illegal signs, weeds, trash/debris, refuse, graffiti, vagrants. Case resolved 4/26/04.
9/16/04	Code Enforcement Case # 21731: Property owner cited for dilapidated chain link fence. Case resolved 9/24/04.
9/08/05	Code Enforcement Case # 35357: Property owner cited for graffiti on side of building. Case resolved 9/27/05.

SUP-19754 - Staff Report Page Two
April 12, 2007 - Planning Commission Meeting

3/01/06	The City Council approved General Plan Amendment (GPA-10477) to Amend a portion of the Southeast Sector Plan of the General Plan from O (Office) to SC (Service Commercial) at 1510 East Sahara Avenue. The City Council also approved an additional request for a Special Use Permit (SUP-9615) for a proposed Financial Institution, Specified, and for Waivers from the 200-foot distance separation requirement from a residential use and from the 1,000-foot separation requirement from another Financial Institution, Specified at 1510 East Sahara. The Planning Commission recommended approval; staff recommended denial.
Related Building Permits/Business Licenses	
5/15/98	Plan Check #L-2008-98 issued for tenant improvement for 2,600 SF retail store. Project completed 6/08/98.
10/9/98	Certificate of Occupancy issued for 2,600 SF retail space at 1510 East Sahara Avenue.

Pre-Application Meeting	
2/5/07	A pre-application meeting was held with staff to discuss the requirements for an additional Special Use Permit for package liquor sales to an existing retail establishment that already has entitlements for a Beer/Wine/Cooler off-sale use. Staff
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	0.20 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
North	Office	O (Office)	P-R (Professional)
South	Clark County (Multi-Family)	Clark County	Clark County
East	Office	O (Office)	C-1 (Limited Commercial)
West	Office	O (Office)	C-1 (Limited Commercial)

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April 12, 2007 - Planning Commission Meeting

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

ANALYSIS

- Zoning/Use**

Per Title 19.04, a Retail Establishment with Accessory Package Liquor Off-Sale use is allowed only with an approved Special Use Permit in the C-1 (Limited Commercial) zoning District. Staff finds the proposed use inappropriate for this location. A residential neighborhood, known as the Francisco Park subdivision, is located within one hundred feet north of the subject site. Other uses surrounding the site include an office directly to the north, a retail shop to the west and an apartment complex located in Clark County to the south. Staff finds that the addition of a package liquor off-sale use is too intense in use from the established beer/wine/cooler sales use approved by Special Use Permit U-0022-98.

- Minimum Conditions for:**

RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFFSALE [C-1, C-2, C-M, M]

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

- *1. Except as otherwise provided in this Chapter, no retail establishment accessory package liquor off-sale (hereinafter "establishment") shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children, or City park.

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April 12, 2007 - Planning Commission Meeting

- *2. Except as otherwise provided in Paragraph 3 below, the distances referred to in Paragraph 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
 - a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph 1.
- *3. In the case of an establishment property to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
 - a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
 - b. In the case of a proposed establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property lines of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.
- 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

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April 12, 2007 - Planning Commission Meeting

- b. A proposed establishment having more than fifty thousand square feet of retail floor space.
- *6. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.
- 7. The minimum distance requirements set forth in Paragraph 1, which are otherwise nonwaivable under the provisions of this subdivision, may be waived:
 - a. In accordance with the provisions of Section 19.040.050(A)(4) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;
 - b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan; or
 - c. In connection with a retail establishment having less than twenty thousand square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or right-of-way with a width of least one hundred feet.

Conditions denoted with an asterisk cannot be waived.

This request constitutes the third request for such increase in use and the applicant has not demonstrated that the proposed package liquor sales use will still not be a detriment to the nearby residential areas. Therefore staff is recommending denial.

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."**

SUP-19754 - Staff Report Page Six
April 12, 2007 - Planning Commission Meeting

Staff does not find the proposed additional package liquor use appropriate for this location nor is it harmonious and compatible with the existing surrounding land uses. A residential neighborhood is within one hundred feet north of the subject site. Staff finds the sale of package liquor is a more intense type of alcohol sales than the already approved Special Use Permit (U-0022-98) for beer and wine sales. Also, the applicant has not demonstrated that the proposed package liquor sales use will not be a detriment to the nearby residential areas. Therefore, staff is recommending denial.

