

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
REZONING

ZON-19070 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: ALL STAR AUTOMOTIVE, INC. - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 1.09 acres at 2027-2041 West Bonanza Road (APNs 139-28-401-029 and 031), Ward 5 (Williams). The Planning Commission (3-3 tie vote on a motion for approval) NO RECOMMENDATION. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

Motion made by BRENDA J. WILLIAMS to Approve Subject to Conditions and adding the following condition as read for the record:

A. The number of vehicles stored on site shall be limited to 10.

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

RICHARD MORENO, 300 South 4th Street, appeared on behalf of the applicant, stated it is a conforming zone change. He appreciated COUNCILWOMAN WILLIAMS taking the time to meet with them. At the COUNCILWOMAN'S previous request, he showed a diagram depicting

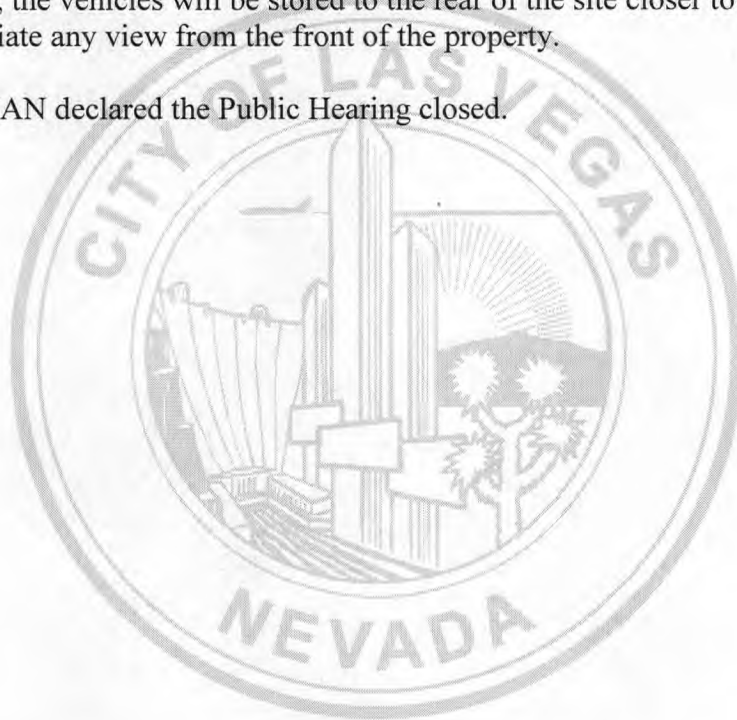
CITY COUNCIL MEETING OF: APRIL 18, 2007

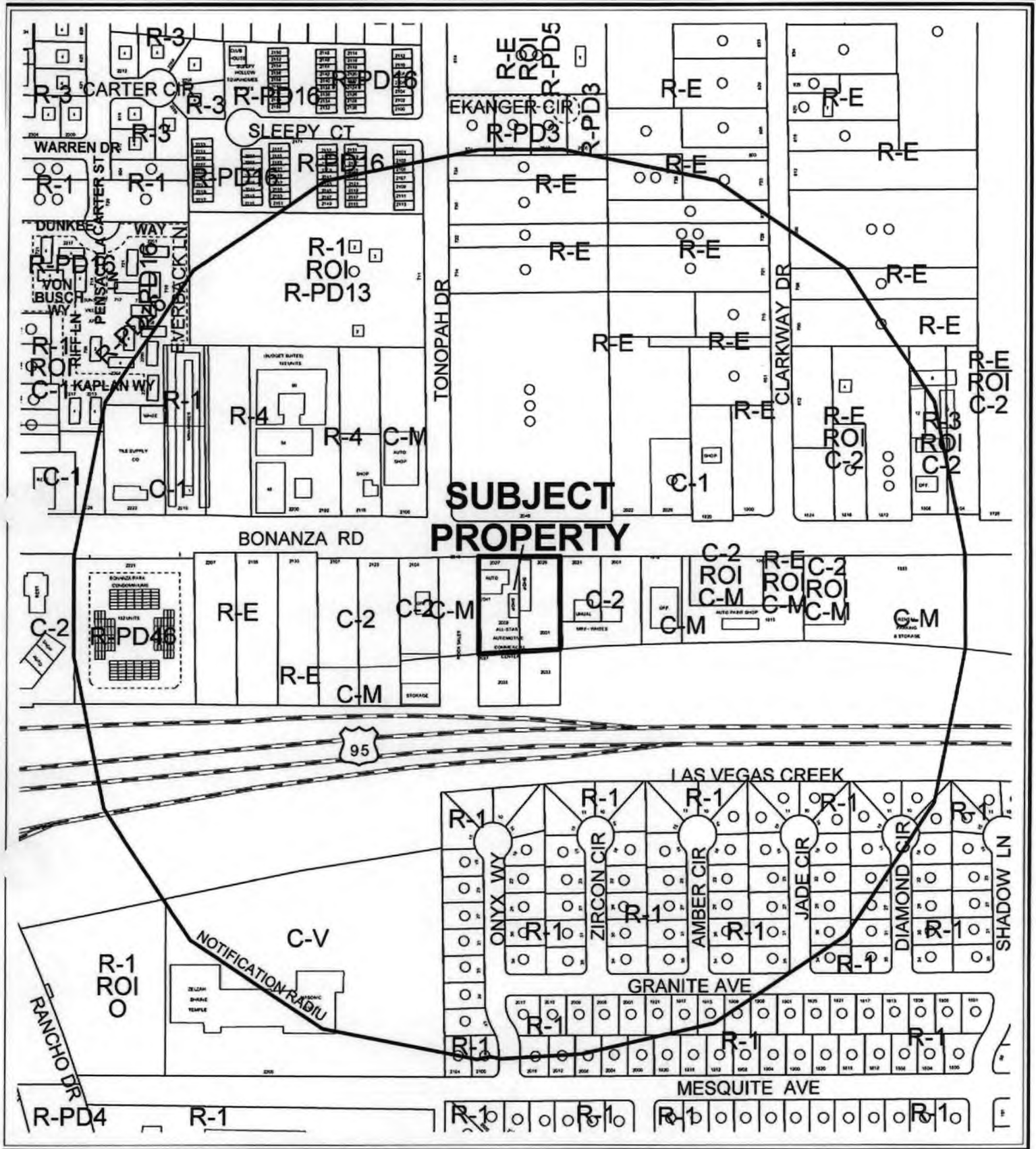
where the fence will be, which is approximately 90 feet from Bonanza Road and 140 feet from the freeway. MR. MORENO accepted all conditions.

COUNCILWOMAN WILLIAMS reiterated that the applicant has agreed that the vehicles will be stored closer to the freeway and not seen from Bonanza Road. She agreed with COUNCILMAN REESE that the number of vehicles stored should be limited to 10, given the amount of land on site, and she requested this to be an added condition. MR. MORENO agreed to the added condition.

In response to COUNCILMAN REESE'S query, MR. MORENO informed him that the use will be a towing company, whereby towing vehicles to a repair shop. Some vehicles will be stored on site, due to some incidents occurring late in the evening beyond repair shops' business hours. When this happens, the vehicles will be stored to the rear of the site closer to the freeway, and the fence will alleviate any view from the front of the property.

MAYOR GOODMAN declared the Public Hearing closed.





CASE: **ZON-19070**

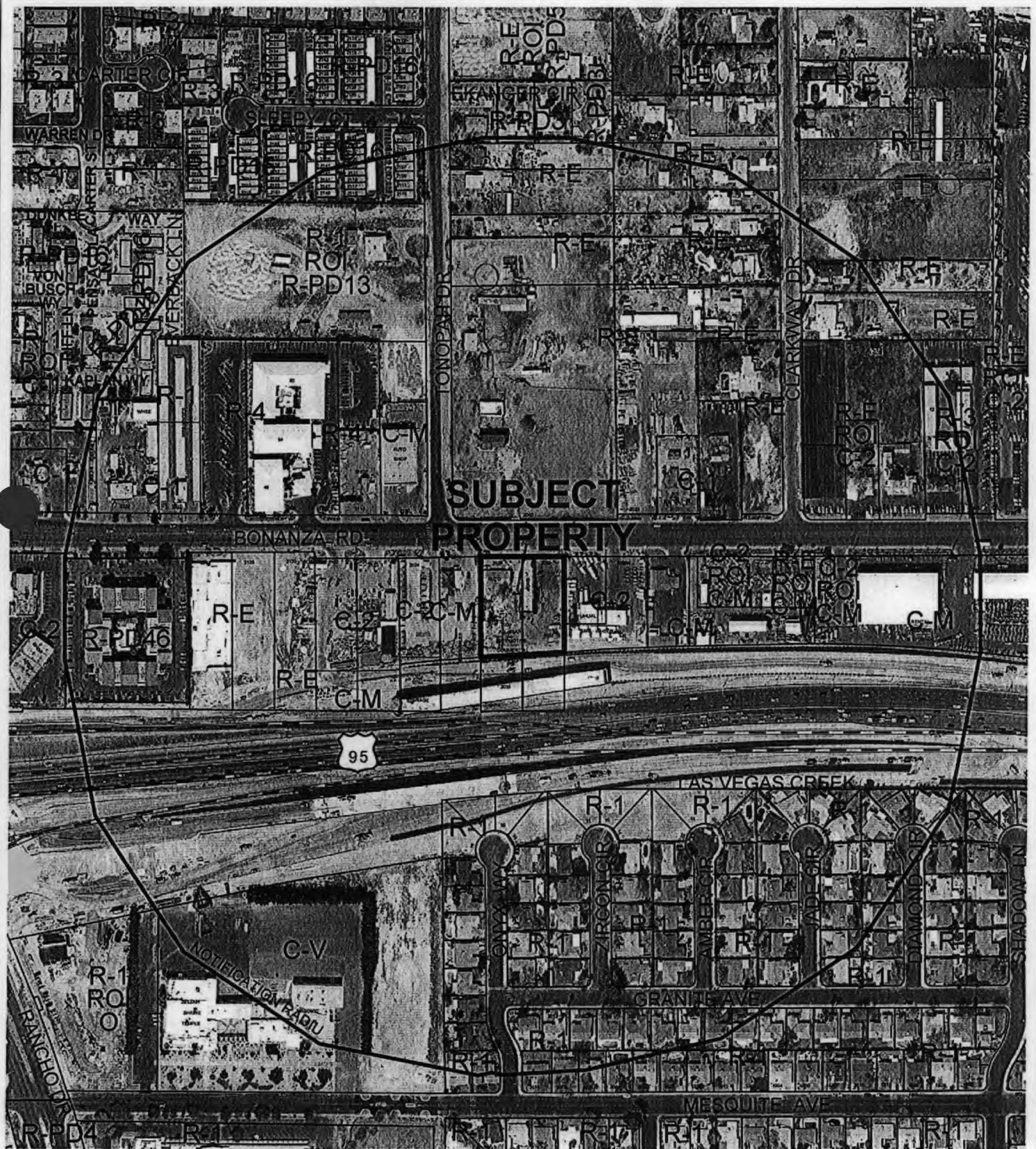
RADIUS: 1000 FT

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

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

0 500 Feet





CASE: **ZON-19070**

RADIUS: 1000 FT

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

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

0 500 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-19070 - APPLICANT/OWNER: ALL STAR
AUTOMOTIVE, INC.**

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 4, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site prior to issuance of any building or grading permits.

Public Works

3. Construct all incomplete half-street improvements on Bonanza Road and remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from Bonanza Road. Driveways shall also receive approval from the Nevada Department of Transportation.
5. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
6. Landscape and maintain all unimproved right-of-way on Bonanza Road adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

7. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Bonanza Road public right-of-way adjacent to this site prior to the issuance of any permits.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer. We note that a portions of this site are within FEMA Flood zones.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning to a C-M (Commercial/Industrial) District on 1.09 acres at 2029, 2039, and 2041 West Bonanza Road. The property currently consists of developed land that is zoned C-2 (General Commercial). The applicant indicates this action will allow for uses that are currently not permitted in a C-2 (General Commercial) district.

The proposed rezoning to the C-M (Commercial/Industrial) zoning district is consistent with the existing LI/R (Light Industrial/Research) Master Plan designation. It is also consistent with the existing auto service and equipment rental uses in the vicinity. Approval is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/08/71	The Board of City Commissioners approved a Rezoning (Z-0074-71) from R-3 (Medium Density Residential) to C-2 (General Commercial) and C-M (Commercial/Industrial) on the subject property. The Planning Commission and staff recommended approval.
02/24/76	The Planning Commission approved a request for a Plot Plan Review (parent case Z-0074-71) for a Recreational Vehicle Sales Facility on a portion of the subject site. Staff recommended approval.
03/24/92	The Board of Zoning Adjustment approved a request for a Special Use Permit (U-0046-92) for a Used Car Lot in a C-2 (General Commercial) zoning district. Staff recommended approval.
07/07/04	The City Council denied an Appeal (DIR-4573) of a Planning and Development Director's decision per Title 19.00.070.F to deny the acceptance of a application for a Special Use Permit for an Off-Premise Advertising (Billboard) Sign for failure to comply with Title 19.14.100. Staff had recommended denial.
05/17/06	The City Council approved a General Plan Amendment (GPA-9219) expanding the Redevelopment Area. This property was designated as LI/R (Light Industrial/Research) as part of this General Plan Amendment. The Planning Commission and staff recommended approval.
02/22/07	The Planning Commission (3-3 vote on a motion for approval) ended in a tie NO RECOMMENDATION (PC Agenda Item #24/rts).
<i>Related Building Permits/Business Licenses</i>	
12/01/90	A business license for a S09 (Sign Painting Establishment - any person who engages in the business of painting signs but who is not required to have a State Contractor's license) category license was processed in by the Department of Finance and Business Services. This license (S09-00007) was originally issued by Business Services on 12/19/90 and was re-issued due to a change of location on 08/23/94 with no apparent Planning and Development review.

08/16/94	A business license for an A08 (Appliance Sales and Service- the sales of new appliances ie; refrigerators, ovens, etc. The service and repair of customer's appliances) category license was processed in by the Department of Finance and Business Services. This license (A08-01442) was originally issued by Business Services on 08/18/94 and was re-issued due to a change of location on 09/10/96 with no apparent Planning and Development review.
Pre-Application Meeting	
12/27/06	A pre-application meeting was held and elements of this application were discussed. Submittal requirements were discussed.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	1.09

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive Commercial Center	LI/R (Light Industrial / Research)	C-2 (General Commercial)
North	Single Family Residential	MXU (Downtown – Mixed Use)	R-E (Residence Estates)
South	Interstate ROW (I-95)	Interstate ROW (I-95)	Interstate ROW (I-95)
East	Truck Rental	LI/R (Light Industrial / Research)	C-2 (General Commercial)
West	Building & Landscaping Material / Lumber Yard	LI/R (Light Industrial / Research)	C-M (Commercial/ Industrial)

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

ANALYSIS

The subject property is designated as LI/R (Light Industrial/Research) under the Southeast Sector Plan of the General Plan. This category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. The existing buildings are currently used for appliance sales and service and sign painting which are in compliance with the General Plan. The proposed rezoning to the C-M (Commercial/Industrial) zoning district will allow a variety of uses not currently allowed under the C-2 (General Commercial) zoning district.

The site is within the North Las Vegas Airport Overlay Map portion of the Airport Overlay District. This is a developed site and is in compliance with Title 19.06.080 (B) which allows a "structure to a height up to thirty five feet above the surface of the land on any parcel" without a height limitation review or prohibition.

The site encompasses two parcels with existing buildings built at the lot lines. Additionally, should the parcels in the future become separate sites the site will be placed out of conformance with development standards for the proposed C-M (Commercial/Industrial) zoning district. For this reason a condition has been added that prior to the issuance of any building or grading permits that a reversionary parcel map or administrative joining consolidating the parcels be recorded.

The proposed rezoning to the C-M (Commercial/Industrial) zoning district is consistent with the existing LI/R (Light Industrial/Research) Master Plan designation. It would also make it consistent with surrounding land uses, which consist of building and landscape supplies and equipment rental uses to the west and east of the property. For these reasons staff is recommending approval of this item.

FINDINGS

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

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

The proposed rezoning would bring the zoning at this site into conformance with the LI/R (Light Industrial/Research) designation as listed under the Southeast Sector Plan of the General Plan. The Light Industrial/Research category allows a variety of commercial and light industrial or research uses. The site's existing buildings can accommodate the range of uses and is in compliance with the General Plan.

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

Currently, there is a large residential lot north of the subject site and interstate right-of-way to the south of the property which should not be affected by the possibility of rezoning. The proposed rezoning would be compatible with the building and landscape supplies and equipment rental uses to the west and east of the property.

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

Growth and development factors indicate a need for light industrial activities to locate in this area. Given the existing General Plan designation of LI/R (Light Industrial/Research) on the subject site, the rezoning to the C-M (Commercial/Industrial) zoning district is appropriate for the area.

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

The site will receive access from West Bonanza Road, which is adequate in size to meet the requirements of the proposed C-M (Commercial/Industrial) zoning district.

PLANNING COMMISSION ACTION

There were two speakers in opposition. The applicant agreed to all conditions. Public Words request that condition #5 be deleted.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 203 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **ZON-19070** APN: 139-28-401-029 & 139-28-401-031
Name of Property Owner: ALL STAR AUTOMOTIVE INC
Name of Applicant: SHAWN BARASHY

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

☐ Yes

☒ No

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

City Official: N/A

Partner(s): N/A N/A

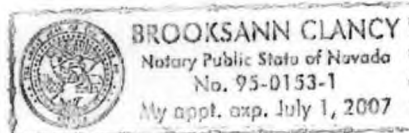
APN N/A

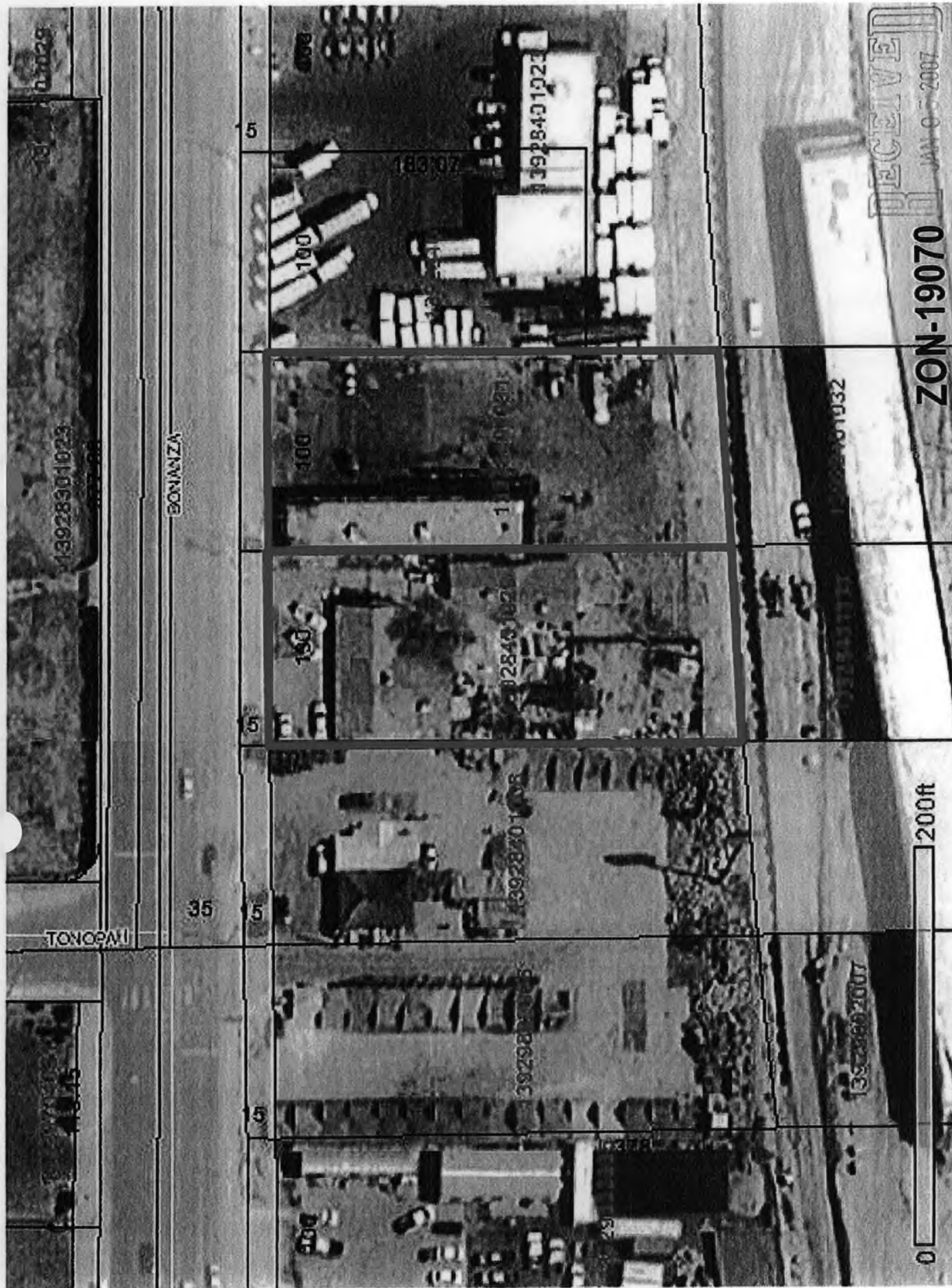
Signature of Property Owner: Shawn Barashy