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

This business, classified as a convenience store, has already been approved for the sale of beer and wine (off-premise consumption) that utilizes at least 10% of the floor display area. Staff finds that the proposed package liquor use is not suitable for this site due to the close proximity to a residential neighborhood and therefore recommends denial of the request.

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

The site is served by Sahara Avenue, defined as a 150-foot-wide Primary Arterial by the Master Plan of Streets and Highways. Staff finds the street facilities adequate to meet the requirements of the proposed use.

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

The sale of package liquor is a considerable increase in use than what has been currently allowed. Staff finds that this proposed increase in use would compromise public safety or the perception of a safe environment by the general public; therefore, denial of this request is recommended.

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

The requested Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale meets all conditions as listed in Title 19.04

SUP-19754 - Staff Report Page Seven
April 12, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 189

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-19754** APN: _____

Name of Property Owner: Admoon C. YALDA

Name of Applicant: MAJIR KASA

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: _____

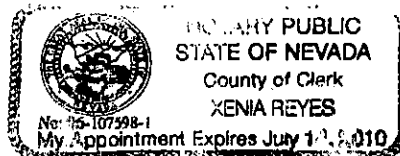
Signature of Property Owner: Admoon C. YALDA

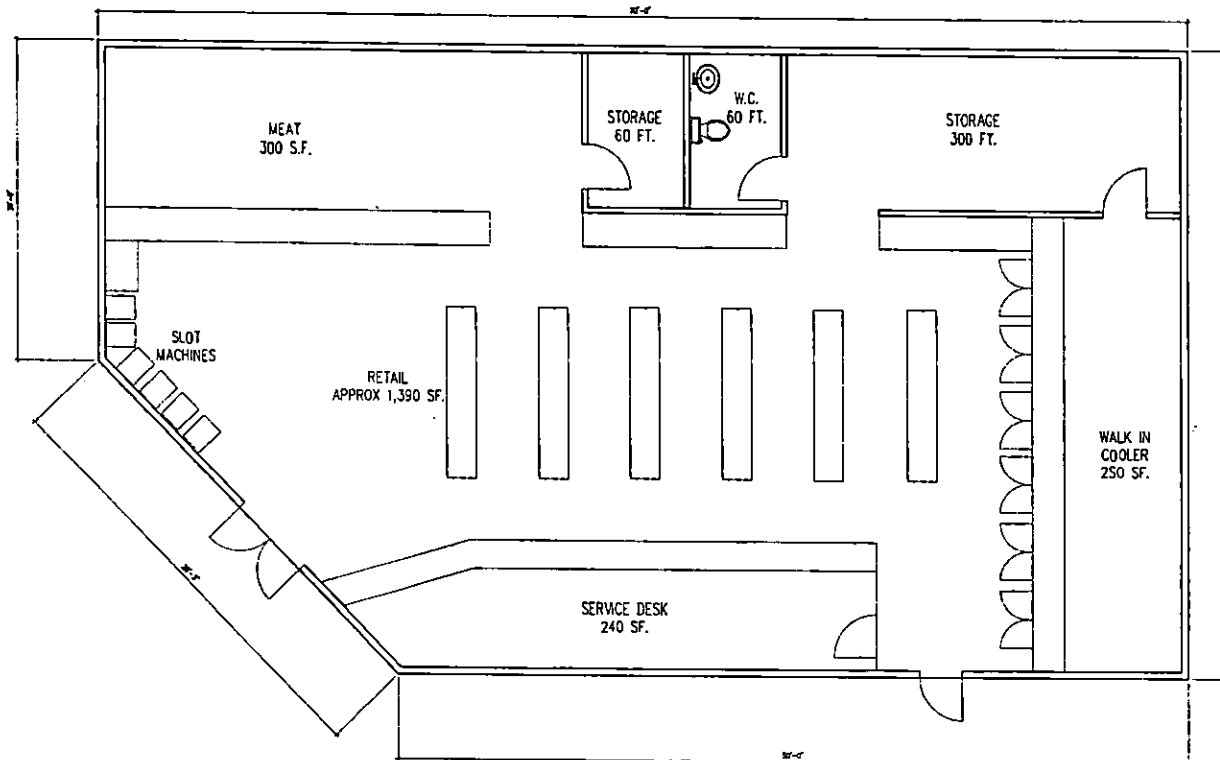
Print Name: Admoon C. YALDA

Subscribed and sworn before me

This 16 day of December, 2016

Xenia Reyes
Notary Public in and for said County and State





FLOOR PLAN
SCALE 1/4" = 1'-0" → NORTH

RECEIVED

FEB 8 2007

SUP-19754

04/12/07 PC

ARCHITECT
MAJED A. KHAYE, AIA
1000 W. 10TH
LAS VEGAS, NV 89104
PHONE 702-735-1111

S.E.

COMMENTS

PROJECT NO. 07-01
DESIGN BY: ME
CHECKED BY: ME
DATE: 01/11/07
PROJECT NAME: VALUE MARKET
1310 EAST SAHARA
LAS VEGAS, NV 89104
PARCEL NO. 162-02-411-019

REV. LOG

PROJECT NO. 07-01

DESIGN BY: ME

CHECKED BY: ME

DATE: 01/11/07

PROJECT NAME: VALUE MARKET

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LAS VEGAS, NV 89104

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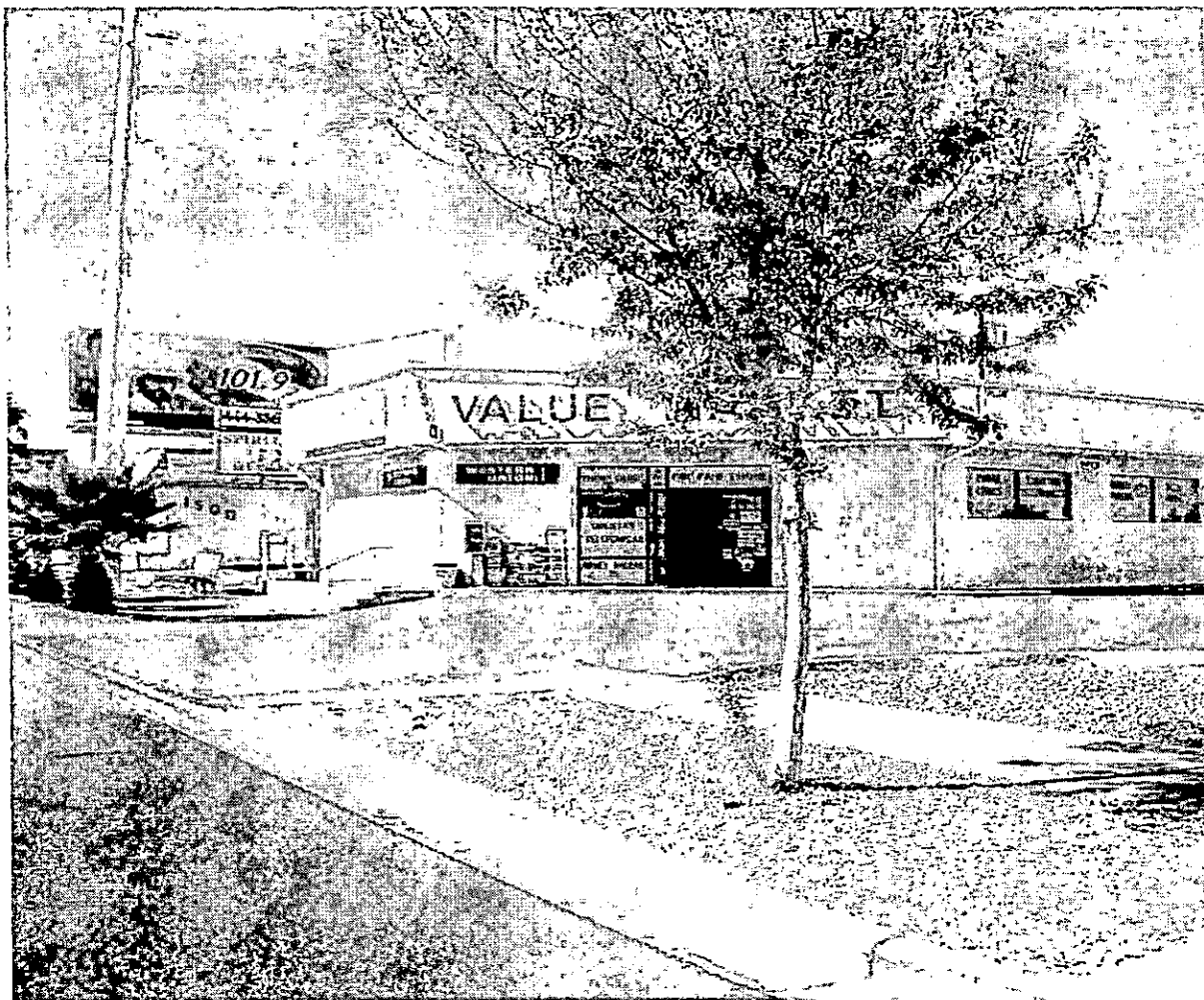
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LAS VEGAS, NV 89104