Print Name: SHAWN BARASHY

Subscribed and sworn before me

This 13th day of December, 20 06
Brooksann Clancy
Notary Public in and for said County and State





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JAN 05 2007

200ft

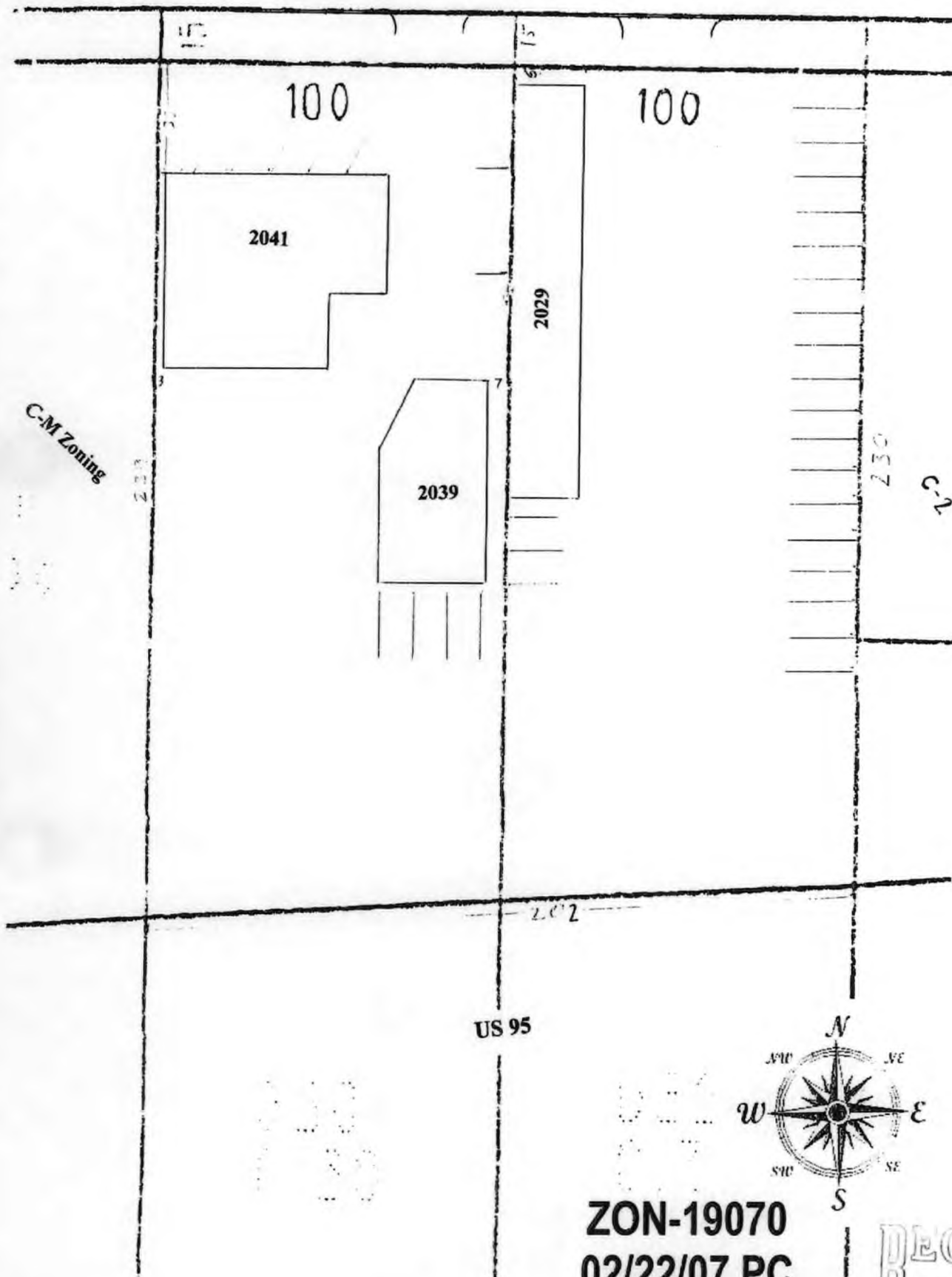
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ZON-19070
02/22/07 PC



BONANZA ROAD



US 95



ZON-19070
02/22/07 PC

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BUILDING SIZE:

2029 - 2800 sq ft

2039 - 1600 sq ft

2041 - 3300 sq ft

PARKING: 37

1" = 20'



ZON-19070
02/22/07 PC

JAN 07 2007



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

01/22/07



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

01/22/07



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

01/22/07



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

01/22/07

ALL-STAR AUTOMOTIVE, INC.

P.O. Box 81191
Las Vegas, NV 89180

Wednesday, December 13, 2006

To: Planning And Development Department

Re: Zone Change - Justification Letter
APN # 139-28-401-029 and 139-28-401-031
2029, 2039, 2041 W. Bonanza Road, Las Vegas, NV 89106

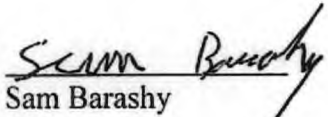
Dear Sirs,

We hereby submit a request to change the current zoning of the subject property from a C-2 zoning, to a C-M zoning.

The reasons that we request the zone change are as follows:

1. The design of the site fits uses which are not permitted in C-2 zoning, but are allowed in the C-M zoning
2. The area characteristics have changed and there is a demand for uses that are more suitable to a C-M zoning, rather than a C-2 zoning. Some of the proposed uses for the subject property are vehicle parking and equipment storage.
3. The General Plan does not need to be changed in order to allow for the C-M zoning.
4. The property adjoining us to the West is zoned C-M, and the third lot to the East is C-M as well.
5. Prior to the U.S. 95 freeway expansion, the south end of our property was zoned C-M.

Sincerely,


Sam Barashy

ZON-19070

02/22/07 PC

RECEIVED
JAN 05 2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VARIANCE

VAR-18625 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: LE FERIA, LLC - Request for a Variance TO ALLOW 39 PARKING SPACES WHERE 95 PARKING SPACES ARE THE MINIMUM REQUIRED on 2.33 acres at 3851 Pennwood Avenue (APNs 162-07-702-002 and 003), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-22-07 Planning Commission Meeting Item 25

Motion made by LOIS TARKANIAN to Approve Subject to Conditions

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

JOHN BERRY, 4550 West Sahara Avenue, Suite 2130, Las Vegas, appeared on behalf of the applicant.

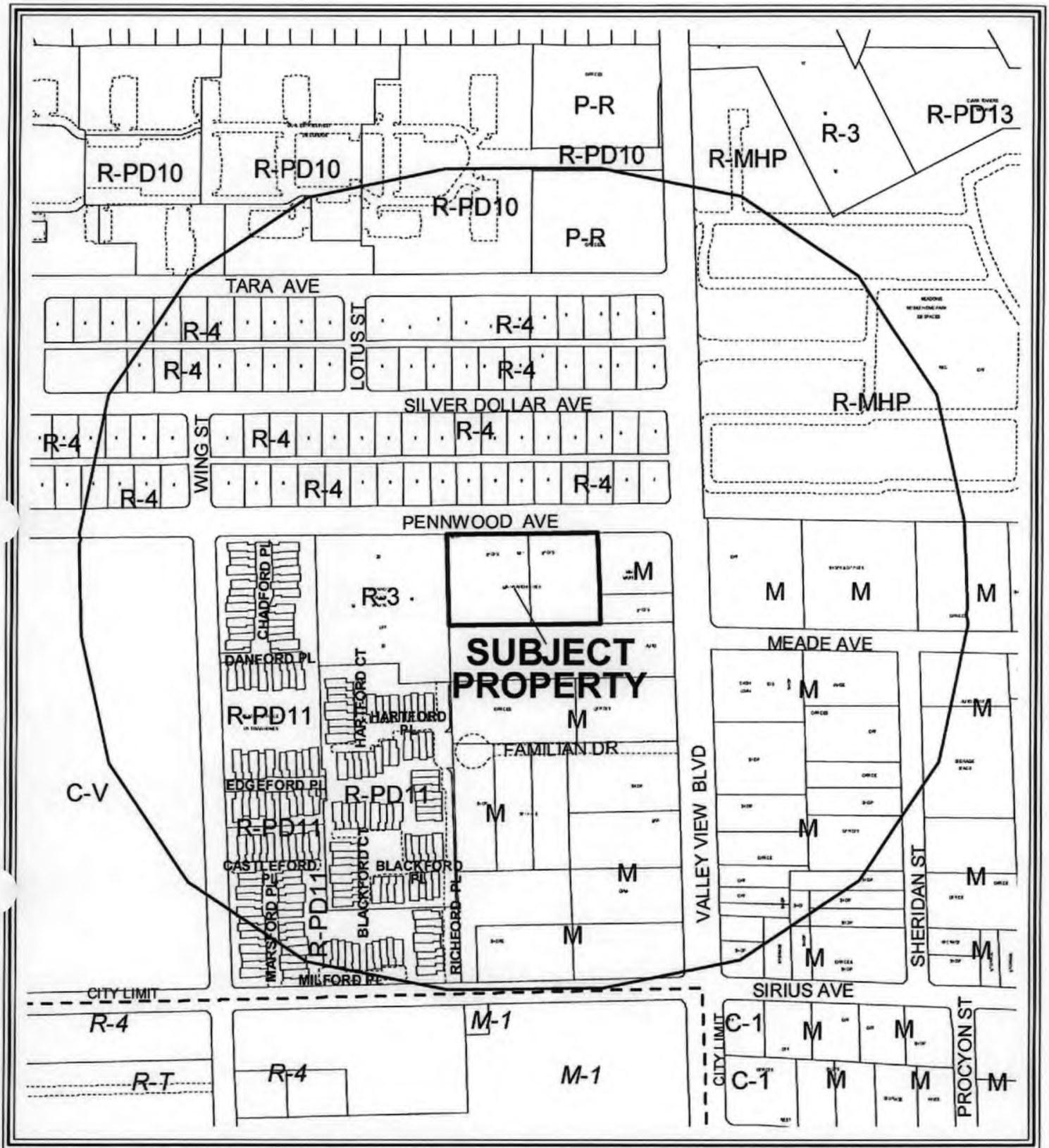
COUNCILWOMAN TARKANIAN pointed out that parking is always a concern for her. However, she drives by the site on a regular basis and in speaking to other friends, no one has seen the subject parking lot full. She could support the requested Variance, as most of the

CITY COUNCIL MEETING OF: APRIL 18, 2007

individuals utilizing the services live in the nearby apartment complexes and walk to these businesses.

MAYOR GOODMAN declared the Public Hearing closed.





CASE: **VAR-18625**

RADIUS: 1000

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18625 - APPLICANT/OWNER: LE FERIA, LLC

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

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (Z-0017-72) shall be required, except as amended herein.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-19214) shall be required.
3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Variance to allow 39 parking spaces where 95 parking spaces are required for an existing mini-storage facility, retail, and office development consisting of three buildings on 2.33 acres at 3851 Pennwood Avenue. A Site Development Plan Review (SDR-19214) is also for the subject site to allow an expansion of allowable uses to include retail uses and increase the tenantable space available. As a part of that application the applicant requests waivers of the parking area landscaping and perimeter landscape buffer requirements.

The applicant indicates that the existing mini-storage facility, retail, and office development serves the demand for affordable retail and office space that primarily services the immediate neighborhood. Due to the self-imposed hardship inevitably created by the intensity and extent of changes to the site without all appropriate approvals, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/15/72	The City Council approved a Rezoning (Z-0017-72) to allow M (Industrial) zoning, where C-1 (Limited Commercial) had been the zoning on a portion of the site. The Planning Commission and Staff recommended approval.
09/27/79	The Board of Zoning Adjustment approved a Variance (V-0071-79) to allow a resident manager's quarters in a mini-warehouse complex where residential uses are not allowed. Staff recommended approval.
02/22/07	The Planning Commission recommended denial of companion item SDR-19214 concurrently with this application. The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #25/rts).
<i>Related Building Permits/Business Licenses</i>	
08/02/94	A business license for a C11 (Contractor - Any person who is licensed or required to be licensed as a contractor under NRS Chapter 624, whether or not the contractor maintains a business location within the corporate limits of the City) category license was processed in by the Department of Finance and Business Services. This license (C11-05342) was originally issued by Business Services on 08/04/94 and was re-issued due to a change of location on 04/26/99 with no apparent Planning and Development review. This license is listed for suite B13 at 3851 Pennwood Avenue.
11/04/94	A business license for a C05 (Tobacco Dealer - Retail - Any person licensed to sell tobacco through a vending machine or in conjunction with another gross retail license as defined in NRS 370. The fee amount shall be charged for each sales location, whether a machine or other retail location) category license was processed in by the Department of Finance and Business Services. This license (C05-01690) was issued by Business Services on 11/22/94 with no apparent Planning and Development review. This license is listed for suite B10 at 3851 Pennwood Avenue.

11/04/94	A business license for a C15 (Convenience Store - Business located in a building or portion thereof, which is separated from the rest of the building, selling groceries at retail and having not less than 1,200 sq. ft. nor more than 5,000 sq. ft. of floor space exclusive of warehouse and office space) category license was processed in by the Department of Finance and Business Services. This license (C15-00197) was issued by Business Services on 11/22/94 with no apparent Planning and Development review. This license is listed for suite B10 at 3851 Pennwood Avenue.
01/16/96	A business license for a D16 (Department Store - A retail establishment that maintains a selected variety of merchandise for purchase by the general public) category license was processed in by the Department of Finance and Business Services. This license (D16-00056) was originally issued by Business Services on 02/15/96 and was re-issued due to a change of owner on 02/15/06 with no apparent Planning and Development review. This license is listed for suite B21 at 3851 Pennwood Avenue.
03/23/99	A business license for a F07 (Furniture Store - Sale of new furniture only) category license was processed in by the Department of Finance and Business Services. This license (F07-01586) was denied by the Planning and Development Department on 11/30/06, pending verification of adequate parking. This license was originally issued by Business Services on 04/20/99 but is under review for a change of location (updated suite number, same building) as of 11/20/06. This license has not been re-issued as of 01/22/07. This license is listed for suite B14 at 3851 Pennwood Avenue.
10/20/00	A business license for a B02 (Bakery - Businesses specializing in baked goods, not providing meals as found in restaurant (R05, R07, R09)) category license was processed in by the Department of Finance and Business Services. This license (B02-00085) was issued by Business Services on 01/09/01 with no apparent Planning and Development review. This license is listed for suite A1 at 3851 Pennwood Avenue.
10/23/02	A business license for a B08 (Beauty/Cosmetics Sales - Sales of cosmetics and beauty supplies) category license was processed in by the Department of Finance and Business Services. This license (B08-00842) was denied by the Planning and Development Department on 12/04/06, pending issuance of a Certificate of Occupancy. This license was originally issued by Business Services on 11/01/02 but is under review for a change of location (updated suite number, same building) as of 11/07/06. This license has not been re-issued as of 01/17/07. This license is listed for suite B4 at 3851 Pennwood Avenue.

03/07/03	A business license for a G04 (Gifts and Novelties - The sale of ornamental gifts and novelties, ie, statues, clocks, souvenirs, plaques, etc) category license was processed in by the Department of Finance and Business Services. This license (G04-05167) was denied by the Planning and Development Department on 11/21/06, pending verification of adequate parking. This license was originally issued by Business Services on 03/25/03 but is under review for a change of name and expansion (added a suite number, same building) as of 11/07/06. This license has not been re-issued as of 01/22/07. This license is listed for suite B16 at 3851 Pennwood Avenue.
06/27/03	A business license for a W10 (Wire Service - Which is any person who engages in the business of transmitting or receiving information or funds by means of a communication system in which the transmission and reception stations are directly connected by one or more telephones or computers) category license was processed in by the Department of Finance and Business Services. This license (W10-00044) was denied by the Planning and Development Department on 10/18/06, pending verification of adequate parking. This license was originally issued by Business Services on 10/17/03 but is under review for a change of location as of 10/11/06. This license is listed for suite B1 at 3851 Pennwood Avenue.
10/16/03	A business license for a M06 (Miscellaneous Sales - Sales of tangible goods not otherwise specified in the Code) category license was processed in by the Department of Finance and Business Services. This license (M06-02771) was denied by the Planning and Development Department on 10/17/06, pending verification of adequate parking. This license was originally issued by Business Services on 10/27/03 but is under review for a change of location as of 10/16/06. This license is listed for suite B1 at 3851 Pennwood Avenue.
06/20/05	A business license for a P11 (Stenographer - Any person, other than a certified shorthand reporter or court reporter, who engages in the business of typing documents for the general public or for persons other than himself or his immediate employer) category license was processed in by the Department of Finance and Business Services. This license (P11-00557) was approved by the Planning and Development Department on 06/28/06. This license was originally issued by Business Services on 06/30/05 but is under review for a change of location as of 05/11/06. This license has not been re-issued due to a Fire Department denial as of 06/29/06. This license is listed for suite B7 at 3851 Pennwood Avenue.
10/18/05	A business license for a T18 (Miscellaneous Telephone Sales/Service - A business which sells telephones, cellular phones, and other miscellaneous accessories) category license was processed in by the Department of Finance and Business Services. This license (T18-00683) was approved by the Planning and Development Department on 10/21/05 and issued by Business Services on 11/07/05. This license is listed for suite G2 at 3851 Pennwood Avenue.

10/19/05	A building permit application, plan check L-1841-05, was submitted for the site. This was for a Non-work Certificate of Occupancy for a rental office. This permit (05007418) was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted.
10/19/05	A business license for a W11 (Mini Warehouse - Any person who operates a facility divided into individual spaces for storing personal property which are rented or leased to individual occupants who have access to those units but do not conduct a business there from) category license was processed in by the Department of Finance and Business Services. This license (W11-00005) was approved by the Planning and Development Department on 01/31/06 and issued by Business Services on 01/31/06. This license is listed for suite B26 at 3851 Pennwood Avenue.
10/21/05	A business license for a P27 (Personal Services - Any business that provides personal services, including without limitation a wake-up service, reminder service, errand service, vehicle registration service, personal chef, cook, shopping service or pet sitting service) category license was processed in by the Department of Finance and Business Services. This license (P27-00314) was denied by the Planning and Development Department on 11/22/06, pending verification of adequate parking. This license was originally issued by Business Services on 11/04/05 but is under review for a change of location (updated suite number, same building) as of 11/07/06. This license has not been re-issued as of 01/09/07. This license is listed for suite B6 at 3851 Pennwood Avenue.
01/31/06	A building permit application, plan check L-3018-06, was submitted for the site. This was for a Non-work Certificate of Occupancy for a general retail location. This permit (06000721) was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted.
01/31/06	A business license for a C07 (Clothing Store - New retail clothing sales) category license was processed in by the Department of Finance and Business Services. This license (C07-03484) was approved by the Planning and Development Department on 02/08/06 and issued by Business Services on 02/15/06. This license is listed for suite B23 at 3851 Pennwood Avenue.
02/21/06	A building permit application, plan check L-0292-06, was submitted for the site. This was for a Non-work Certificate of Occupancy for a general retail location. This permit (06001377) was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted.
08/18/06	A building permit application, plan check L-3485-06, was submitted for the site. This is for a tenant improvement to obtain a Certificate of Occupancy for a restaurant expansion. This application (739306) was reviewed and problembed by the Planning and Development Department on 12/01/06 due to parking concerns. There are outstanding reviews within the Building and Safety Department portion of the review and no permit has been issued.

10/03/06	A business license for a M21 (Merchandise Broker - Any person who acts as an agent for others in negotiating contracts, purchases, the sale of goods, wares or services and who does not take possession of the merchandise) category license was processed in by the Department of Finance and Business Services. This license (M21-00938) was approved by the Planning and Development Department on 10/05/06 and issued by Business Services on 10/20/06. This license is listed for suite B5 at 3851 Pennwood Avenue.
10/03/06	A business license for a T18 (Miscellaneous Telephone Sales/Service - A business which sells telephones, cellular phones, and other miscellaneous accessories) category license was processed in by the Department of Finance and Business Services. This license (T18-00705) was approved by the Planning and Development Department on 10/05/06 and issued by Business Services on 10/20/06. This license is listed for suite B5 at 3851 Pennwood Avenue.
10/30/06	A business license for a C23 (Check Cashing Service Limited - Service of cashing checks for a fee, service charge or other consideration as a service that is supplemental to a retail business that otherwise does not provide services normally associated with a financial institution. The term does not include a general financial institution, specified financial institution, or any business that provides any kind of loan, cash advance, or deferred deposit service) category license was processed in by the Department of Finance and Business Services. This license (C23-98869) was denied by the Planning and Development Department on 11/14/06, pending approval of a parking variance. This license has not been re-issued as of 01/08/07. This license is listed for suite B1 at 3851 Pennwood Avenue.
<i>Pre-Application Meeting</i>	
11/22/06	A pre-application meeting was held and elements of this application were discussed. It was noted that the site plan was to identify all uses on-site. Additionally, various parking standards were identified along with disability accessible and loading space standards. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.33

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office, other than Listed and General Retail	LI/R (Light Industrial / Research)	M (Industrial)
	Mini-warehouse	LI/R (Light Industrial / Research)	M (Industrial)
North	Multi-Family Residential	H (High Density Residential)	R-4 (High Density Residential)
South	Auto Repair Garage - Major	LI/R (Light Industrial / Research)	M (Industrial)
East	General Retail	LI/R (Light Industrial/ Research)	M (Industrial)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.04 and Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular		Handi-capped
Office, Other Than Listed	6,567 SF	1 space/ 300 SF GFA	21 Spaces	1 Space	8 Spaces	1 Space	N*

		1 space / 50 Storage Units spread through out plus min. 5 spaces on exterior of security fence					
Mini-Storage Facility	32,809 SF 119 Units		8 Spaces		3 Spaces		N*
General Personal Service	308 SF	1 space / 250 SF GFA	2 Spaces		1 Space		N*
Furniture/App liance Store	561 SF	1 space / 500 SF of GFA	2 Spaces		1 Space		N*
Bakery - Delicatessen/ Donut Shop	1,848 SF	1 space / 100 SF GFA	18 Spaces	1 Space	8 Spaces	1 Space	N*
General Retail, Other Than Listed	7,240 SF	1 space / 175 SF GFA	40 Spaces	2 Spaces	16 Spaces		N*
SubTotal	49,556 SF		91 Spaces	4 Spaces	37 Spaces	2 Spaces	N*
TOTAL (including handicap)			95 Spaces		39 Spaces		N*
Percent Deviation					≈ 58.95% Reduction		
Loading Spaces		3 Spaces at 30,000 to 50,000 SF of GFA	3 Spaces		3 Spaces		Y

* If approved this Variance would allow 39 parking spaces where 95 parking spaces are the minimum required.

ANALYSIS

The subject property is designated as LI/R (Light Industrial/Research) under the Southeast Sector Plan of the General Plan. This category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. The existing buildings are currently used for a variety of retail and office uses at the front of the property and provides mini-storage facilities for the remainder of the property which are in compliance with the General Plan.

The M (Industrial) zoning district is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. This district is intended to be located away from all residential development. The uses established at this location are permissible in an M (Industrial) zoning district which is compatible with the LI/R (Light Industrial/Research) General Plan designation.

The site is within the McCarran International Airport Overlay Map portion of the Airport Overlay District. This is a developed site and is in compliance with Title 19.06.080 (B) which allows a "structure to a height up to thirty five feet above the surface of the land on any parcel" without a height limitation review or prohibition.

The site encompasses two parcels with existing buildings built across the lot lines. Additionally, should the parcels in the future become separate sites the site will placed out of conformance with development standards for the M (Industrial) zoning district? For this reason a condition has been added to the Site Development Plan Review (SDR-19214) that prior to the issuance of any building or grading permits that a reversionary parcel map or administrative joining consolidating the parcels be recorded.

The expansion of uses and the increase in square footage devoted to the non mini-storage facility uses requires several deviations from development standards, including a landscape related waivers for the perimeter landscape buffer at the right-of-way and parking area landscaping as a part of the site development plan review (SDR-19214) which is also being heard concurrently with this item. Staff is recommending denial on the site development plan review due to the extent of the wavier requests and need for this variance.

The existing office, retail, and mini-storage facility development requires 95 parking spaces. The submitted site plan indicates 39 spaces will be provided, including two handicap spaces depicted as van accessible. This is a request for a reduction in the number of required parking spaces by approximately 58.95 percent. Staff is not in support of this Variance request as this is a self-imposed hardship generated by the project exceeding the scope of the original approvals for this site and therefore does not meet the criteria for granting a Variance.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by exceeding the originally approved uses and square footage allowed for non mini-storage facility activities. The provision of additional parking spaces or a reduction in the intensity of the uses on-site would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

PLANNING COMMISSION ACTION

There was one speaker at the Planning Commission meeting with questions. The Planning Commission considered adding conditions:

- Pay phones on site shall be removed.
- Building permits and final inspections are required by the Fire Department and Building and Safe Department to convert storage units to commercial use prior to issuance of business licenses.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 8

SENATE DISTRICT 11

NOTICES MAILED 707 by City Clerk

APPROVALS 0

PROTESTS 0

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

3851 PENNWOOD AVENUE PROPERTY PARKING REQUIREMENTS

USE	TYPE	AREA	NO.	REQUIREMENTS	REMARKS
LA FERIA INVESTMENT PROPERTIES	OFFICE	10-15	100	100	10
LA FERIA BLD.	OFFICE	10-15	100	100	7
STORAGE/WAREHOUSE	OFFICE	10-15	100	100	7
STORAGE/WAREHOUSE	OFFICE	10-15	100	100	4
LA FERIA BLD.	OFFICE	10-15	100	100	9
STORAGE/WAREHOUSE	OFFICE	10-15	100	100	4
STORAGE/WAREHOUSE	OFFICE	10-15	100	100	7
STORAGE/WAREHOUSE	OFFICE	10-15	100	100	10
STORAGE/WAREHOUSE	OFFICE	10-15	100	100	7
LA FERIA INVESTMENT PROPERTIES	OFFICE	10-15	100	100	4
STORAGE/WAREHOUSE	OFFICE	10-15	100	100	8
STORAGE/WAREHOUSE	OFFICE	10-15	100	100	11
STORAGE/WAREHOUSE	OFFICE	10-15	100	100	8
TOTAL OFFICE PARKING					10
TOTAL OFFICE CHASE PARKING					4
TOTAL OFFICE CHASE PARKING					8

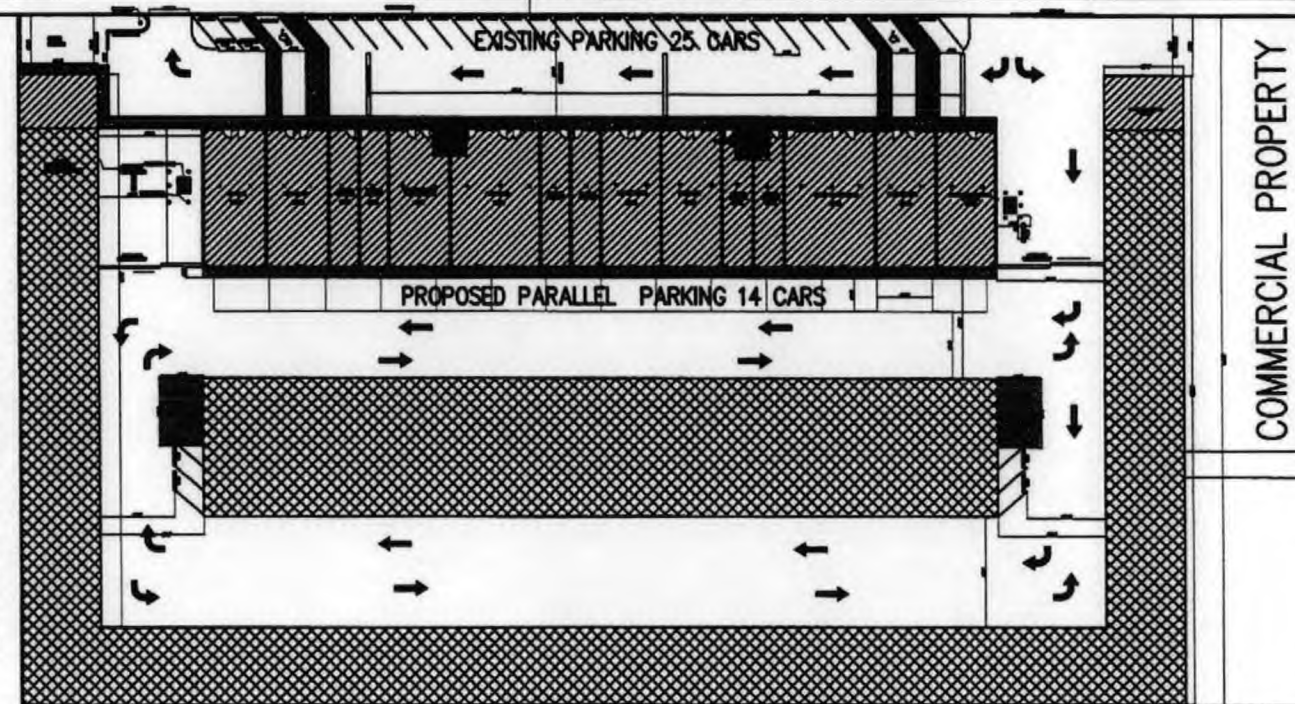
NO SITE LANDSCAPING LANDSCAPING WAIVER REQUIRED APARTMENT COMPLEX

PENNWOOD AVENUE

-  PUBLIC RESTROOMS
-  COMMERCIAL AREA
-  WAREHOUSE BLD. AREAS
-  TRAFFIC DIRECTION/FLOW
-  LOADING AREA

SITE PLAN
SCALE: 1" = 20'-0"

APARTMENT COMPLEX



COMMERCIAL PROPERTY

COMMERCIAL PROPERTY

NOTE: RENTERS OF STORAGE SPACES PARK FOR LOADING
AND UN-LOADING PURPOSES ONLY

VAR-18625

REVISED

02/22/07 PC

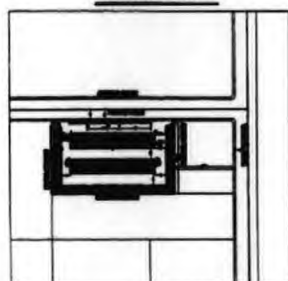
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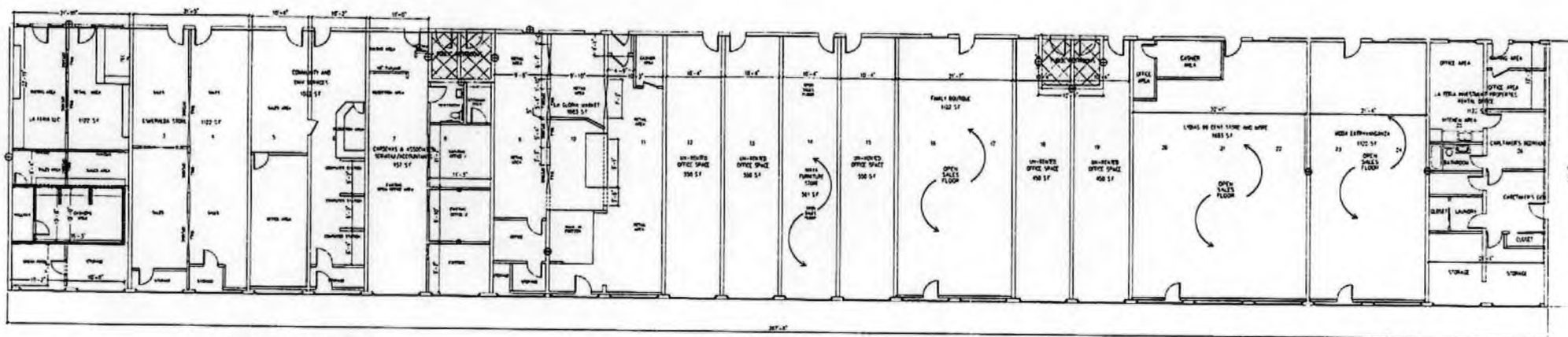
LA FERIA INVESTMENT PROPERTIES, LLC
STORAGE/WAREHOUSE IMPROVEMENT
3851 PENNWOOD AVE.
LAS VEGAS, NEVADA 89102

DEBOARD CONSTRUCTION COMPANY
GENERAL CONTRACTOR LIC. 49004
800 BLANCK RD. SUITE 200
PHOENIX (602) 978-7878 FAX (602) 978-4008

PROPOSED SITE PLAN
SITE-186

VICINITY MAP

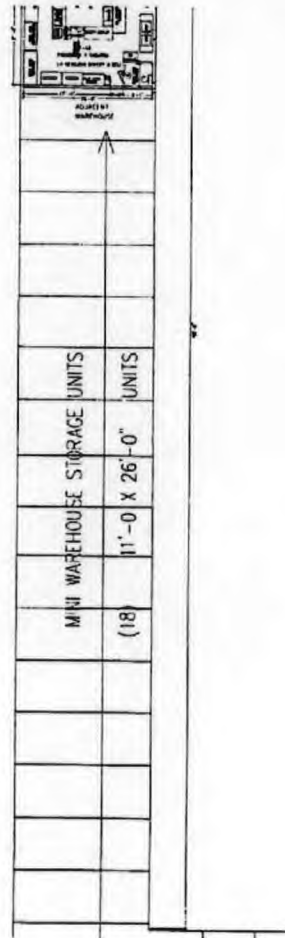


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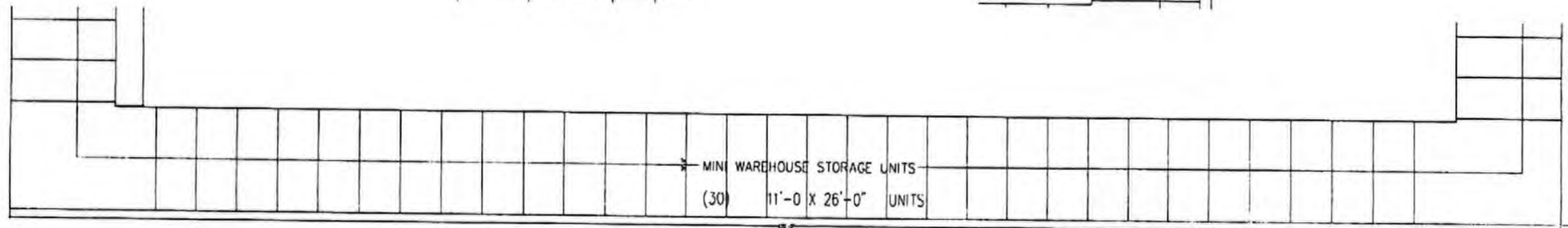
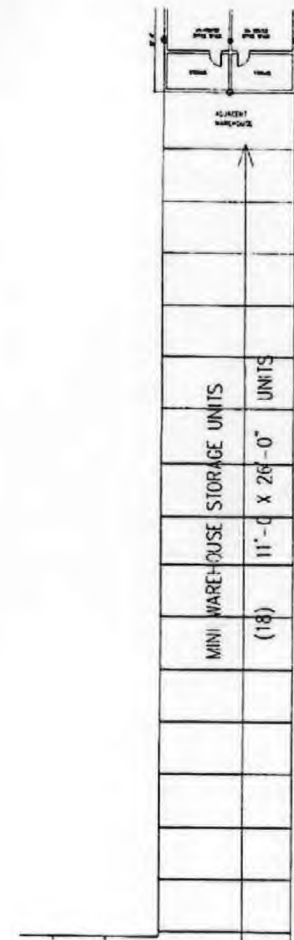
**VAR-18625
REVISED
02/22/07 PC**

RECEIVED
JAN 12 2007

BUILDING "A"
SCALE: AS DIMENSIONED



BUILDING "G"
SCALE: AS DIMENSIONED



BUILDING "F"
SCALE: AS DIMENSIONED

VAR-18625
REVISED
02/22/07 PC

RECEIVED
JAN 12 2007

La Feria Investment Properties, LLC

La Feria Plaza and Storage
3851 Pennwood Ave., Suite B-26
Las Vegas, Nevada 89102

12/4/2006

To: City of Las Vegas
Planning Commission
Planning and Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Re: Justification for Parking Variance for 3851 Pennwood Drive

To Whom It May Concern,

La Feria Investment Properties, llc, with Bayron Rosales as their representative, come before this Honorable Planning Commission requesting a parking variance for the property located at 3851 Pennwood Drive. This property is located just west of Valley View Ave. on Pennwood i in one of the cities most highly dense neighborhoods.

The property owned by La Feria Investment Properties, LLC is directly across from two Apartment Complexes, is bordered to the West by residential condominiums/ apartments and to the south and east by commercial entities, a strip mall complex and a Seven-Eleven respectively. The neighborhood is pedestrian and mostly Hispanic.

The businesses which have come to be Tenants at 3851 Pennwood are owned by and cater to the Hispanic Community which has come to call this neighborhood home. They are family owned and operated providing a variety of services necessary for this family orientated neighborhood. Services offered to the community include a DMV services business, a Tax and Accounting Service, a furniture store, a 99 Cent Store as well as a clothing store, a boutique and a deli/bakery. These are the primary businesses which provide this community with the services it.

Parking Analysis according to the Las Vegas zoning Code would require that this property have 85 parking Spaces, however based upon the fact that no less than 80% of the traffic to this property is pedestrian in nature to have this number of parking spaces would place an undue burden upon the property owners as it would require the demolition of one of the warehouse/storage buildings which provide the storage facilities this neighborhood needs because of the high density of apartments located in the neighborhood. These storage spaces provide the bulk of the income for the owners, allow for the

VAR-18625
02/22/07 PC

La Feria Investment Properties, LLC

La Feria Plaza and Storage
3851 Pennwood Ave., Suite B-26
Las Vegas, Nevada 89102

affordable rents offered to the tenants, small business owners whom in turn can provide for their families and pay the taxes required of all business owners in the City.

The Parking plan provided by La Feria Investment Properties, LLC has a total of sixty-nine (69) spaces. Fifty-Five(55) are for regular cars, ten (10) for compact cars with four (4) handicapped spaces provided for compliance to Chapter 19 of the Las Vegas Zoning Code.

The owners of this property respectfully pray that based upon the 80% to 20% minimum pedestrian traffic ratio, the high density of population, the necessity for family owned businesses in this neighborhood and for the services provided for the Citizens of Las Vegas which are the patrons of the tenants at 3851 Pennwood ,as well as for the revenue created here with each business owner paying the taxes required by the City that this property that this honorable Board of Commissioners GRANT La Feria Investment Properties, llc the requested parking variance according to the Site Plan submitted.

Respectfully Submitted for La Feria Investment Properties, llc by:

Bayron Rosales
(PRINT NAME)

Bayron Rosales
SIGNATURE

VAR-18625
02/22/07 PC

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

THE MEADOWS MOBILE HOME PARK

2900 South Valley View Boulevard

Las Vegas, NV 89102

(702) 876-3660

February 15, 2007

Planning and Development Department
Current Planning Division
Andrew P. Reed, Planning Supervisor
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Re: VAR-18625
SDR-19214

→ PROTEST

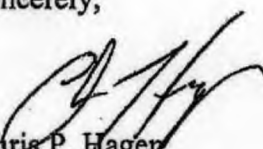
Dear Mr. Reed:

We strenuously oppose both of the above referenced applications.