PARCEL NO. 162-02-411-019

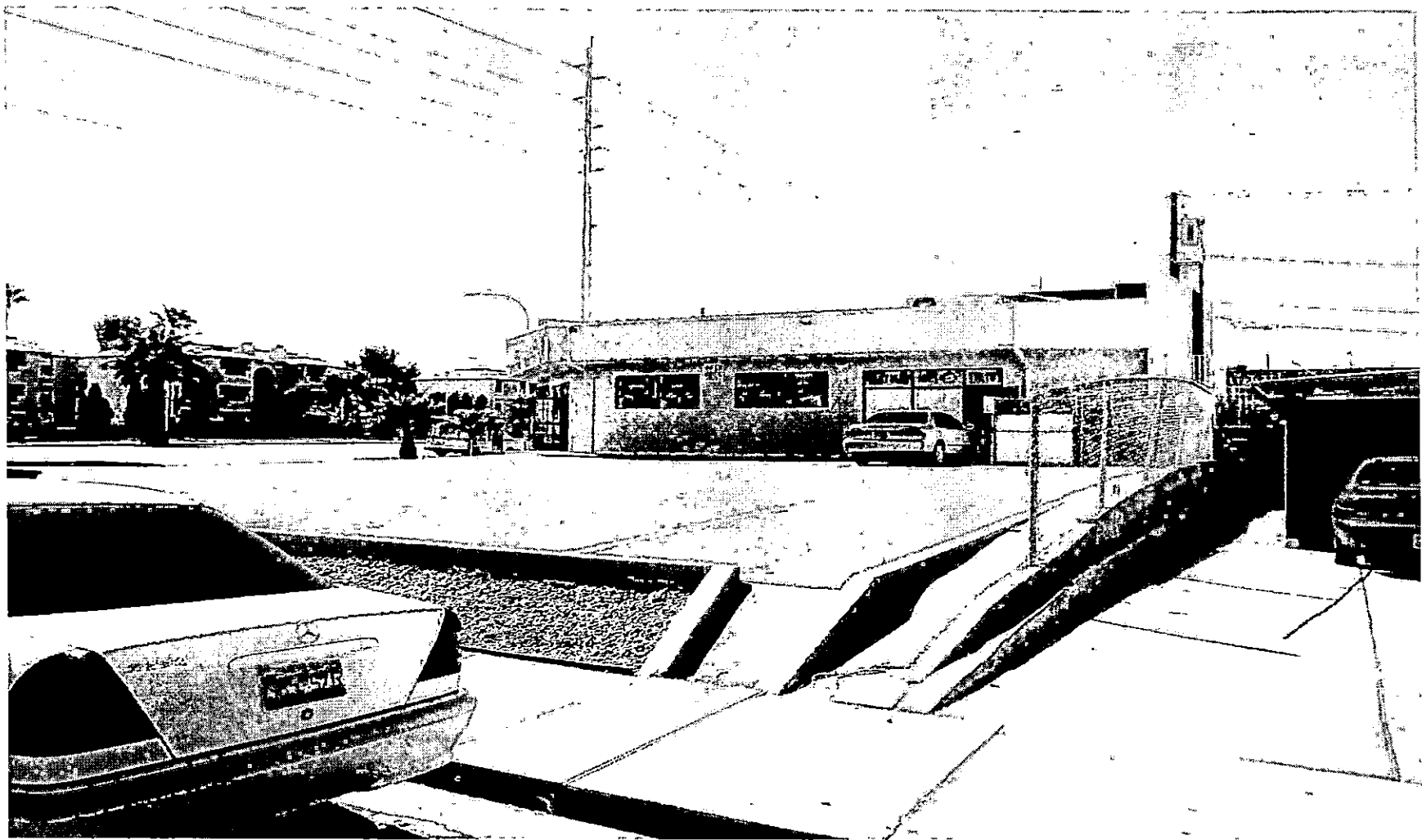
FLOOR PLAN

3



SUP-19754 - APPLICANT: NASIR KOSA - OWNER: ADMOOR YALDA
1510 EAST SAHARA AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/12/07