We have been encouraged by the redevelopment of the neighborhood and landscaping has provided the enhanced curb appeal versus the historically industrial neighborhood. We have spent considerable money on landscaping and would expect the city to reinforce this landscape buffer and required parking minimum.

Thank you for your consideration.

Sincerely,


Chris P. Hager
Vice President

CPH:mmmd

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PLANNING AND
DEVELOPMENT

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-18625

SDR-19214 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: Le FERIA, LLC - Request for a Site Development Plan Review FOR AN EXISTING OFFICE, RETAIL AND MINI-STORAGE FACILITY DEVELOPMENT AND A WAIVER TO ALLOW A LANDSCAPE BUFFER WIDTH OF ZERO FEET WHERE 15 FEET IS THE MINIMUM REQUIRED ALONG THE RIGHT-OF-WAY on 2.33 acres at 3851 Pennwood Avenue (APNs 162-07-702-002 and 003), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

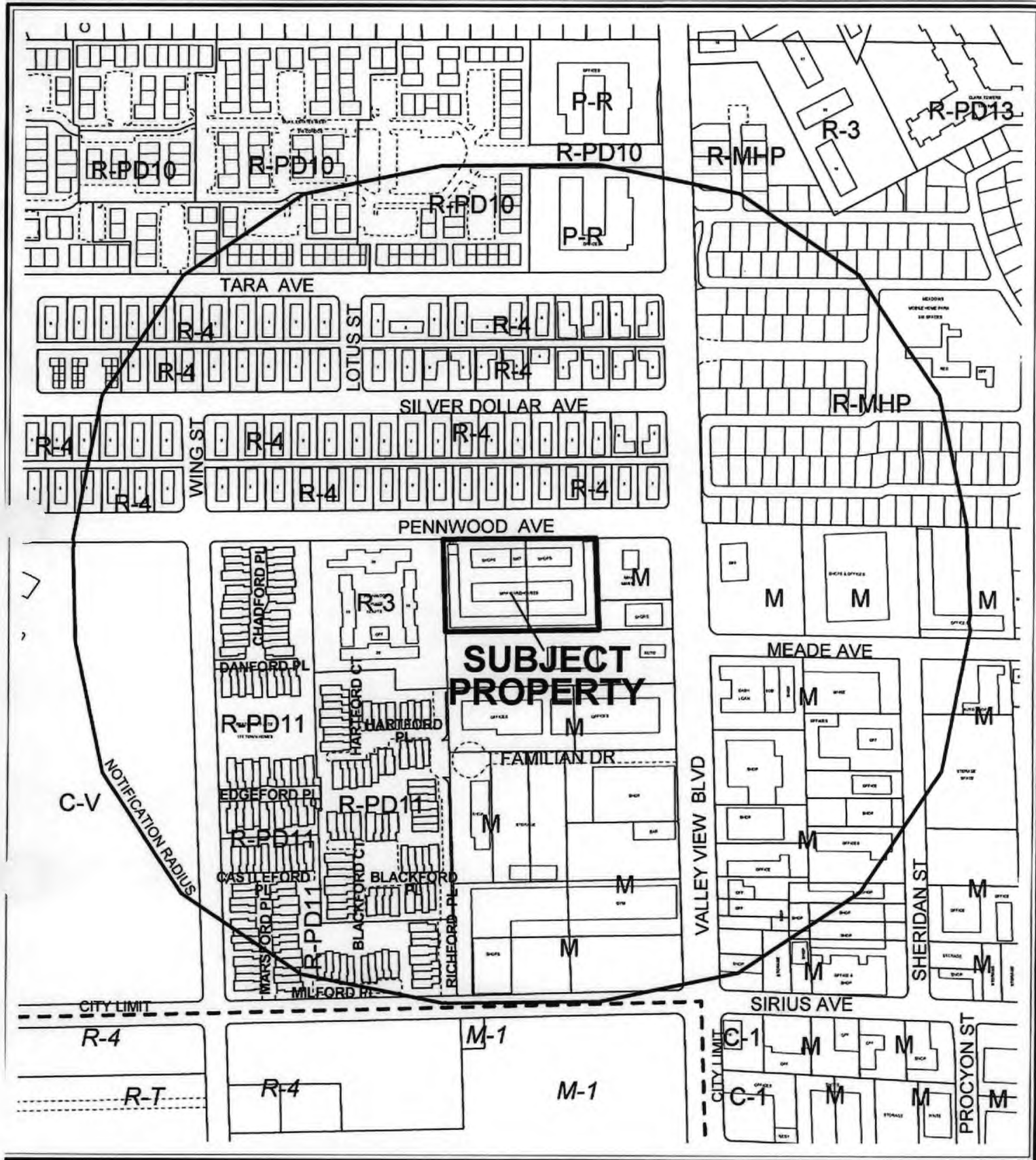
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Abeyance request by La Feria, LLC
5. Backup referenced from the 02-22-07 Planning Commission Meeting Item 26

Motion made by GARY REESE to Hold in Abeyance Items 104-108 and Item 130 to 5/2/2007; Items 110-112 to 5/16/2007; Item 117 to 6/20/2007; Item 113 to 7/11/2007; Item 103 to 7/18/2007; and Withdraw Without Prejudice Items 114 and 115

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

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



CASE: **SDR-19214**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet





CASE: **SDR-19214**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-19214 - APPLICANT/OWNER: Le
FERIA, LLC

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

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (Z-0017-72) shall be required, except as amended herein.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-18625) shall be required, except as amended herein.
3. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site prior to issuance of any building or grading permits.
4. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. All development shall be in conformance with the building elevations, landscape plan, date stamped 01/12/07, and site plan, date stamped 02/01/07, except as amended by conditions herein.
6. A Waiver from LVMC Title 19.10 is hereby approved, to allow zero landscaping planters in the parking lot where one is required for each six parking spaces.
7. A Waiver from LVMC Title 19.12 is hereby approved, to allow a zero foot perimeter landscape buffer along the northern lot line where 15 feet is required.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
14. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Site Development Plan Review to allow an expansion of allowable uses to include retail uses and increase the tenantable space available for an existing mini-storage facility, retail, and office development consisting of three buildings on 2.33 acres at 3851 Pennwood Avenue. The applicant requests waivers of the perimeter landscape buffer requirements and parking area landscaping for the new parking spaces being added. This is in addition to a Variance (VAR-18673) to allow a deviation from parking standards.

The applicant indicates that the existing mini-storage facility, retail, and office development serves the demand for affordable retail and office space that primarily services the immediate neighborhood. Due to the extent of the changes to the site without all appropriate approvals, the landscaping waivers and the requested variance, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/15/72	The City Council approved a Rezoning (Z-0017-72) to allow M (Industrial) zoning, where C-1 had been the zoning on a portion of the site. The Planning Commission and Staff recommended approval.
09/27/79	The Board of Zoning Adjustment approved a Variance (V-0071-79) to allow a resident manager's quarters in a mini-warehouse complex where residential uses are not allowed. Staff recommended approval.
02/22/07	The Planning Commission recommended denial of companion item VAR-18625 concurrently with this application. The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #26/rts).
<i>Related Building Permits/Business Licenses</i>	
08/02/94	A business license for a C11 (Contractor - Any person who is licensed or required to be licensed as a contractor under NRS Chapter 624, whether or not the contractor maintains a business location within the corporate limits of the City) category license was processed in by the Department of Finance and Business Services. This license (C11-05342) was originally issued by Business Services on 08/04/94 and was re-issued due to a change of location on 04/26/99 with no apparent Planning and Development review. This license is listed for suite B13 at 3851 Pennwood Avenue.
11/04/94	A business license for a C05 (Tobacco Dealer – Retail - Any person licensed to sell tobacco through a vending machine or in conjunction with another gross retail license as defined in NRS 370. The fee amount shall be charged for each sales location, whether a machine or other retail location) category license was processed in by the Department of Finance and Business Services. This license (C05-01690) was issued by Business Services on 11/22/94 with no apparent Planning and Development review. This license is listed for suite B10 at 3851 Pennwood Avenue.

11/04/94	A business license for a C15 (Convenience Store - Business located in a building or portion thereof, which is separated from the rest of the building, selling groceries at retail and having not less than 1,200 sq. ft. nor more than 5,000 sq. ft. of floor space exclusive of warehouse and office space) category license was processed in by the Department of Finance and Business Services. This license (C15-00197) was issued by Business Services on 11/22/94 with no apparent Planning and Development review. This license is listed for suite B10 at 3851 Pennwood Avenue.
01/16/96	A business license for a D16 (Department Store - A retail establishment that maintains a selected variety of merchandise for purchase by the general public) category license was processed in by the Department of Finance and Business Services. This license (D16-00056) was originally issued by Business Services on 02/15/96 and was re-issued due to a change of owner on 02/15/06 with no apparent Planning and Development review. This license is listed for suite B21 at 3851 Pennwood Avenue.
03/23/99	A business license for a F07 (Furniture Store - Sale of new furniture only) category license was processed in by the Department of Finance and Business Services. This license (F07-01586) was denied by the Planning and Development Department on 11/30/06, pending verification of adequate parking. This license was originally issued by Business Services on 04/20/99 but is under review for a change of location (updated suite number, same building) as of 11/20/06. This license has not been re-issued as of 01/22/07. This license is listed for suite B14 at 3851 Pennwood Avenue.
10/20/00	A business license for a B02 (Bakery - Businesses specializing in baked goods, not providing meals as found in restaurant (R05, R07, R09)) category license was processed in by the Department of Finance and Business Services. This license (B02-00085) was issued by Business Services on 01/09/01 with no apparent Planning and Development review. This license is listed for suite A1 at 3851 Pennwood Avenue.
10/23/02	A business license for a B08 (Beauty/Cosmetics Sales - Sales of cosmetics and beauty supplies) category license was processed in by the Department of Finance and Business Services. This license (B08-00842) was denied by the Planning and Development Department on 12/04/06, pending issuance of a Certificate of Occupancy. This license was originally issued by Business Services on 11/01/02 but is under review for a change of location (updated suite number, same building) as of 11/07/06. This license has not been re-issued as of 01/17/07. This license is listed for suite B4 at 3851 Pennwood Avenue.

03/07/03	A business license for a G04 (Gifts and Novelties - The sale of ornamental gifts and novelties, ie, statues, clocks, souvenirs, plaques, etc) category license was processed in by the Department of Finance and Business Services. This license (G04-05167) was denied by the Planning and Development Department on 11/21/06, pending verification of adequate parking. This license was originally issued by Business Services on 03/25/03 but is under review for a change of name and expansion (added a suite number, same building) as of 11/07/06. This license has not been re-issued as of 01/22/07. This license is listed for suite B16 at 3851 Pennwood Avenue.
06/27/03	A business license for a W10 (Wire Service - Which is any person who engages in the business of transmitting or receiving information or funds by means of a communication system in which the transmission and reception stations are directly connected by one or more telephones or computers) category license was processed in by the Department of Finance and Business Services. This license (W10-00044) was denied by the Planning and Development Department on 10/18/06, pending verification of adequate parking. This license was originally issued by Business Services on 10/17/03 but is under review for a change of location as of 10/11/06. This license is listed for suite B1 at 3851 Pennwood Avenue.
10/16/03	A business license for a M06 (Miscellaneous Sales - Sales of tangible goods not otherwise specified in the Code) category license was processed in by the Department of Finance and Business Services. This license (M06-02771) was denied by the Planning and Development Department on 10/17/06, pending verification of adequate parking. This license was originally issued by Business Services on 10/27/03 but is under review for a change of location as of 10/16/06. This license is listed for suite B1 at 3851 Pennwood Avenue.
06/20/05	A business license for a P11 (Stenographer - Any person, other than a certified shorthand reporter or court reporter, who engages in the business of typing documents for the general public or for persons other than himself or his immediate employer) category license was processed in by the Department of Finance and Business Services. This license (P11-00557) was approved by the Planning and Development Department on 06/28/06. This license was originally issued by Business Services on 06/30/05 but is under review for a change of location as of 05/11/06. This license has not been re-issued due to a Fire Department denial as of 06/29/06. This license is listed for suite B7 at 3851 Pennwood Avenue.
10/18/05	A business license for a T18 (Miscellaneous Telephone Sales/Service - A business which sells telephones, cellular phones, and other miscellaneous accessories) category license was processed in by the Department of Finance and Business Services. This license (T18-00683) was approved by the Planning and Development Department on 10/21/05 and issued by Business Services on 11/07/05. This license is listed for suite G2 at 3851 Pennwood Avenue.

10/19/05	A building permit application, plan check L-1841-05, was submitted for the site. This was for a Non-work Certificate of Occupancy for a rental office. This permit (05007418) was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted.
10/19/05	A business license for a W11 (Mini Warehouse - Any person who operates a facility divided into individual spaces for storing personal property which are rented or leased to individual occupants who have access to those units but do not conduct a business there from) category license was processed in by the Department of Finance and Business Services. This license (W11-00005) was approved by the Planning and Development Department on 01/31/06 and issued by Business Services on 01/31/06. This license is listed for suite B26 at 3851 Pennwood Avenue.
10/21/05	A business license for a P27 (Personal Services - Any business that provides personal services, including without limitation a wake-up service, reminder service, errand service, vehicle registration service, personal chef, cook, shopping service or pet sitting service) category license was processed in by the Department of Finance and Business Services. This license (P27-00314) was denied by the Planning and Development Department on 11/22/06, pending verification of adequate parking. This license was originally issued by Business Services on 11/04/05 but is under review for a change of location (updated suite number, same building) as of 11/07/06. This license has not been re-issued as of 01/09/07. This license is listed for suite B6 at 3851 Pennwood Avenue.
01/31/06	A building permit application, plan check L-3018-06, was submitted for the site. This was for a Non-work Certificate of Occupancy for a general retail location. This permit (06000721) was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted.
01/31/06	A business license for a C07 (Clothing Store - New retail clothing sales) category license was processed in by the Department of Finance and Business Services. This license (C07-03484) was approved by the Planning and Development Department on 02/08/06 and issued by Business Services on 02/15/06. This license is listed for suite B23 at 3851 Pennwood Avenue.
02/21/06	A building permit application, plan check L-0292-06, was submitted for the site. This was for a Non-work Certificate of Occupancy for a general retail location. This permit (06001377) was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted.
08/18/06	A building permit application, plan check L-3485-06, was submitted for the site. This is for a tenant improvement to obtain a Certificate of Occupancy for a restaurant expansion. This application (739306) was reviewed and problemed by the Planning and Development Department on 12/01/06 due to parking concerns. There are outstanding reviews within the Building and Safety Department portion of the review and no permit has been issued.

10/03/06	A business license for a M21 (Merchandise Broker - Any person who acts as an agent for others in negotiating contracts, purchases, the sale of goods, wares or services and who does not take possession of the merchandise) category license was processed in by the Department of Finance and Business Services. This license (M21-00938) was approved by the Planning and Development Department on 10/05/06 and issued by Business Services on 10/20/06. This license is listed for suite B5 at 3851 Pennwood Avenue.
10/03/06	A business license for a T18 (Miscellaneous Telephone Sales/Service - A business which sells telephones, cellular phones, and other miscellaneous accessories) category license was processed in by the Department of Finance and Business Services. This license (T18-00705) was approved by the Planning and Development Department on 10/05/06 and issued by Business Services on 10/20/06. This license is listed for suite B5 at 3851 Pennwood Avenue.
10/30/06	A business license for a C23 (Check Cashing Service Limited - Service of cashing checks for a fee, service charge or other consideration as a service that is supplemental to a retail business that otherwise does not provide services normally associated with a financial institution. The term does not include a general financial institution, specified financial institution, or any business that provides any kind of loan, cash advance, or deferred deposit service) category license was processed in by the Department of Finance and Business Services. This license (C23-98869) was denied by the Planning and Development Department on 11/14/06, pending approval of a parking variance. This license has not been re-issued as of 01/08/07. This license is listed for suite B1 at 3851 Pennwood Avenue.
<i>Pre-Application Meeting</i>	
11/22/06	A pre-application meeting was held and elements of this application were discussed. It was noted that the site plan was to identify all uses on-site. Additionally, various parking standards were identified along with disability accessible and loading space standards. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.33

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office, other than Listed and General Retail	LI/R (Light Industrial / Research)	M (Industrial)
	Mini-warehouse	LI/R (Light Industrial / Research)	M (Industrial)
North	Multi-Family Residential	H (High Density Residential)	R-4 (High Density Residential)
South	Auto Repair Garage - Major	LI/R (Light Industrial / Research)	M (Industrial)
East	General Retail	LI/R (Light Industrial / Research)	M (Industrial)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	n/a	n/a	n/a
Min. Lot Width	100 Feet	420	Y
Min. Setbacks			
• Front	10 Feet	21 Feet	Y
• Side	10 Feet	0 Feet	N *
• Corner	10 Feet	n/a	n/a
• Rear	0 Feet	0 Feet	Y

* Site plan approval per Rezoning (Z-0017-72) approved side setbacks of zero feet.

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

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree / 6 Spaces	7 Trees	0 Trees	N*
Buffer:				
Min. Trees	1 Tree / 30 Linear Feet	12 Trees	0 Trees	N*
TOTAL		19 Trees	0 Trees	N*
Min. Zone Width	15 Feet @ ROW			N*

* Site plan approval per Rezoning (Z-0017-72) approved zero parking area trees and depicted a four-foot wide perimeter landscape buffer at the right-of-way. Per condition six of that 1972 approval, landscaping along Pennwood Avenue was to be to Planning Department standards. However, staff can find no evidence that the Planning Department approved or required landscaping prior to the completion of this development.

Pursuant to Title 19.04 and Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other Than Listed	6,567 SF	1 space / 300 SF GFA	21 Spaces	1 Space	8 Spaces	1 Space	N*
Mini-Storage Facility	32,809 SF 119 Units	1 space / 50 Storage Units spread through out plus min. 5 spaces on exterior of security fence	8 Spaces		3 Spaces		N*
General Personal Service	308 SF	1 space / 250 SF GFA	2 Spaces		1 Space		N*
Furniture/Apppliance Store	561 SF	1 space / 500 SF of GFA	2 Spaces		1 Space		N*

Bakery - Delicatessen/ Donut Shop	1,848 SF	1 space / 100 SF GFA	18 Spaces	1 Space	8 Spaces	1 Space	N*
General Retail, Other Than Listed	7,240 SF	1 space / 175 SF GFA	40 Spaces	2 Spaces	16 Spaces		N*
SubTotal	49,556 SF		91 Spaces	4 Spaces	37 Spaces	2 Spaces	N*
TOTAL (including handicap)			95 Spaces		39 Spaces		N*
Percent Deviation					≈ 58.95% Reduction		
Loading Spaces		3 Spaces at 30,000 to 50,000 SF of GFA	3 Spaces		3 Spaces		Y

* If approved the companion Variance (VAR-18625) would allow 39 parking spaces where 95 parking spaces are the minimum required.

Summary of Site Differences – Per Z-0017-72 Site Plan and Current Site Plan				
	<i>Per Z-0017-72</i>	<i>Current</i>	<i>Difference</i>	<i>Percent Change</i>
Uses:				
Mini-warehouse Storage Facility (SF)	42,120 SF	32,809 SF	-8,580 SF	≈ 20.37% Reduction
Office (SF)	7,436 SF	4,801 SF	-2,635 SF	≈ 35.44% Reduction
Retail (SF)	Not Allowed	11,946 SF	+11,946 SF	100% Increase
Total Tenantable SF for non Mini-warehouse Storage Use(s)	7,436 SF	16,747 SF	+9,311 SF	≈ 125.21% Increase
Total Available Buildings' Square Footage per Site Plan	49,556 SF	49,556 SF	0 SF	0%
Parking Spaces Required	24 Spaces	95 Spaces	+71 Spaces	≈ 295.83% Increase
Parking Spaces Provided	24 Spaces	39 Spaces	+15 Spaces	≈ 62.5 % Increase

Waivers		
Request	Requirement	Staff Recommendation
To provide zero feet of perimeter landscape buffer along the northern interior lot line at the ROW	15 FT	Denial
To provide no landscaping planters in the parking lot	7 – 5 FT Planters w/ 1 - 24” Min. Box Tree per Planter	Denial

ANALYSIS

The subject property is designated as LI/R (Light Industrial/Research) under the Southeast Sector Plan of the General Plan. This category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. The existing buildings are currently used for a variety of retail and office uses at the front of the property and provides mini-storage facilities for the remainder of the property which are in compliance with the General Plan.

The M (Industrial) zoning district is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. This district is intended to be located away from all residential development. The uses established at this location are permissible in an M (Industrial) zoning district which is compatible with the LI/R (Light Industrial/Research) General Plan designation.

The site is within the McCarran International Airport Overlay Map portion of the Airport Overlay District. This is a developed site and is in compliance with Title 19.06.080 (B) which allows a “structure to a height up to thirty five feet above the surface of the land on any parcel” without a height limitation review or prohibition.

The site encompasses two parcels with existing buildings built across the lot lines. Additionally, should the parcels in the future become separate sites the site will placed out of conformance with development standards for the M (Industrial) zoning district? For this reason a condition has been added that prior to the issuance of any building or grading permits that a reversionary parcel map or administrative joining consolidating the parcels be recorded.

The expansion of uses and the increase in square footage devoted to the non mini-storage facility uses requires several deviations from development standards, including a parking variance (VAR-18625) which is also being heard concurrently with this item. Staff is recommending denial on the variance due to the self-imposed hardship generated by the project exceeding the scope of the original approvals for this site.

- Site Plan

The site lies 200 feet east of the intersection of Pennwood Avenue and South Valley View Boulevard. This is an existing mini-storage facility with retail and office uses.

The expansion of uses beyond just office uses and the increase in the amount of square footage devoted to non mini-storage facility uses requires 95 parking spaces. The submitted site plan indicates 39 spaces will be provided, including two handicap spaces depicted as van accessible. As noted above, a variance (VAR-18625) has been requested for an approximate 58.95 percent reduction in the number of required parking spaces and if approved would grant relief from the city standards.

Other than the addition of parking spaces the site remains the same as previously approved in 1972. There are a number of floor plan changes that have altered the sites suitability for the expanded uses located on-site.

- Landscape Plan

The rezoning (Z-0017-72) case that approved the M (Industrial) zoning designation and the siting for this development called for landscaping only at the right-of-way per condition six. The applicant is requesting that the perimeter landscaping buffer requirement, illustrated at four feet per the 1972 site plan, along the right-of-way be waived. Under the current development standards the perimeter landscape buffer requirement would be a 15-foot wide buffer with a minimum 24-inch box tree planted every 20 feet on center.

Further, the applicant is requesting that no parking area landscape planters be required. The rezoning (Z-0017-72) case showed no parking lot landscaping. The requested wavier would allow the applicant to add parking spaces without being required to add the parking lot landscaping planters.

- Elevations/Floor Plan

The building photos depict single story buildings of a mini-storage facility design with the Pennwood Avenue facing building having a storefront façade on the north elevation. The building pictures show that the non mini-storage facility uses have expanded from the previous approval of just the central building to include the end units of the building that wraps around the property in a horse shoe shape.

The floor plan shows that each tenant space previously approved at a depth of 26 feet have been increased to 50 feet without prior approval of the Planning and Development Department. The increased square footage and an unapproved increase in allowable uses have placed the development out of compliance with Title 19. During the public hearing on the development of this location in 1972 it was clear that the tenant spaces were to allow small office spaces to compliment the mini-storage facility activities not be a retail

center. Further, the floor plan expands retail and office uses to the end units of the horse shoe shaped building that wraps around the east-, south-, and western sides of the property where they were not previously allowed. The total existing tenantable retail and office space is 16,747 compared to the 7,436 square feet of office space that was approved per the 1972 zoning case (Z-0017-72).

The development has exceeded the intensity that was approved for this site which has necessitated the need for the companion variance and resulted in a failure to meet the original conditions of approval. Due to the intensity, lack of verifiable permits for tenant improvements, unapproved expansion of uses, deviations and waivers required, staff is recommending denial of this application.

FINDINGS

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

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

The proposed development is not compatible with adjacent development in the surrounding area due to the increased intensity of uses, landscaping wavier requests and deviations from parking standards.

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

This proposed site plan is in compliance with the general plan designation of LI/R (Light Industrial/Research) and the M (Industrial) zoning district on the site. However, the site is not consistent with Title 19.10 and Title 19.12 landscaping requirements. Further, the proposed site plan requires approval of a variance for a deviation of the parking standards.

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

The subject site is adjacent to Pennwood Avenue, a 80-foot wide local street that should be adequate to support the proposed use.

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

The building elevations depict design and materials that provide an acceptable building and are compatible with the surrounding multi-family residential developments.

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

The existing mini-storage facility, retail, and office development is compatible with other development in the area from a building elevation, design characteristics and aesthetic features point of view.

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

The existing mini-storage facility, retail, and office development is subject to regular building and business licensing inspections and therefore should not compromise the public health, safety or welfare; however, the lack of a Certificate of Occupancy for multiple tenant spaces indicate that work may have been done on-site without the proper inspections.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 8

SENATE DISTRICT 11

NOTICES MAILED 339 [Mailed with VAR-18625]

APPROVALS 0

PROTESTS 0





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-19214 APN: 162-07-702-002 & 003

Name of Property Owner: La Feria Investment Properties LLC.

Name of Applicant: La Feria Investment Properties LLC.

Name of Representative: Bayron Rosales

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: Bayron Rosales.

Print Name: Bayron Rosales

Subscribed and sworn before me

This 13 day of January, 2007

Notary Public in and for said County and State



3851 PENNWOOD AVENUE PROPERTY PARKING REQUIREMENTS

BUILDING NAME	USE TYPE	LOCATION	SF.	SF. PERMITTED	PERMITTED
LA FERIA RESIDENCY	RES.	AS-18	462,000	100,000/1	10
LA FERIA BLDG.	RES.	AS-2	1100	175/1	7
LA FERIA STORE	RES.	AS-3-4	1100	175/1	7
GARDEN AND ADJAC.	OFFICE	AS-7-8	807	200/1	4
LA CLARA MARKET	RES.	AS-9-11	1000	175/1	10
LA FERIA PARKING	RES.	AS-12-15	1100	175/1	4
LA FERIA BLDG.	RES.	AS-16-17	1100	175/1	7
LA FERIA BLDG. OFFICE	RES.	AS-18-20	1100	175/1	10
LA FERIA BLDG.	RES.	AS-21-24	1100	175/1	7
LA FERIA BLDG. PROPERTY	RES.	AS-25-28	1100	200/1	4
COMMUNITY BLDG.	OFFICE	AS-29	700	175/1	5
UNIVERSITY OFFICE SPACE	OFFICE		2100	200/1	11
WAREHOUSE AREA	STORAGE		100,000,000	1/20 SPACES PER 1,000	8
TOTAL SPACES REQUIRED					80
TOTAL SPACES PROVIDED					20
TOTAL ACCESSIBLE SPACES REQUIRED (SAS PER 2000 CODE TABLE 1)					4
TOTAL ACCESSIBLE SPACES PROVIDED					2

NO SITE LANDSCAPING
LANDSCAPING WAIVER REQUIRED
APARTMENT COMPLEX

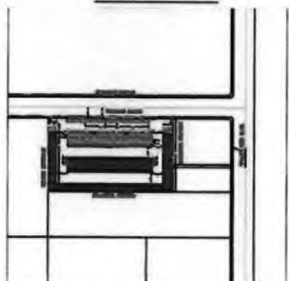
PENNWOOD AVENUE



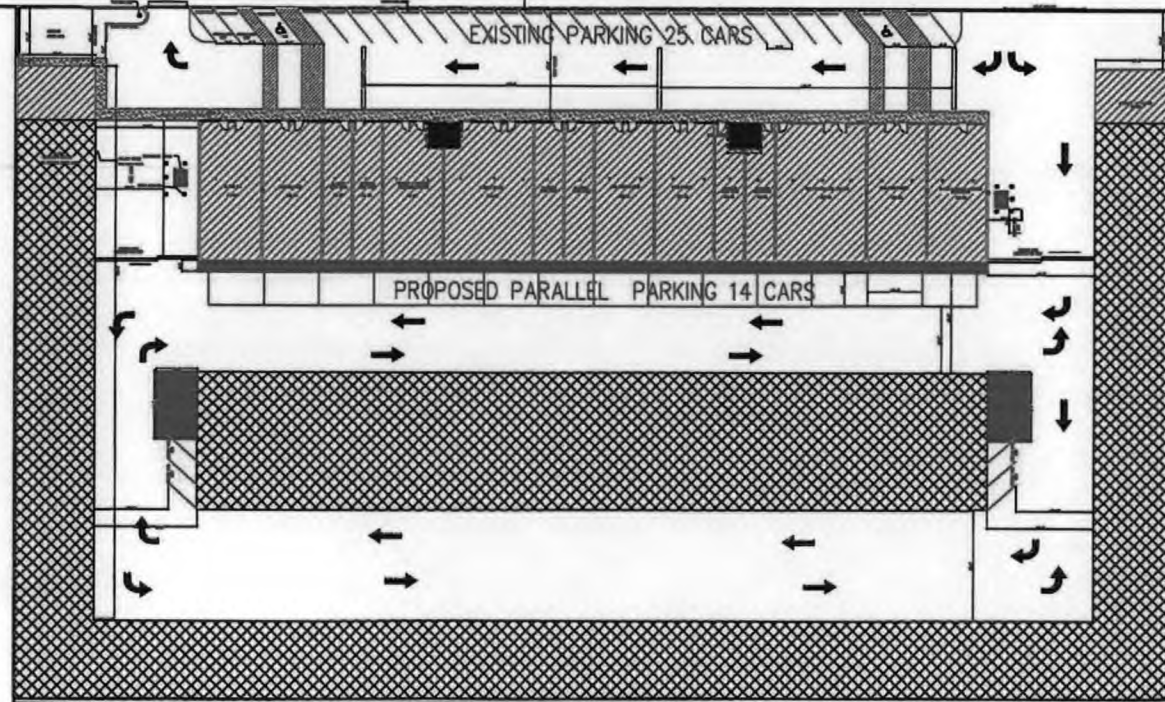
SITE PLAN
SCALE: 1" = 20'-0"

PARKING AREAS	
7 REGULAR SPACES	30 SPACES
7 ACCESSIBLE SPACES	2 SPACES
TOTAL SPACES	41 SPACES

VICINITY MAP



APARTMENT COMPLEX



NOTE: RENTERS OF STORAGE SPACES PARK FOR LOADING AND UN-LOADING PURPOSES ONLY

RECEIVED
JAN 31 2007

LA FERIA INVESTMENT PROPERTIES LLC
STORAGE/WAREHOUSE IMPROVEMENT
3851 PENNWOOD AVE
LAS VEGAS, NEVADA 89102

DEBOARD CONSTRUCTION COMPANY
GENERAL CONTRACTOR LIC. 49004
800 N. RAINBOW BLVD. SUITE 208
PHOENIX (602) 978-7575, FAX (602) 978-4298

PROPOSED SITE PLAN

SITE-REV

VAR-18625 SDR-19214
REVISED 02/22/07 PC

[illegible]



BLD A FACING SOUTH



SDR-19214

02/22/07 PC

RECEIVED
2
JAN 12 2007

BLD B B-1 FACING SOUTH



7

BLD B B 10-12 FACING SOUTH



8

BLD B B 11-13 FACING SOUTH

SDR-19214
02/22/07 PC

DECEMBER
JAN 12 2007



13

BLD B B-26 FACING SOUTH



14

BLD G G1-2 FACING SOUTH



17

BLD B REAR B6-8 FACING NORTH

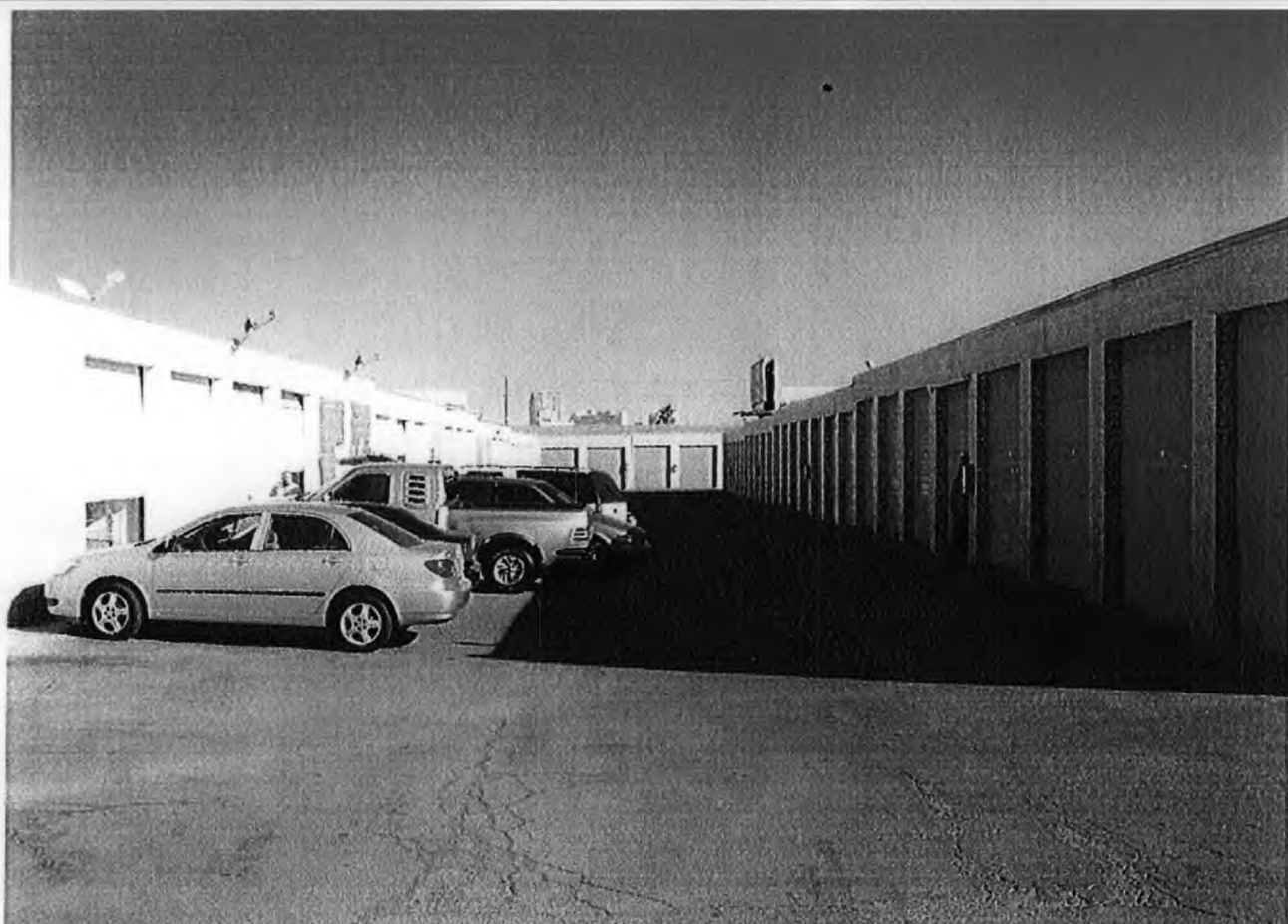


SDR-19214

02/22/07 PC

18

BLD B REAR B1-8 FACING EAST



25
SPACE BTWN BLD B/C AND D/E FACE EAST



SDR-19214
02/22/07 PC

26
BLD B B-1 FACING NE SIDE



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06

LA FERIA, LLC & LA FERIA INVETMENT PROPERTIES, LLC
P.O BOX 27495 LAS VEGAS NEVADA 89126
Phone: 702-222-1033 Fax: 702-966-9761

To: City of Las Vegas
Planning Commission
Planning and Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Re: Justification for Site Development Plan Review for 3851 Pennwood Drive

To Whom It May Concern,

La Feria Investment Properties, llc, with Bayron Rosales as their representative, come before this Honorable Planning Commission requesting a Site Development Plan Review for the property located at 3851 Pennwood Drive. This property is located just west of Valley View Ave. on Pennwood in one of the cities most highly dense neighborhoods.

The property owned by La Feria Investment Properties, llc is directly across from two Apartment Complexes, is bordered to the West by residential condominiums/ apartments and to the south and east by commercial entities, a strip mall complex and a Seven-Eleven respectively. The neighborhood is pedestrian and mostly Hispanic.

The businesses which have come to be Tenants at 3851 Pennwood are owned by and cater to the Hispanic Community which has come to call this neighborhood home. They are family owned and operated providing a variety of services necessary for this family orientated neighborhood. Services offered to the community include a DMV services business, a Tax and Accounting Service, a furniture store, a 99 Cent Store, as well as a clothing store, a boutique and a deli/bakery. These are the primary businesses which provide this community with the services needed by all members of the City of Las Vegas.

Site Development Plan Review of this property is necessary because (1) as purchased by the present owners this property has no landscaping as was proposed to the City in 1977, by the owners at that time, when a request to use the spaces fronting Pennwood Ave., Bld."B", as office Spaces was approved, and (2) as the property has progressed since 1977 the renters of Bld. "B" have expanded their businesses to include Bld. "C", the connected Storage Spaces.

SDR-19214
02/22/07 PC

LA FERIA, LLC & LA FERIA INVESTMENT PROPERTIES, LLC

P.O BOX 27495 LAS VEGAS NEVADA 89126

Phone: 702-222-1033 Fax: 702-966-9761

The owners of this property respectfully pray that Site Development Plan Review will amend the usage as approved in 1977 to allow the businesses in the areas fronting Pennwood Ave (Bld's "B" and "C" and Bld. A 1-6, Bld G1-6 beyond the proposed security gates) allowing the necessity for family owned businesses in this neighborhood which provides the services necessary for the Citizens of Las Vegas which live in the area and are the patrons of the tenants at 3851 Pennwood, which creates the revenue of the Tenants of 3851 Pennwood with each business owner paying all required fees and taxes required by the City to maintain operation in their present status.

Respectfully Submitted for La Feria Investment Properties, llc by:

Bayron Rosales
(PRINT NAME)

Bayron Rosales
SIGNATURE

SDR-19214
02/22/07 PC

LA FERIA, LLC AND LA FERIA INVESTMENT PROPERTIES, LLC**P.O BOX 27495****LAS VEGAS, NEVADA 89126****PHONE: 702-318-1103**

4/18/2007

Attn: City Clerk
RE: La Feria, LLC
Case SDR 19214

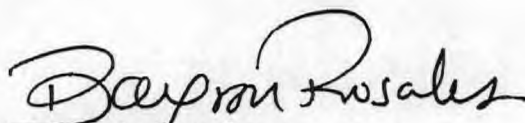
2007 APR 18 P 1:12

RECEIVED
CITY CLERK**To Whom it May Concern:**

I, Bayron Rosales, president of La Feria, LLC, would like to hold SDR 19214 in
abeyance for ninety (90) days. 7-18-07

If you have any question and / or concerns please contact me at 702-318-1103

Sincerely,



Bayron Rosales
President
La Feria, LLC

Submitted on 4/18/07

Date 4-18-07 Item #103

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

THE MEADOWS MOBILE HOME PARK

2900 South Valley View Boulevard
Las Vegas, NV 89102
(702) 876-3660

February 15, 2007

Planning and Development Department
Current Planning Division
Andrew P. Reed, Planning Supervisor
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Re: VAR-18625
SDR-19214

→ PROTEST

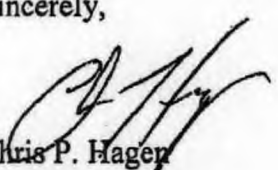
Dear Mr. Reed:

We strenuously oppose both of the above referenced applications.

We have been encouraged by the redevelopment of the neighborhood and landscaping has provided the enhanced curb appeal versus the historically industrial neighborhood. We have spent considerable money on landscaping and would expect the city to reinforce this landscape buffer and required parking minimum.

Thank you for your consideration.