SUP-19754 - APPLICANT: NASIR KOSA - OWNER: ADMOOR YALDA
1510 EAST SAHARA AVENUE
APRIL 12, 2007 PLANNING COMMISSION

03/12/07

TO WHOM IT MAY CONCERN

I, Nasir Kosa owner of Value Market located at 1510 East Sahara, Las Vegas, Nevada 89104. I would like to apply for hard liquor license due to my Customers' request, because they like to do all their shopping in one store; so I would like to provide them with that type of convenience.

I have been in convenience store with liquor business since year 2000 and I have always obeyed the law.

At my current store as above, we feature the following items:

1. Groceries plus fresh vegetables and fruits
2. Gaming
3. Check cashing
4. Beer and Wine
5. Full line of fresh meat

I am hoping to add hard liquor as well.

I remain,

Truly Yours,

Nasir Kosa

Nasir Kosa 2-5-07

**SUP-19754
04/12/07 PC**

04-06-2007

I strongly suggest that Mr. Kosa at VALUE MARKET obtain a package liquor license to make his great store be one stop shopping.

First Name	Last Name	Address	City	State	Zip	Phone Number	Signature
Luis	Gallegos	1616 San Luis	LV	NV	89103	994-5124	Luis B.
CLIFF	BUSHILL	1655 E. Sahara	LV	NV	89104	765-6097	Cliff Bushill
Rick	Loyd	1708 E. SAINT LOUIS	LV	NV	89104	697-0684	Rick Loyd
FRANKIE	SEPULVEDA	3642 Boulevard	LV	NV	89104	121	Frankie
IVAN	BRUCE	4297 Vegas Valley	LV	NV	89102	727-0167	Ivan Bruce
Rock	Hopkin	1030 Sweeney	LV	NV	89104	474-0804	Rock Hopkin
Aisha	Douglas	2650 Sherwood	LV	NV	89109	702-6961036	Aisha Douglas
RAFAEL	MORALES	1655 E. SAHARA	LV	NV	89104	782-860530	Rafael Morales
Santiago	Puvalcaba	2665 S BRUCE #111	LV	NV	89169	702-4192673	Santiago Puvalcaba
ALBERTO	GARCIA	2665 S BRUCE #140	LV	NV	89116	401-4800	Alberto Garcia
Glenn	McClatchey	2307 S 15th ST	LV	NV	89104	513-5263	Glenn McClatchey
Jose	Pineda	1655 E. Sahara 2096	LV	NV	89104	413-5838	Jose Pineda
Kelston	JOHNSON	6946 KILBOE	LV	NV	89115	437-7091	Kelston Johnson
Steve	Schwartz	1655 E. Sahara #2110	LV	NV	89104	292-8866	Steve Schwartz
Charles	Miguel	65109 E. Russell	LV	NV	89112	202-1781	Charles Miguel
Wanda	Smith	1655 E. SAHARA	LV	NV	89104	860-2288	Wanda Smith
REMON	RINGS	2029 17th St	LV	NV	89101	513-8252	Remon Rings
Eliaz	Castaneda	1808 Santa Paula	LV	NV	89109	908-8501	Eliaz Castaneda
Alfredo	Jimenez.M	2209 MONTEREY	LV	NV	89104	935-0502	Alfredo Jimenez.M

Date 4/12/07 Item # 89
Submitted at Planning Commission

Customers of VALUE MARKET Located at 1510 E. Sahara Ave, Las Vegas, NV. 89104

04-06-2007

I strongly suggest that Mr. Kosa at VALUE MARKET obtain a package liquor license to make his great store be one stop shopping.