Sincerely,


Chris P. Hagen
Vice President

CPH:mmd

69 02 19 09
21 50 10
02 19 09

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**
VARIANCE

VAR-19098 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP - Request for a Variance TO ALLOW 74 PARKING SPACES WHERE 87 SPACES ARE REQUIRED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

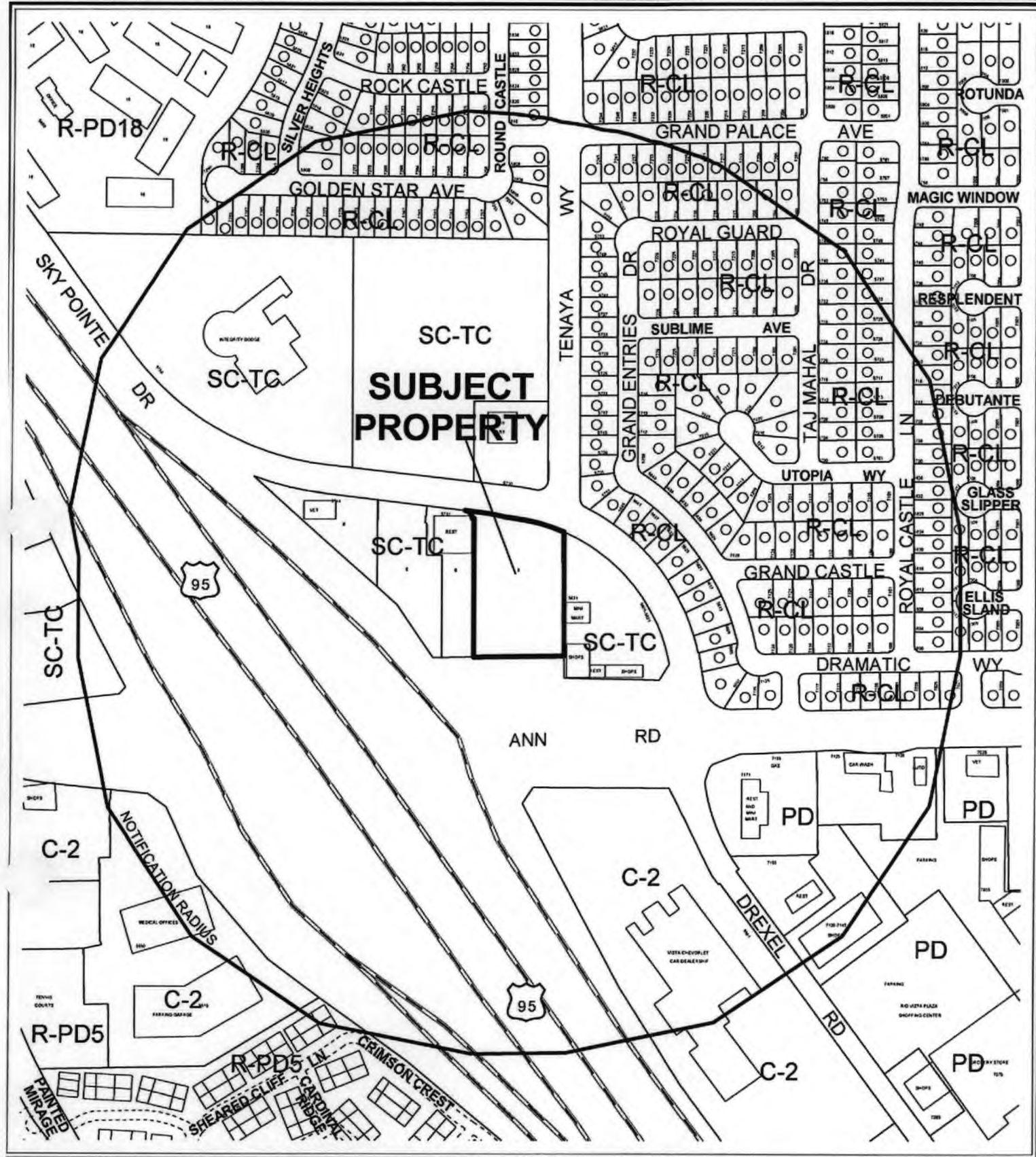
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised Site Plan dated 03-19-2007
6. Protest letter from K. Singh
7. Submitted after final agenda – Abeyance request from Kummer Kaempfer Bonner Renshaw and Ferrario for Items 104-108
8. Backup referenced from the 02-22-07 Planning Commission Meeting Item 29

Motion made by GARY REESE to Hold in Abeyance Items 104-108 and Item 130 to 5/2/2007; Items 110-112 to 5/16/2007; Item 117 to 6/20/2007; Item 113 to 7/11/2007; Item 103 to 7/18/2007; and Withdraw Without Prejudice Items 114 and 115

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

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



CASE: **VAR-19098**

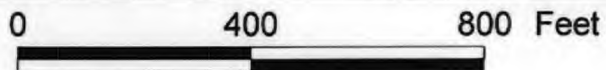
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE-COMMERCIAL) SPECIAL LAND USE DESIGNATION]

0 400 800 Feet





T-C (TOWN CENTER) ZONE [SC-TC (SERVICE-COMMERCIAL) SPECIAL LAND USE DESIGNATION]



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

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

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 4, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1/sd-1/rt vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-19100) and Site Development Plan Review (SDR-19097) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow 74 parking spaces where 87 spaces are required on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive.

The request does not meet the criteria for the approval of variances, as the hardship is self-created and the applicant could revise the development plan in order to comply with parking requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a rezoning (Z-76-98) of this site to TC (Towncenter) as part of a larger overall request.
02/22/07	The Planning Commission recommended approval of companion items VAR-19447, SUP-19100 and SDR-19097 concurrently with this application.
	The Planning Commission voted 4-1/sd-1/rt to recommend APPROVAL (PC Agenda Item #29/ar).
<i>Pre-Application Meeting</i>	
12/12/06	The applicant was informed that this proposal would require a waiver of the Towncenter standard which requires a minimum 330 foot separation between a hotel and any detached single-family dwelling.
<i>Neighborhood Meeting</i>	
02/12/07	A neighborhood meeting was held at the Cimarron Rose Community Center, located at 5591 North Cimarron Road.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.83 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
North	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
South	Ann Road	Ann Road	Ann Road
East	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
West	Tavern	TC (Towncenter)	TC-SC (Towncenter Service Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		N

The proposed hotel does not comply with the Towncenter standards because it is located within 330 feet of single family detached development (considered within SUP-19100) and because it proposes a four story structure where two stories is the maximum permitted (considered within VAR-19447).

DEVELOPMENT STANDARDS

Per the Towncenter Development Standards Manual:

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Hotel	87 rooms	1 space per room	87 spaces	4 spaces	74 spaces	4 spaces	N*
TOTAL			87 spaces	4 spaces	74 spaces	4 spaces	
Loading Spaces			1 space		1 space		Y
Percent Deviation					15 %		

Because there is no hardship associated with this variance, staff is recommending denial.

ANALYSIS

This site is currently undeveloped. The applicant proposes to develop a four story, 87 room hotel in the south portion of the site. Per the Zoning Code, a hotel of this size requires 87 parking spaces. A total of 74 spaces are provided in a parking lot located north of the hotel. The applicant has submitted a variance (VAR-19098) to address this deficiency. Staff finds there is no hardship associated with the site and is unable to support this variance.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by not providing the required number of parking spaces for the existing and proposed uses. The provision of additional parking spaces or a change in the development plan would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 375 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-19098** APN: 125-27-410-004

Name of Property Owner: KRFAM LP

Name of Applicant: Nigro Development

Name of Representative: Brad Jones

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

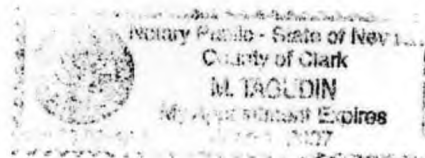
Signature of Property Owner: _____

Print Name: Wayne Kryzner

Subscribed and sworn before me

This 4 day of January, 2007

M. Tagudin
Notary Public in and for said County and State



January 4, 2007

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

**RE: HOLIDAY INN EXPRESS
PROJECT NO: 06-180
JUSTIFICATION LETTER
APN #125-27-410-004**

To Whom It May Concern:

We are requesting a Special Use Permit, Site Development Review, Waiver of Development Standards and Variance to allow a Hotel use in a SC-TC (Service Commercial – Town Center) Zone.

The current zoning of this property, Service Commercial, allows a hotel with a Special Use Permit therefore the current zoning is appropriate. The project is bounded on the North, East and West by same zone designation properties. These are developed with a Convenience Store with gas pumps on the North across Sky Point, a Convenience Store w/ gas pumps and a Retail Building on the East, and a Tavern on the West. The South is bounded by the Ann Road/ US-95 Interchange. The Northeast corner of Sky Point Drive and Tenaya Way is the back of a Residential Development, the Grand Entries Subdivision.

We are requesting a Waiver of Development Standard to reduce the required 330' separation from a residential development. This project is a non-gaming, non-dining, non-entertaining hotel. The only food service for this hotel will be to provide a continental style breakfast meal for its guests. The intent of this hotel is to serve the local residential community, and the family and friends who visit who wish to stay closer to the family than to the entertaining portion of the city.

The front parking encroaches into the 15' landscape setback by less than twelve inches for a width of approximately three feet. This encroachment is allowed by the Town Center Development Standards Manual in Section D.2.B.8.c. so no waiver is required for this minor encroachment.

We are also requesting a Variance for the quantity of required "on-site" parking spaces. The hotel requires 87 parking spaces. Due to the slender nature of this site we are able to provide a total of 74 spaces. These spaces are a combination of standard, compact and accessible space as permitted by the Development Standards. We are requesting a reduction of 13 spaces which is 14.9%. We feel that by the nature of the non-gaming, non-entertaining hotel and the cross access of the properties to the East and West the reduction shall not have an adverse affect on the roadways or local community.

We feel that the proposed 87 room Hotel is well suited for the neighborhood. The design features a combination of cement plaster finish and stone veneer with a hip roof. The building has a residential feel and will blend nicely with the adjacent Tavern.

**VAR-19098
02/22/07 PC**

We respectfully request the City of Las Vegas grant approval for this project as shown on the accompanying plans. We ask that this submittal be used for approval of the Site Development Review.

Thank you for your consideration in this matter. Should you have any further questions or require additional information please call our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ray Finkel', with a long horizontal flourish extending to the right.

Ray Finkel
Project Manager

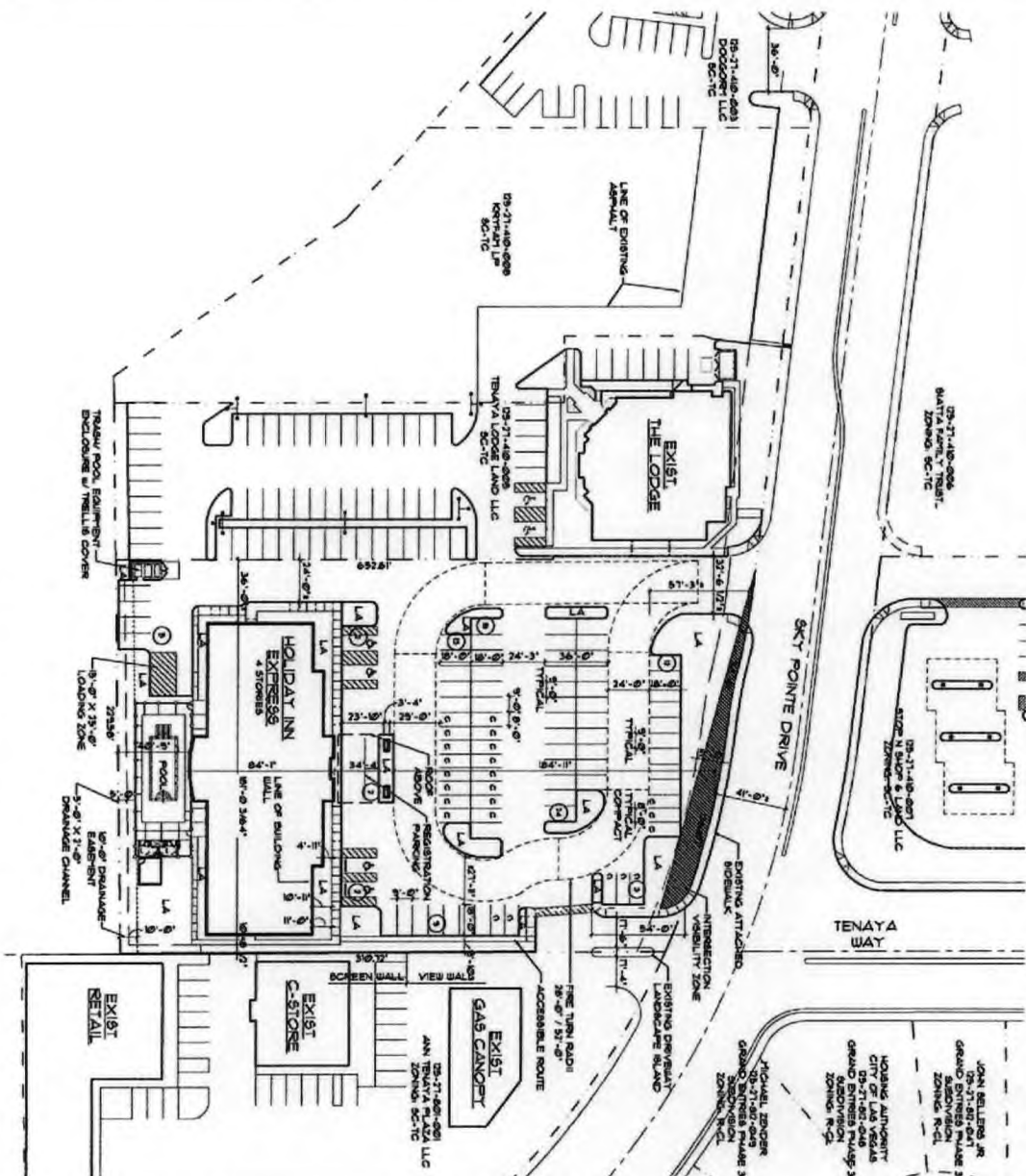
cc: 6180 JL.doc

VAR-19098
02/22/07 PC

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

NORTH

RECEIVED
MAR 19 2007



05-7140-00
79/05 05.
(100 ACB/A)

[illegible]

	ROOM COUNT			
	KIND/ DEB. GREEN	CHG/ DEB. WHITE	ACC. DEB. WHITE	ACC. DEB. ROSE
4th FLOOR	11	5	1	
5th FLOOR	11	5	1	
6th FLOOR	4	1	1	
7th FLOOR	5	3	6	
TOTAL	36	14	9	4

no inferences or services these drawings and specifications are the property of the architect and may not be reproduced or used for any purpose without the architect's written consent. copies of the drawings and specifications retained by the client may be utilized only for the use and for accounting the project for which they were prepared, and not for construction of any other projects, any use or reproduction of this drawing in whole or part by any means whatsoever is strictly prohibited. these documents are not final and ready for use, and therefore not valid, unless they are sealed, signed, and dated. ncs 637.700 graphic design concepts, inc. 8/2000.		sheet title ARCHITECTURAL SITE PLAN SUP, SDR, VAR SUBMITTAL	project title holiday inn EXPRESS SW CORNER OF SYPORTE DRIVE AND TENAYA WAY LAS VEGAS, NEVADA	pacific design concepts, llc 3005 w. horizon ridge parkway, suite 200 henderson, nevada 89052 (702) 454-5842 fax (702) 454-7842
--	--	--	---	--

RECEIVED
CITY CLERK

April 3, 2007

2007 APR -3 P 3:31

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

Protest

Dear Honorable Members of City Council,

I am writing this letter to object to the Sup-19100, Variances 194⁴⁷ & 19098 & SDR 19097. I have been a long term resident of Las Vegas and an original owner of the home that is affected by these suggested changes.

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

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

Sincerely,



Mr. K. Singh

P.O. Box 36382

Las Vegas, Nevada 89130

Date 04-03-07 Item # 85-88



City of Las Vegas
City Clerks office
400 Stewart Ave
Las Vegas, Nevada 89101

Re: VAR 19098, VAR 19447, SUP 19100, SDR 19097

To Whom It May Concern:

Nigro Development and KRYFAM LP would like to hold the above noted applications for 2 weeks. We ask that the applications be heard on the April 4, 2007 City Council agenda.

Please feel free to contact me with any questions you may have.

Brad Jones
Land Development / Project Manager
Nigro Development

CC: Marisa Tagudin, Amland Development
Andy Reed, City of Las Vegas
Sheila Lambert, City of Las Vegas

2007 MAR 21 A 9:37

RECEIVED
CITY CLERK

3965 SOUTH DURANGO DR. SUITE 106
LAS VEGAS, NEVADA 89147

ph 702.247.1920
fax 702.247.1914

nigrodevelopment.net

3/21/07 #104-107

KUMMER**KAEMPFER**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

CHRISTOPHER L. KAEMPFERckaempfer@kkbrf.com
702.792.7054**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**RECEIVED
CITY CLERK

2007 APR 17 A 9:15

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.798.7181RENO OFFICE
5585 Kieselke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982SUMMERLIN OFFICE
3025 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89128
Tel: 702.693.4280
Fax: 702.939.8487CARSON CITY OFFICE
510 W Fourth Street
Carson City, NV 89703
Tel: 775.882.1311
Fax: 775.882.0257

April 17, 2007

VIA FACSIMILE - 382-4803City Clerk
City of Las Vegas
400 E. Stewart, 1st Fl.
Las Vegas, NV 89101**Re: City of Las Vegas, City Council Hearing, Wednesday, April 18, 2007
VAR-19098, VAR-19447, SUP-19100, SDR-19097, ARC-20049
Item Nos. 104, 105, 106, 107, 108**

To Whom It May Concern:

This office represents the owner/applicant with regard to the above-referenced applications.

We respectfully request that the above items be held until the City Council hearing of May 2, 2007, in order for us to hold a neighborhood meeting.

Thank you for your consideration of our request.

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Christopher L. Kaempfer

CLK/lcj

Submitted after final agenda

Date 4-17-07 Item # 104-108

325210

14522.1

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

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
La Quinta Inn # of rooms 128 # of available spaces 128	2/14/2007	9:00 AM	104	75%	96.5
	2/14/2007	7:00 PM	89		
	2/15/2007	7:30 AM	83	65%	83
	2/16/2007	7:00 PM	108	84%	108
	2/17/2007	6:00 PM	70	55%	70

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
Hampton Inn # of rooms 127 # of available spaces 127	2/14/2007	9:00 AM	95	72%	91.5
	2/14/2007	7:00 PM	88		
	2/15/2007	7:30 AM	88	54%	88
	2/16/2007	7:00 PM	101	80%	101
	2/17/2007	6:00 PM	105	83%	105

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
Siena Extended Stay # of rooms 300 # of available spaces 325	2/14/2007	9:00 AM	200	81%	197
	2/14/2007	12:00 PM	218		
	2/14/2007	6:00 PM	173		
	2/15/2007	9:00 AM	193	63%	205
	2/15/2007	12:00 PM	234		
	2/15/2007	6:00 PM	188		
	2/16/2007	9:00 AM	169	56%	182
	2/16/2007	12:00 PM	222		
	2/16/2007	6:00 PM	155		
	2/17/2007	9:00 AM	170	57%	185
	2/17/2007	12:00 PM	215		
	2/17/2007	6:00 PM	171		
	2/18/2007	9:00 AM	93	43%	138
	2/18/2007	12:00 PM	197		
	2/18/2007	6:00 PM	125		

	Date	Time	# of Cars	Daily Avg. Cars	
				Daily Avg. %	Daily Avg. Cars
Tenaya Lodge # of available spaces 69	2/16/2007	7:00 PM	51	74%	51
	2/17/2007	6:00 PM	22	32%	22
	2/18/2007	5:45 PM	31	45%	31

	Date	Time	# of Cars	Daily Avg. Cars	
				Daily Avg. %	Daily Avg. Cars
Mulligans # of available spaces 65	2/14/2007	9:00 AM	26	45%	29
	2/14/2007	12:00 PM	23		
	2/14/2007	6:00 PM	39		
	2/15/2007	9:00 AM	22	46%	30
	2/15/2007	12:00 PM	35		
	2/15/2007	6:00 PM	33		
	2/16/2007	9:00 AM	18	48%	31
	2/16/2007	12:00 PM	31		
	2/16/2007	6:00 PM	45		
	2/17/2007	9:00 AM	21	39%	26
	2/17/2007	12:00 PM	34		
	2/17/2007	6:00 PM	22		
	2/18/2007	9:00 AM	14	23%	15
	2/18/2007	12:00 PM	21		
	2/18/2007	6:00 PM	10		

Submitted at Planning Commission

Date 2/22/07 Item # 29-32

Telephone Protest/ Approval Log

Meeting Date: 2/22/07

Case Number: VAR 19098

Date: 2/21/07
Name: Raythell Berry
Address: 7012 Glas Shipper
Phone: 655-2741
☒ PROTEST ☐ APPROVE

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

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

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

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

VARIANCE RELATED TO VAR-19098

VAR-19447 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP - Request for a Variance TO ALLOW A FOUR-STORY HOTEL WHERE TWO STORIES ARE THE MAXIMUM PERMITTED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-22-07 Planning Commission Meeting Item 30

Motion made by GARY REESE to Hold in Abeyance Items 104-108 and Item 130 to 5/2/2007; Items 110-112 to 5/16/2007; Item 117 to 6/20/2007; Item 113 to 7/11/2007; Item 103 to 7/18/2007; and Withdraw Without Prejudice Items 114 and 115

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

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

Minutes:

See Item 104 for related backup.

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19447 - APPLICANT/OWNER: KRYFAM, LP

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 4, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1/sd-1/rt vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-19100) and Site Development Plan Review (SDR-19097) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a four story hotel where two stories are the maximum permitted on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive.

The request does not meet the criteria for the approval of variances, as the hardship is self-created and the applicant could revise the development plan in order to comply with height requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a rezoning (Z-76-98) of this site to TC (Towncenter) as part of a larger overall request.
02/22/07	The Planning Commission recommended approval of companion items VAR-19098, SUP-19100 and SDR-19097 concurrently with this application. The Planning Commission voted 4-1/sd-1/rt to recommend APPROVAL (PC Agenda Item #30/ar).
<i>Pre-Application Meeting</i>	
12/12/06	The applicant was informed that this proposal would require a waiver of the Towncenter standard which requires a minimum 330 foot separation between a hotel and any detached single-family dwelling.
<i>Neighborhood Meeting</i>	
02/12/07	A neighborhood meeting was held at the Cimarron Rose Community Center, located at 5591 North Cimarron Road.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.83 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
North	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
South	Ann Road	Ann Road	Ann Road
East	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
West	Tavern	TC (Towncenter)	TC-SC (Towncenter Service Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		N

The proposed hotel does not comply with the Towncenter standards because it is located within 330 feet of single family detached development (considered within SUP-19100) and because it proposes a four story structure where two stories is the maximum permitted (considered within VAR-19447).

DEVELOPMENT STANDARDS

Per the Towncenter Development Standards Manual:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	1.83	Y
Min. Lot Width	N/A	220 Feet	Y
Min. Setbacks			
• Front	15 Feet	169 Feet	Y
• Side	10 Feet	10 Feet	Y
• Rear	20 Feet	41 Feet	Y
Max. Lot Coverage	N/A	18 %	Y
Max. Building Height	Two stories	Four stories	N*

*This issue will be considered under Variance VAR-19447.

Per Title 19.08.06, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	205 Feet	260 Feet	Y
Adjacent development matching setback	15 Feet	260 Feet	Y
Trash Enclosure	50 Feet	440 Feet	Y

ANALYSIS

This site is currently undeveloped. The applicant proposes to develop a four story, 87 room hotel in the south portion of the site. Access to Sky Pointe Drive will be provided by two existing driveways. Landscape buffers that comply with Towncenter standards and include Rio Grande Ash, Chitalpa and assorted five gallon shrubs are provided along the appropriate property lines. Planter islands with 24 inch box Shoestring Acacia are shown within the parking lot. The elevations depict a plaster exterior with a decorative stone veneer accent. A maximum overall building height of 68 feet three inches is shown.

The Special Use Permit conditions for a hotel in the TC-SC (Towncenter-Service Commercial) require a minimum height of three stories. The development standards of the TC-SC district require structures that exceed two stories in height to be located on a parcel that is larger than 20 acres in size, and require the building to be set back at least 50 feet from all property lines. This application meets neither of these criteria and staff recommends denial.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a four story structure where two stories are the maximum permitted. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT

13

SENATE DISTRICT

9

NOTICES MAILED 375 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-19447** APN: 125-27-410-004

Name of Property Owner: KREAM LP

Name of Applicant: NIGRO DEVELOPMENT

Name of Representative: Brad Jones

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

☐ Yes

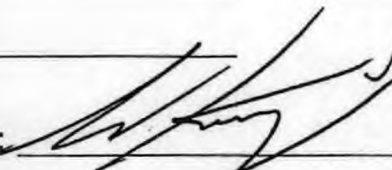
☒ No

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

City Official: _____

Partner(s): _____

APN: _____

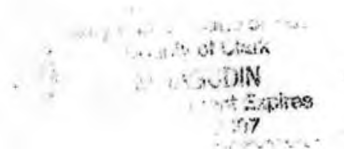
Signature of Property Owner: 

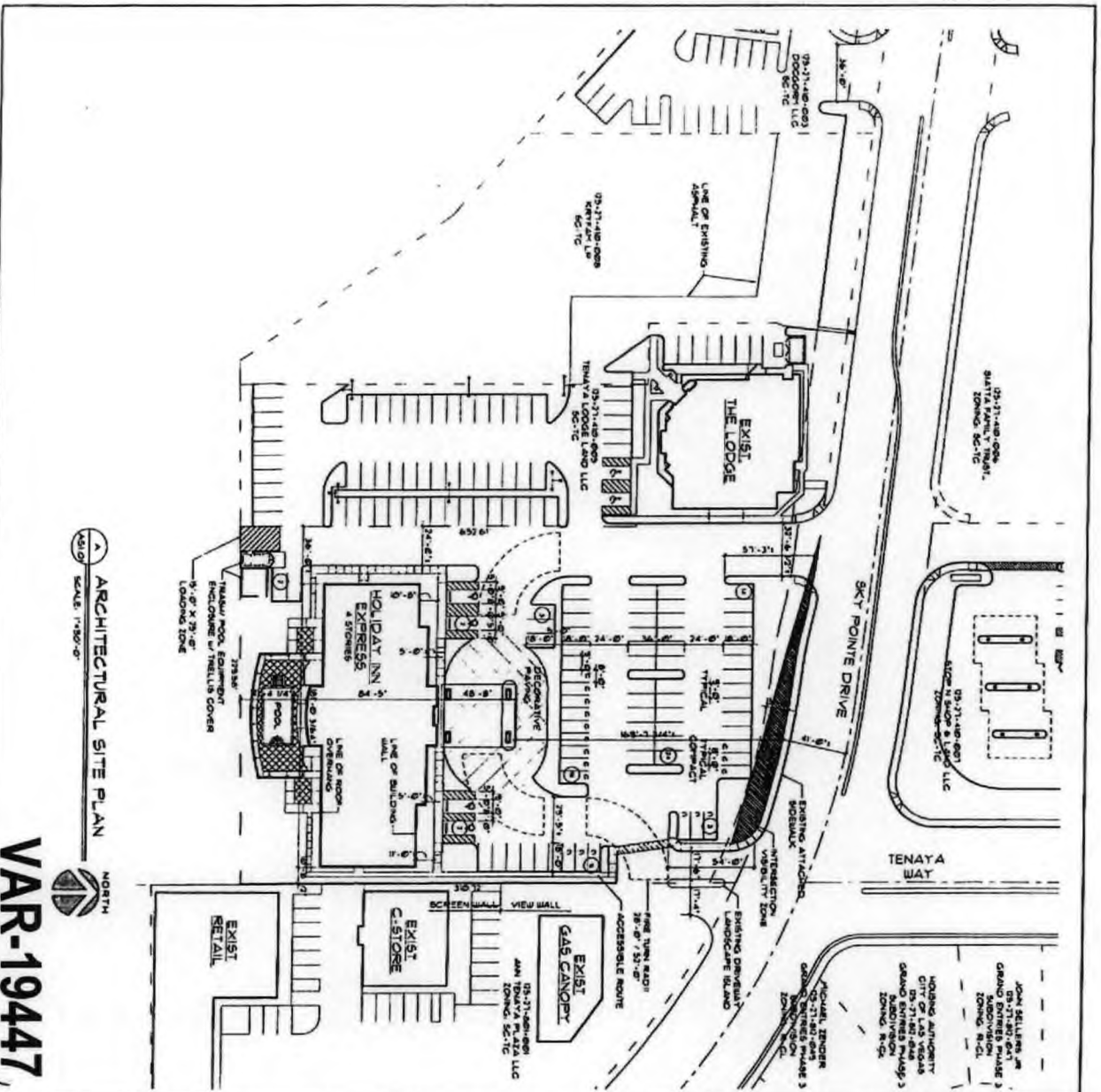
Print Name: Wayne Krygier

Subscribed and sworn before me

This 4 day of January, 20 07

M. Gudon
Notary Public in and for said County and State





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



VAR-19447

02/22/07 PC

PROJECT DATA

[illegible]

PROJECT LOCATION



GENERAL NOTES

1. SEE LANDSCAPE DRAWINGS FOR LANDSCAPING INFORMATION.
2. SEE CIVIL DRAWINGS FOR ALL SITE LAYOUT DIVISIONS, CURBS, OUTLETS AND PLANTERS.
3. SEE CIVIL, PLUMBING, AND ELECTRICAL DRAWINGS FOR UTILITY LINES.
4. SEE CIVIL DRAWINGS FOR ALL BUILDING AND DRAINAGE INFORMATION.
5. SITE LAYOUT IS TO BE COORDINATED WITH CIVIL DRAWINGS & DISCREPANCIES EXIST. THE CIVIL DRAWINGS SHALL TAKE PRECEDENCE OVER THE DRAINAGE. NOTIFY THE ARCHITECT IF ANY DISCREPANCY EXISTS.
6. ALL OF THE CONCRETE WALLS RECEIVE WATERED PLAY JOINTS AT 8'-0" O.C. AND ISOLATED JOINTS AT 3'-0" O.C.
7. DOWN-COMING WALLS, LANDSCAPE ETC. SHALL RECEIVE LIGHT PROTECTION.
8. LOCATE ALL PLAYERS AWAY FROM BUILDING IN MINIMUM 10' ZONE. ALSO ACCESSIBLE IF MOBILE WILL NOT EXCEED 24" IN DEPTH OR TRAVEL, AND IT CROSS BLOCK.
9. BUILDING AND SITE BOUNDARY SHALL BE UNDER SEPARATE SPECIFICATION AND SHOWN TO BE USED IN REFERENCE ONLY.

ARCHITECTURAL
SITE PLAN



nigro

project title •

**Holiday Inn
EXPRESS**

210 CORNER OF
SKYPOINTE DRIVE
AND TENAYA WAY
LAS VEGAS, NEVADA

pacific design concepts, llc
3005 w. horizon ridge parkway, suite 200
henderson, nevada 89052
(702) 454-5842 fax (702) 454-7842

AS1.01

January 4, 2007

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

**RE: HOLIDAY INN EXPRESS
PROJECT NO: 06-180
JUSTIFICATION LETTER
APN #125-27-410-004**

To Whom It May Concern:

We are requesting a Special Use Permit, Site Development Review, Waiver of Development Standards and Variance to allow a Hotel use in a SC-TC (Service Commercial – Town Center) Zone.

The current zoning of this property, Service Commercial, allows a hotel with a Special Use Permit therefore the current zoning is appropriate. The project is bounded on the North, East and West by same zone designation properties. These are developed with a Convenience Store with gas pumps on the North across Sky Point, a Convenience Store w/ gas pumps and a Retail Building on the East, and a Tavern on the West. The South is bounded by the Ann Road/ US-95 Interchange. The Northeast corner of Sky Point Drive and Tenaya Way is the back of a Residential Development, the Grand Entries Subdivision.

We are requesting a Waiver of Development Standard to reduce the required 330' separation from a residential development. This project is a non-gaming, non-dining, non-entertaining hotel. The only food service for this hotel will be to provide a continental style breakfast meal for its guests. The intent of this hotel is to serve the local residential community, and the family and friends who visit who wish to stay closer to the family than to the entertaining portion of the city.

The front parking encroaches into the 15' landscape setback by less than twelve inches for a width of approximately three feet. This encroachment is allowed by the Town Center Development Standards Manual in Section D.2.B.8.c. so no waiver is required for this minor encroachment.

We are also requesting a Variance for the quantity of required "on-site" parking spaces. The hotel requires 87 parking spaces. Due to the slender nature of this site we are able to provide a total of 74 spaces. These spaces are a combination of standard, compact and accessible space as permitted by the Development Standards. We are requesting a reduction of 13 spaces which is 14.9%. We feel that by the nature of the non-gaming, non-entertaining hotel and the cross access of the properties to the East and West the reduction shall not have an adverse affect on the roadways or local community.

We feel that the proposed 87 room Hotel is well suited for the neighborhood. The design features a combination of cement plaster finish and stone veneer with a hip roof. The building has a residential feel and will blend nicely with the adjacent Tavern.

**VAR-19447
02/22/07 PC**

We respectfully request the City of Las Vegas grant approval for this project as shown on the accompanying plans. We ask that this submittal be used for approval of the Site Development Review.

Thank you for your consideration in this matter. Should you have any further questions or require additional information please call our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ray Finkel', with a long horizontal flourish extending to the right.

Ray Finkel
Project Manager

cc: 6180 JL.doc

VAR-19447
02/22/07 PC

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

	Date	Time	# of Available Spaces	Daily Avg.	
				%	Spaces Available
La Quinta Inn # of rooms 128 # of available spaces 128	2/14/2007	9:00 AM	104	75%	96.5
	2/14/2007	7:00 PM	89		
	2/15/2007	7:30 AM	83	65%	83
	2/16/2007	7:00 PM	108	84%	108
	2/17/2007	6:00 PM	70	55%	70

	Date	Time	# of Available Spaces	Daily Avg.	
				%	Spaces Available
Hampton Inn # of rooms 127 # of available spaces 127	2/14/2007	9:00 AM	95	72%	91.5
	2/14/2007	7:00 PM	88		
	2/15/2007	7:30 AM	88	54%	88
	2/16/2007	7:00 PM	101	80%	101
	2/17/2007	6:00 PM	105	83%	105

	Date	Time	# of Available Spaces	Daily Avg.	
				%	Spaces Available
Siens Extended Stay # of rooms 300 # of available spaces 325	2/14/2007	9:00 AM	200	61%	197
	2/14/2007	12:00 PM	218		
	2/14/2007	6:00 PM	173		
	2/15/2007	9:00 AM	193	63%	205
	2/15/2007	12:00 PM	234		
	2/15/2007	6:00 PM	188		
	2/16/2007	9:00 AM	169	56%	182
	2/16/2007	12:00 PM	222		
	2/16/2007	6:00 PM	155		
	2/17/2007	9:00 AM	170	57%	185
	2/17/2007	12:00 PM	215		
	2/17/2007	6:00 PM	171		
	2/18/2007	9:00 AM	93	43%	138
	2/18/2007	12:00 PM	197		
	2/18/2007	6:00 PM	125		

	Date	Time	# of Cars	Daily Avg.	
				%	Cars
Tenzaya Lodge # of available spaces 69	2/16/2007	7:00 PM	51	74%	51
	2/17/2007	6:00 PM	22	32%	22
	2/18/2007	5:45 PM	31	45%	31

	Date	Time	# of Cars	Daily Avg.	
				%	Cars
Mulligans # of available spaces 65	2/14/2007	9:00 AM	26	45%	29
	2/14/2007	12:00 PM	23		
	2/14/2007	6:00 PM	39		
	2/15/2007	9:00 AM	22	46%	30
	2/15/2007	12:00 PM	35		
	2/15/2007	6:00 PM	33		
	2/16/2007	9:00 AM	18	48%	31
	2/16/2007	12:00 PM	31		
	2/16/2007	6:00 PM	45		
	2/17/2007	9:00 AM	21	39%	26
	2/17/2007	12:00 PM	34		
	2/17/2007	6:00 PM	22		
	2/18/2007	9:00 AM	14	23%	15
	2/18/2007	12:00 PM	21		
	2/18/2007	6:00 PM	10		

Submitted at Planning Commission

Date 2/22/07 Item # 29-32

Telephone Protest/ Approval Log

Meeting Date: 2/22/07

Case Number: VAR 19447

Date: 2/21/07
Name: Rayshell Berry
Address: 7012 Glass Mipper
Phone: 655.2741
☒ PROTEST ☐ APPROVE

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

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

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

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-19098 AND VAR-19447

SUP-19100 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP - Request for a Special Use Permit FOR A HOTEL WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 80 FEET FROM A RESIDENTIAL USE WHERE 330 FEET IS THE MINIMUM REQUIRED at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-22-07 Planning Commission Meeting Item 31

Motion made by GARY REESE to Hold in Abeyance Items 104-108 and Item 130 to 5/2/2007; Items 110-112 to 5/16/2007; Item 117 to 6/20/2007; Item 113 to 7/11/2007; Item 103 to 7/18/2007; and Withdraw Without Prejudice Items 114 and 115

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

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

Minutes:

See Item 104 for related backup.



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-19100 - APPLICANT/OWNER: KRYFAM, LP

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 4, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1/sd-1/rt vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-19097) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a hotel with a waiver to allow a distance separation of 80 feet from a residential use where 330 feet is the minimum required on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive.

The proposed hotel is not consistent with the Town Center Development Standards because it is located approximately 80 feet from single family residential where a separation of 330 feet is required, and because a height of four stories is proposed where the Town Center Standards limit the height of a building on this site to two stories.

The proposed development is not compatible with Title 19 as only 74 spaces are provided where 87 spaces are required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a rezoning (Z-76-98) of this site to TC (Towncenter) as part of a larger overall request.
02/22/07	The Planning Commission recommended approval of companion items VAR-19098, VAR-19447 and SDR-19097 concurrently with this application. The Planning Commission voted 4-1/sd-1/rt to recommend APPROVAL (PC Agenda Item #31/ar).
<i>Pre-Application Meeting</i>	
12/12/06	The applicant was informed that this proposal would require a waiver of the Towncenter standard which requires a minimum 330 foot separation between a hotel and any detached single-family dwelling.
<i>Neighborhood Meeting</i>	
02/12/07	A neighborhood meeting was held at the Cimarron Rose Community Center, located at 5591 North Cimarron Road.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.83 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
North	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
South	Ann Road	Ann Road	Ann Road

East	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
West	Tavern	TC (Towncenter)	TC-SC (Towncenter Service Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		N

The proposed hotel does not comply with the Towncenter standards because it is located within 330 feet of single family detached development (considered within SUP-19100) and because it proposes a four story structure where two stories is the maximum permitted (considered within VAR-19447).

DEVELOPMENT STANDARDS

Per the Towncenter Development Standards Manual:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	1.83	Y
Min. Lot Width	N/A	220 Feet	Y
Min. Setbacks			
• Front	15 Feet	169 Feet	Y
• Side	10 Feet	10 Feet	Y
• Rear	20 Feet	41 Feet	Y
Max. Lot Coverage	N/A	18 %	Y
Max. Building Height	Two stories	Four stories	N*

*This issue will be considered under related Variance VAR-19447.

Per Title 19.08.06, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	205 Feet	260 Feet	Y
Adjacent development matching setback	15 Feet	260 Feet	Y
Trash Enclosure	50 Feet	440 Feet	Y

Per the Towncenter Standards, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree /6 Spaces	13 Trees	16 Trees	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	6 Trees	6 Trees	Y
Min. Zone Width	15 Feet along Sky Pointe Drive		14 feet for a three foot section; 15 feet along remainder	N*

This waiver is minor and staff has no objection to its approval.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Hotel	87 rooms	1 space per room	87 spaces	4 spaces	74 spaces	4 spaces	N*
TOTAL			87 spaces	4 spaces	74 spaces	4 spaces	
Loading Spaces			1 space		1 space		Y
Percent Deviation					15 %		

The parking shortage will be considered concurrently as related Variance VAR-19098. Because there is no hardship associated with this variance, staff is recommending denial.