First Name	Last Name	Address	City	State	Zip	Phone Number	Signature
Antonio	Martinez	1655 E. Sahara	Las Vegas	NV	89104	406-5813	Antonio M.
Henry	Diaz	1655 E Sahara	LV	NV	89104	6977925	Henry Diaz
RONALD	KINDRED	539 E. Brown Ave H 110	LV	NV	89104	882-4423	Ronald Kindred
Angel	Rodriguez	1655 E. Sahara Apt 3083	LV.	NV	89104	444-9497	Angel R.
ORLANDO	GREEN	1655 E. Sahara	LV	NV	89104	6977085	Orlando G.
WILLIE	MORIN	1500 E. Sahara	LV	NV	89104	204-4341	Willie M.
LUIS	BONILLA	1617 SAN PEDRO AV.	LV	NV	89104	733-9512	Luis B.
JAI	MALIAZ-NAVARRO	2304 CHAPMAN DR LV NV	LV	NV	89104	510-2023	Jai M.
Rigo	Rendon	2845 S. Mojave Rd	LV	NV	89121	457-6840	Rigo R.
ALFONSO	MARTINEZ	1655 E SAHARA	LV	NV	89104	4066813	Alfonso M.
Hidabelga	TRUJILLO	1403 E. KEY AVE.	LV.	NV	89104	733-3461	Hidabelga T.
KYONG	KWAN	12 Holston Hills Rd	LV	NV	89102	400-6483	Kyong K.
ROLANDO	MASCARO	1750 E KAREN AVE. 311	LV	NV	89109	4394759	Rolando M.
11030	MARILYN	3107 DEER LANE	LV	NV	89126	4509842	Marilyn M.
	BARBARA	5613 CORAL AVE	LV	NV	89108	2528905	Barbara B.
DONALD	JOHNSON	6496 Lone Peak Way	LV	NV	89156	292-5899	Donald J.
Michael	NAMKHAM	2305 S. 15 ST	LV	NV	89104	419-9374	Michael N.
JOE	LEON	2130 BOWLING	LV.	NV	89142	477-0897	Joe L.
Cesar	Martinez	1900 E Tropicana	LV	NV	89114	372-1268	Cesar M.

Customers of VALUE MARKET Located at 1510 E. Sahara Ave, Las Vegas, NV. 89104

04-06-2007

I strongly suggest that Mr. Kosa at VALUE MARKET obtain a package liquor license to make his great store be one stop shopping.

First Name	Last Name	Address	City	State	Zip	Phone Number	Signature
Nancy	METZ	1708 E. St. Louis	LV	NV	89104	697-0684	Nancy Metz
ADRIAN	KONZALEZ	1055 E SAHARA	LV	NV	89104	944-9515	Adrian
NAUMEN	ALVAREZ	2011 S 15TH ST	LV	NV	89104	650-2813	Naumen
MAKIO	CORDOVA	2300 S 15TH	LV	NV	89104	684-0810	Makio
J	MILRO	7-329498	LV	NV	89104	733-9118	J
ESMAN	FLORES	1328 BONITA AVE	LV	NV	89104	581-9363	Evan Flores
Glicerio	ESTERER	202403 15th S	LV	NV	89104	812 1581	Glicerio
GUILLERMO	NAVARRO	1733 CASSA VIAN	LV	NV	89104	408-464954	Guillermo
NOE CORONADO	GARCIA	1737 CASSA VIAN	LV	NV	89104	402-41493	Noe
BEIKIS	PEREZ	2734 OLIVERA DR	LV	NV	89104	702-7851067	Beikis
Ben	Rodriguez	5195 Silverheart AV	LV	NV	89142	329-374	Ben
AXEL	GONZALEZ	2109 CORONA ST	LV	NV	89104	650-6522	Axel
Abraham	VELAZCO	5237 TIGER CUB	LV	NV	89031	702 648904	Abraham
Reynaldo	Soto	1812 Chapman DR	LV	NV		399-2648	Reynaldo Soto
Arteli	ZSIT	602N 1st St Ste 1225	LV	NV	89104	731-9952	Arteli
Pedro	Hernandez	1655 E Sahara	LV	NV	89104	4693607009	Pedro
Saki	Barragan	1302 Exley	LV	NV	89104		Saki Barragan
Marco	Garcia	1302 Exley	LV	NV	89104		Marco A. Garcia
Cirilo	Garcia	1302 Exley	LV	NV	89104		Cirilo Garcia

04-07-2007

I strongly suggest that Mr. Kosa at VALUE MARKET obtain a package liquor license to make his great store be one stop shopping.

First Name	Last Name	Address	City	State	Zip	Phone Number	Signature
Arturo	Alvarez	1655 E. Sahara	Las Vegas	NV	89104	(818) 667-9163	Arturo
ESPERANZA	FAULKNER	1513 EUCLID AVE	LAS VEGAS	NV	89104	925 4485	B. Faulkner
JUAN	MARTINEZ	1655 E. Sahara	L.V.	NV	89104	(702) 813-2773	Juan
Hector	Martinez	1655 E. Sahara	L.V.	NV	89104	(702) 429-3308	Hector
MAX	SILVA	1216 EXLEY AVE	L.V.	NV	89104	737-6994	Max Silva
Umar	Thurmond	4722 WALKER AVE	LV	NV	89120	755-2734	Umar
RAFAEL	CERVANTES	1655 E. SAHARA AVE	LV	NV	89104	939-6398	Rafael
DANISHA	Cantu	1105 E. Sahara	LV	NV	89104	892-9263	Danisha
COLEMAN	SMITH	1655 E. Sahara	LV	NV	89104	635-7103	Coleman
Patsy	Brown	1500 E. Sahara Ave	LV	NV	89104	767-6363	Patsy
Luis	Deltran	1500 E. CORONET RD	LV	NV	89104	733-4183	Luis
ROGER	MCZAR	1601 PHILLIPS AVE	L.V.	NV	89104	893-0175	Roger
Sonia	Pena	2315 S. 15th St	Las Vegas	NV	89104	702-3108	Sonia
Nicolas	Chavez	1500 E. Karon St. #153	Las Vegas	NV	89109	(702) 735-1124	Nicolas
Robert	Schlichting	1422 E. PHILLIPS AVE	Las Vegas	NV	89104	734-2767	Robert Schlichting
Angel	Cwell	1526 PHILLIPS AVE	LV	NV	89104	756-5440	Angel
Daniel	Bahera	1526 PHILLIPS AVE	LV	NV	89104	287-7165	Daniel
FRANK	LOYA	1640 E. SAHARA	LV	NV	89104	277-1477	Frank
VICTOR	CRUZ	1614 EXLEY AVE	LV	NV	89104	280-2756	Victor

Customers of VALUE MARKET Located at 1510 E. Sahara Ave, Las Vegas, NV. 89104

04-07-2007

I strongly suggest that Mr. Kosa at VALUE MARKET obtain a package liquor license to make his great store be one stop shopping.

First Name	Last Name	Address	City	State	Zip	Phone Number	Signature
DAMIAN	MARTINEZ	ROYAL SAHARA	LV	NV		362 808	[Signature]
Don	Nash	2300 15th St	LV	NV	89104	996-7979	[Signature]
James	Qutervicz	1804 lamp lighter	LV	NV	89104	607-0484	[Signature]
Carlos	Blanco	E. SAHARA	LV	NV	89109	733-6399	[Signature]
William	Johnson	1411 + Phillips	LV	NV	89104	734-2767	[Signature]
Randy	ones	1519 Exley	LV	NV	89104	994-2126	[Signature]
REY	SAMBILAY	1655 E. SAHARA	LV	NV	89104	733-0521	[Signature]
James	Scott	1601 Exley	LV	NV	89104	438-7332	[Signature]
JUDI	TURPIN	1519 EXLEY	LV	NV	89104	994-2126	[Signature]
James	Yedman	1506 E St Louis	LV	NV	89104	737-0172	[Signature]
Steve	2307 S. 15th	Steve McClatchey	LV	NV	89104	561-5263	[Signature]
Krystle	McClatchey	2307 S. 15th St	LV	NV	89104	927-8820	[Signature]
Pod	Martinez	1717 KASSABIAN	LV	NV	89104	452-1980	[Signature]
Rodolfo	VALENZUELA	3642 BORDER TOWN	LV	NV	89121	843-2231	[Signature]
JOSE	ALVARADO	1750 KAREN AVE	LV	NV	89109	696-0169	[Signature]
Susan	Palma	1750 KAREN AVE	LV	NV	89109	733-7167	[Signature]
Rodolfo	DAMIEN	3139 E SAHARA	LV	NV	89104	457-7598	[Signature]
BILL	SHARY	1655 E SAHARA	LV	NV	89104	444-9220	[Signature]
John	SIMMONS	1519 EXLEY	LV	NV	89104	994-6731	[Signature]

Customers of VALUE MARKET Located at 1510 E. Sahara Ave, Las Vegas, NV. 89104

07-2007

I strongly suggest that Mr. Kosa at VALUE MARKET obtain a package liquor license to make his great store be one stop shopping.

First Name	Last Name	Address	City	State	Zip	Phone Number	Signature
WILLIAM	RODRIGUES	1827 HOWARD AVE	LV	NV	89104	733-6534	[Signature]
Uguel	Lamarena	Exley Ave 1603	LV	NV	89104	7348746	Miguel Lamarena
FRANK	Mendoza	2117 S 15 ST	LV	NV	89104	646-9502	[Signature]
Argio	Zamora	1212 Exley Ave	LV	NV	89104	927-0902	[Signature]
ANTHONY	CHRISTOPHER	1655 E Sahara	LV	NV	89104	635-1357	[Signature]
Roberto	ALVAREZ	1402 Phillips AV	LV	NV	89104	734-2853	[Signature]
Humberto	Martinez	1021 Coral ISLE Way	LV	NV	89108	4514032	[Signature]
Richard	Slattery	2125 Peyton DR APT C	LV	NV	89104	386-5082	[Signature]
Sarah	Thompson	164 Exley Ave	LV	NV	89104	733-8416	[Signature]
TROY	Seller	1655 E Sahara #1036	LV	NV	89104	33123577	[Signature]
Alfredo	Pena	2316 S 15th St	LV	NV	89104	650-3108	[Signature]
AME	SANUEL	2310 S. 15 ST	LV	NV	89104	7274-6302	[Signature]
Rafael	RODRIGUEZ	2308 17th	LV	NV	89101	699-8177	[Signature]
LADINO	ROMAN	1655 E SAHARA	LV	NV	89104	780-0083	[Signature]
JOSE	JAMARCA	5350 TUSUNSA DR	LV	NV	89122	433-0190	JOSE JAMARCA
Ishmael	Williams	4208 Tattersall Pl	LV	NV	89115	557-3291	[Signature]
Curtis	Brown	1157 Toni Ave	LV	NV	89119	824-5446	Curtis Brown
MAYU	CRAY	5222 Rte	LV	NV	89121	354-1902	[Signature]
Kene	Mexico	1655 Sahara	LV	NV	89104	770-6653	[Signature]

4-08-07

I strongly suggest that Mr. Kosa at VALUE MARKET obtain a package liquor license to make his great store be one stop shopping.

First Name	Last Name	Address	City	State	Zip	Phone Number	Signature
Francisco	De Leon	1655 E. Sahara	L.V.	NV	89104	5102911	[Signature]
Daniel	Gutierrez	2001 S 17th St	LV	NV	89104	781-4600	[Signature]
CHRISTINA	Chapman	2117 S 15th St	LV	NV	89104	694-9502	[Signature]
KATHY		11655 E. Sahara	LV	NV	89104	630-1321	[Signature]
MARTIN	CASTEL	1655 E. SAHARA	LV	NV	89104	378-9893	[Signature]
Alonso	Navarro	2304 Chapman Dr.	LV	NV	89104	416-7730	[Signature]
JESUS	Guzman	1704 JAWAD	LV	NV	89104	731-1440	JESUS GUZMAN
HENRY	DAY	1506 E. ST. LOUIS	LV	NV	89104	737-0217	[Signature]
MARIA	CAMARILLO	2665 Lynnwood St	LV	NV	89109	792-8734	[Signature]
Fabien	GOZZO/EE	2119 CAROLINA ST.	LV	NV	89104	343-0919	[Signature]
HENRY	WARD	1655 E. SAHARA #1044	LV	NV	89104	515-6081	[Signature]
TERESA	ROJAS	1655 E SAHARA #2111	LV	NV	89104	(89) 645-4435	[Signature]
Daniel	Hershey	5887 Steep Falls	LV	NV	89103	207-4938	[Signature]
RICHARD	ROBINSON	6475 SUBARU AVE	W	WV	89110	809-2552	[Signature]
ADAM	VALDEZ	10.74 CANON A	LV	NV	89104	771-5760	[Signature]
Ashley	HISUP	1655 E Sahara #3115	LV	NV	89104	702-818-7715	[Signature]
JOANNE	WILKIN	1717 KASSABIAN AVE	LV	NV	89104	452-1980	[Signature]
JESUS	RODRIGUEZ	1655 E. SAHARA #2111	LV	NV	89104	(818) 6676018	[Signature]
JOANNE	NAMPHAM	2305 S. 15th St.	LV	NV	89104	(702) 49-9374	[Signature]

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[illegible]