ANALYSIS

This site is currently undeveloped. The applicant proposes to develop a four story, 87 room hotel in the south portion of the site. Per the Zoning Code, a hotel of this size requires 87 parking spaces. A total of 74 spaces are provided in a parking lot located north of the hotel. The applicant has submitted a variance (VAR-19098) to address this deficiency. Staff finds there is no hardship associated with the site and is unable to support this variance.

Access to Sky Pointe Drive will be provided by two existing driveways. Landscape buffers that comply with Towncenter standards and include Rio Grande Ash, Chitalpa and assorted five gallon shrubs are provided along the appropriate property lines. Planter islands with 24 inch box Shoestring Acacia are shown within the parking lot. The elevations depict a plaster exterior with a decorative stone veneer accent. A maximum overall building height of 68 feet three inches is shown.

The Special Use Permit conditions for a hotel in the TC-SC (Towncenter-Service Commercial) require a minimum height of three stories. The development standards of the TC-SC district require structures that exceed two stories in height to be located on a parcel that is larger than 20 acres in size, and require the building to be set back at least 50 feet from all property lines. This application meets neither of these criteria and staff recommends denial.

FINDINGS

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

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

The proposed hotel is not consistent with the Town Center Development Standards because it is located approximately 80 feet from single family residential where a separation of 330 feet is required, and because a height of four stories is proposed where the Town Center Standards limit the height of a building on this site to two stories.

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

The development standards of the TC-SC district require structures that exceed two stories in height to be located on a parcel that is larger than 20 acres in size, and require the building to be set back at least 50 feet from all property lines. Because this application meets neither of these criteria staff finds this use is too intense for this site.

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

The proposed use will not adversely impact streets in the vicinity of this site.

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

The proposed development will be subject to regular inspections for permitting and licensing and will therefore, not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 375 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-19100** APN: 125-27-410-004

Name of Property Owner: KRFAM LP

Name of Applicant: NIGRO DEVELOPMENT

Name of Representative: Brad Jones

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

☐ Yes

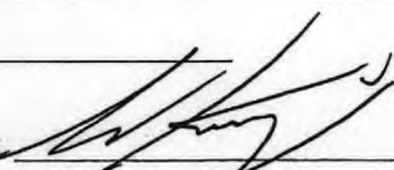
☒ No

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

City Official: _____

Partner(s): _____

APN: _____

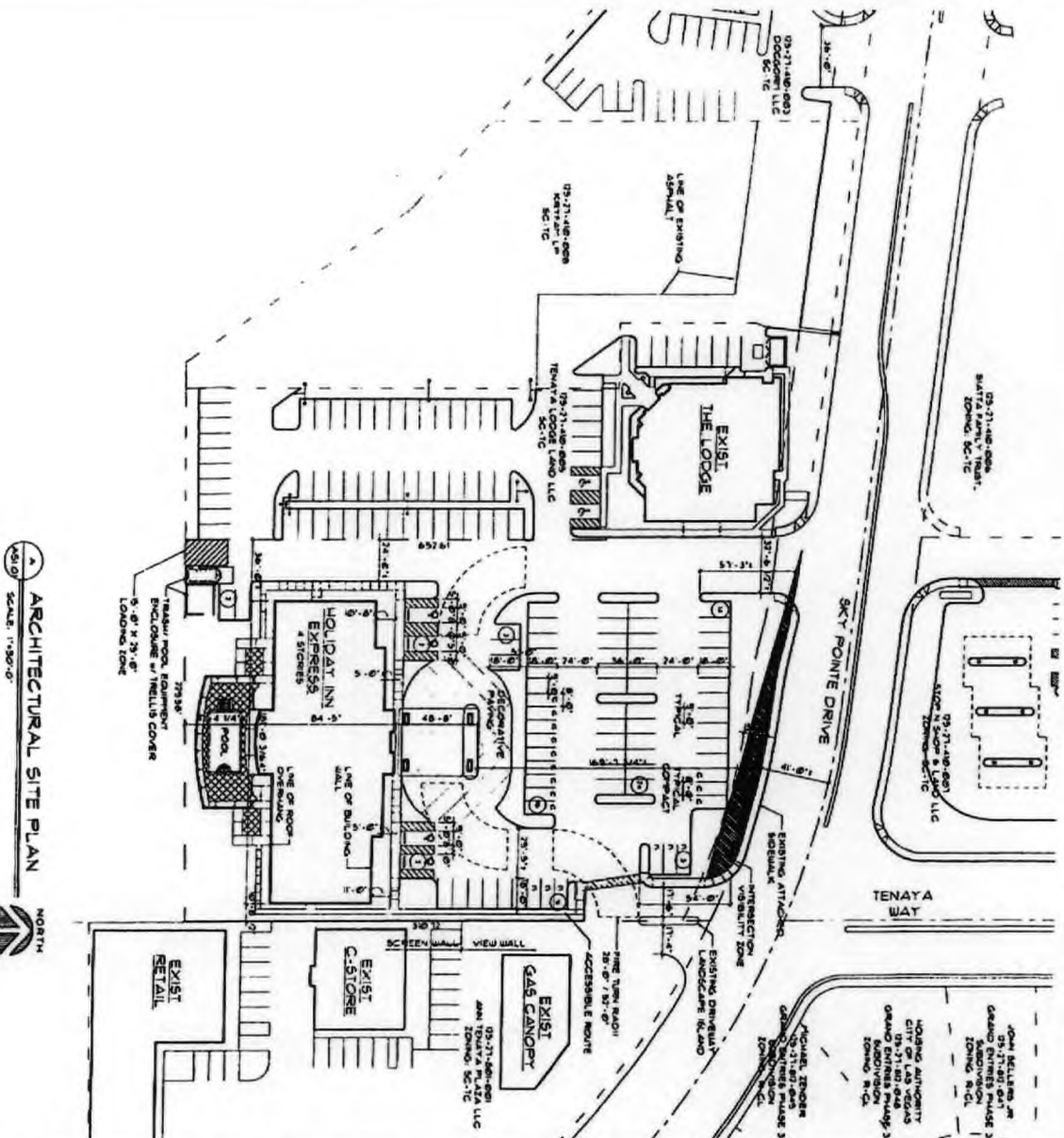
Signature of Property Owner: 

Print Name: Wayne Krygier

Subscribed and sworn before me

This 4 day of January, 20 07

M. Lyden
Notary Public in and for said County and State



ARCHITECTURAL SITE PLAN
SCALE: 1"=30'-0"



SUP-19100

02/22/07 PC

PROJECT DATA:

[illegible]

PROJECT LOCATION

KIND OF OIL OIL OIL OIL TOTAL	ACC. OIL				TOTAL
	ACC. OIL	ACC. OIL	ACC. OIL	ACC. OIL	
1st FLOOR	1	1	1	1	4
2nd FLOOR	1	1	1	1	4
3rd FLOOR	1	1	1	1	4
TOTAL	3	3	3	3	12

GENERAL NOTES:

- 1 SEE CIVIL DRAWINGS FOR LANDSCAPE INFORMATION
- 2 SEE CIVIL DRAWINGS FOR ALL FIRE LAYOUT DIVISION CARDS DIFFERS AND PLUMBING
- 3 SEE CIVIL, PLUMBING, AND ELECTRICAL DRAWINGS FOR UNIT/PLUMBING
- 4 SEE CIVIL DRAWINGS FOR ALL CEILINGING AND DRAINAGE INFORMATION
- 5 FIRE LAYOUT IS TO BE COORDINATED WITH CIVIL DRAWINGS AND DISSEMINATED TO ALL CIVIL DRAWINGS SHALL NOT BE DISSEMINATED UNTIL THE DRAWING NUMBER THE ARCHITECT OR ANY OTHER PERSON HAS BEEN ADVISED
- 6 ALL MECHANICAL SHALL RECEIVE SCHEDULED FROM JOHN AS 3-10-02 AND 3-10-02
- 7 ALL CONCRETE SHALL LAUNCHES ETC SHALL RECEIVE LIGHT
- 8 BEFORE ALL PLUMBING WORKS AWAY FROM BUILDING IS IN PROGRESS
- 9 WORK ALONG ACCESSIBLE ROUTE NOT BE BLOCKED IN A DIRECTION OF TRAVEL AND IT CROSS BLOCK
- 10 BUILDING AND SITE WORK SHALL BE IN ACCORDANCE WITH ALL APPLICABLE BOA PROVISIONS TO BE UNDER SEPARATE WORK CATEGORY



ARCHITECTURAL
SITE PLAN
SUP, SDR, VAR SUBMITTAL



pacific design concepts, llc
3005 w horizon ridge parkway, suite 210
henderson, nevada 89052
(702) 454-5842 fax (702) 454-7842

AS1.01

January 4, 2007

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

**RE: HOLIDAY INN EXPRESS
PROJECT NO: 06-180
JUSTIFICATION LETTER
APN #125-27-410-004**

To Whom It May Concern:

We are requesting a Special Use Permit, Site Development Review, Waiver of Development Standards and Variance to allow a Hotel use in a SC-TC (Service Commercial – Town Center) Zone.

The current zoning of this property, Service Commercial, allows a hotel with a Special Use Permit therefore the current zoning is appropriate. The project is bounded on the North, East and West by same zone designation properties. These are developed with a Convenience Store with gas pumps on the North across Sky Point, a Convenience Store w/ gas pumps and a Retail Building on the East, and a Tavern on the West. The South is bounded by the Ann Road/ US-95 Interchange. The Northeast corner of Sky Point Drive and Tenaya Way is the back of a Residential Development, the Grand Entries Subdivision.

We are requesting a Waiver of Development Standard to reduce the required 330' separation from a residential development. This project is a non-gaming, non-dining, non-entertaining hotel. The only food service for this hotel will be to provide a continental style breakfast meal for its guests. The intent of this hotel is to serve the local residential community, and the family and friends who visit who wish to stay closer to the family than to the entertaining portion of the city.

The front parking encroaches into the 15' landscape setback by less than twelve inches for a width of approximately three feet. This encroachment is allowed by the Town Center Development Standards Manual in Section D.2.B.8.c. so no waiver is required for this minor encroachment.

We are also requesting a Variance for the quantity of required "on-site" parking spaces. The hotel requires 87 parking spaces. Due to the slender nature of this site we are able to provide a total of 74 spaces. These spaces are a combination of standard, compact and accessible space as permitted by the Development Standards. We are requesting a reduction of 13 spaces which is 14.9%. We feel that by the nature of the non-gaming, non-entertaining hotel and the cross access of the properties to the East and West the reduction shall not have an adverse affect on the roadways or local community.

We feel that the proposed 87 room Hotel is well suited for the neighborhood. The design features a combination of cement plaster finish and stone veneer with a hip roof. The building has a residential feel and will blend nicely with the adjacent Tavern.

**SUP-19100
02/22/07 PC**

We respectfully request the City of Las Vegas grant approval for this project as shown on the accompanying plans. We ask that this submittal be used for approval of the Site Development Review.

Thank you for your consideration in this matter. Should you have any further questions or require additional information please call our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ray Finkel', with a long horizontal flourish extending to the right.

Ray Finkel
Project Manager

cc: 6180 JL.doc

SUP-19100
02/22/07 PC

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

La Quinta Inn
of rooms 128
of available spaces 128

Date	Time	# of Available Spaces	Daily Avg. %	Daily Avg. Spaces Available
2/14/2007	9:00 AM	104	75%	96.5
2/14/2007	7:00 PM	89		
2/15/2007	7:30 AM	83	65%	83
2/16/2007	7:00 PM	108	84%	108
2/17/2007	6:00 PM	70	55%	70

Hampton Inn
of rooms 127
of available spaces 127

Date	Time	# of Available Spaces	Daily Avg. %	Daily Avg. Spaces Available
2/14/2007	9:00 AM	95	72%	91.5
2/14/2007	7:00 PM	88		
2/15/2007	7:30 AM	88	54%	88
2/16/2007	7:00 PM	101	80%	101
2/17/2007	6:00 PM	105	83%	105

Siena Extended Stay
of rooms 300
of available spaces 325

Date	Time	# of Available Spaces	Daily Avg. %	Daily Avg. Spaces Available
2/14/2007	9:00 AM	200	61%	197
2/14/2007	12:00 PM	218		
2/14/2007	6:00 PM	173		
2/15/2007	9:00 AM	193	63%	205
2/15/2007	12:00 PM	234		
2/15/2007	6:00 PM	188		
2/16/2007	9:00 AM	169	56%	182
2/16/2007	12:00 PM	222		
2/16/2007	6:00 PM	155		
2/17/2007	9:00 AM	170	57%	185
2/17/2007	12:00 PM	215		
2/17/2007	6:00 PM	171		
2/18/2007	9:00 AM	93	43%	138
2/18/2007	12:00 PM	197		
2/18/2007	6:00 PM	125		

Tenaya Lodge
of available spaces 89

Date	Time	# of Cars	Daily Avg. %	Daily Avg. Cars
2/16/2007	7:00 PM	51	74%	51
2/17/2007	6:00 PM	22	32%	22
2/18/2007	5:45 PM	31	45%	31

Mulligans
of available spaces 65

Date	Time	# of Cars	Daily Avg. %	Daily Avg. Cars
2/14/2007	9:00 AM	26	45%	29
2/14/2007	12:00 PM	23		
2/14/2007	6:00 PM	39		
2/15/2007	9:00 AM	22	46%	30
2/15/2007	12:00 PM	35		
2/15/2007	6:00 PM	33		
2/16/2007	9:00 AM	18	48%	31
2/16/2007	12:00 PM	31		
2/16/2007	6:00 PM	45		
2/17/2007	9:00 AM	21	39%	26
2/17/2007	12:00 PM	34		
2/17/2007	6:00 PM	22		
2/18/2007	9:00 AM	14	23%	15
2/18/2007	12:00 PM	21		
2/18/2007	6:00 PM	10		

Submitted at Planning Commission

Date 2/22/07 Item # 29-32

Telephone Protest/ Approval Log

Meeting Date: 2/22/07

Case Number: SWP 19100

Date: 2/22/07
Name: Rayshell Berry
Address: 7012 Glass Slipper
Phone: 655-2741
☒ PROTEST ☐ APPROVE

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

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

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☐ PROTEST ☐ APPROVE

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-19098, VAR-19447 AND SUP-19100

SDR-19097 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP - Request for a Site Development Plan Review FOR A FOUR-STORY, 50,478 SQUARE FOOT HOTEL WITH A WAIVER TO ALLOW PERIMETER LANDSCAPE BUFFER WIDTH OF 14 FEET FOR A THREE FOOT SECTION WHERE 15 FEET IS THE MINIMUM REQUIRED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-22-07 Planning Commission Meeting Item 32

Motion made by GARY REESE to Hold in Abeyance Items 104-108 and Item 130 to 5/2/2007; Items 110-112 to 5/16/2007; Item 117 to 6/20/2007; Item 113 to 7/11/2007; Item 103 to 7/18/2007; and Withdraw Without Prejudice Items 114 and 115

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

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

Minutes:

See Item 104 for related backup.



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-19097 - APPLICANT/OWNER: KRYFAM, LP

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 4, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1/sd-1/rt vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-19098) and Special Use Permit (SUP-19100) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped (01/08/07), except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow a perimeter landscape buffer width of 14 feet for a three foot section where 15 feet is the minimum required.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
16. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

17. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
18. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
19. Site development to comply with all applicable conditions of approval for Z-76-98, the Ann/Tenaya Commercial Center and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a four-story, 50,478 square foot hotel with a waiver to allow a perimeter landscape buffer width of 14 feet for a three foot section where 15 feet is the minimum required on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive

The proposed hotel is not consistent with the Town Center Development Standards because it is located approximately 80 feet from single family residential where a separation of 330 feet is required, and because a height of four stories is proposed where the Town Center Standards limit the height of a building on this site to two stories.

The proposed development is not compatible with Title 19 as only 74 spaces are provided where 87 spaces are required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a rezoning (Z-76-98) of this site to TC (Towncenter) as part of a larger overall request.
02/22/07	The Planning Commission recommended approval of companion items VAR-19098, VAR-19447 and SUP-19100 concurrently with this application. The Planning Commission voted 4-1/sd-1/rt to recommend APPROVAL (PC Agenda Item #32/ar).
<i>Pre-Application Meeting</i>	
12/12/06	The applicant was informed that this proposal would require a waiver of the Towncenter standard which requires a minimum 330 foot separation between a hotel and any detached single-family dwelling.
<i>Neighborhood Meeting</i>	
02/12/07	A neighborhood meeting was held at the Cimarron Rose Community Center, located at 5591 North Cimarron Road.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.83 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
North	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
South	Ann Road	Ann Road	Ann Road
East	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
West	Tavern	TC (Towncenter)	TC-SC (Towncenter Service Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		N

The proposed hotel does not comply with the Towncenter standards because it is located within 330 feet of single family detached development (considered within SUP-19100) and because it proposes a four story structure where two stories is the maximum permitted (considered within VAR-19447).

DEVELOPMENT STANDARDS

Per the Towncenter Development Standards Manual:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	1.83	Y
Min. Lot Width	N/A	220 Feet	Y
Min. Setbacks			
• Front	15 Feet	169 Feet	Y
• Side	10 Feet	10 Feet	Y
• Rear	20 Feet	41 Feet	Y
Max. Lot Coverage	N/A	18 %	Y
Max. Building Height	Two stories	Four stories	N*

*This issue will be considered under related Variance VAR-19447.

Per Title 19.08.06, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	205 Feet	260 Feet	Y
Adjacent development matching setback	15 Feet	260 Feet	Y
Trash Enclosure	50 Feet	440 Feet	Y

Per the Towncenter Standards, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree /6 Spaces	13 Trees	16 Trees	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	6 Trees	6 Trees	Y
Min. Zone Width	15 Feet along Sky Pointe Drive		14 feet for a three foot section; 15 feet along remainder	N*

This waiver is minor and staff has no objection to its approval.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Hotel	87 rooms	1 space per room	87 spaces	4 spaces	74 spaces	4 spaces	N*
TOTAL			87 spaces	4 spaces	74 spaces	4 spaces	
Loading Spaces			1 space		1 space		Y
Percent Deviation					15 %		

The parking shortage will be considered concurrently as related Variance VAR-19098. Because there is no hardship associated with this variance, staff is recommending denial.

Waivers		
Request	Requirement	Staff Recommendation
A perimeter landscape buffer width of 14 feet for a three foot section.	15 feet	Approval

ANALYSIS

This site is currently undeveloped. The applicant proposes to develop a four story, 87 room hotel in the south portion of the site. Per the Zoning Code, a hotel of this size requires 87 parking spaces. A total of 74 spaces are provided in a parking lot located north of the hotel. The applicant has submitted a variance (VAR-19098) to address this deficiency. Staff finds there is no hardship associated with the site and is unable to support this variance.

Access to Sky Pointe Drive will be provided by two existing driveways. Landscape buffers that comply with Towncenter standards and include Rio Grande Ash, Chitalpa and assorted five gallon shrubs are provided along the appropriate property lines. Planter islands with 24 inch box Shoestring Acacia are shown within the parking lot. The elevations depict a plaster exterior with a decorative stone veneer accent. A maximum overall building height of 68 feet three inches is shown.

The Special Use Permit conditions for a hotel in the TC-SC (Towncenter-Service Commercial) require a minimum height of three stories. The development standards of the TC-SC district require structures that exceed two stories in height to be located on a parcel that is larger than 20 acres in size, and require the building to be set back at least 50 feet from all property lines. This application meets neither of these criteria and staff recommends denial.

FINDINGS

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

1. The proposed development is compatible with adjacent development and development in the area;
2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;
3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
4. Building and landscape materials are appropriate for the area and for the City;
5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

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

In regard to "1":

Because the proposed use is located approximately 80 feet from single family residential where a separation of 330 feet is required, it is not compatible with development in the area.

In regard to "2":

The proposed hotel is not consistent with the Town Center Development Standards because it is located approximately 80 feet from single family residential where a separation of 330 feet is required, and because a height of four stories is proposed where the Town Center Standards limit the height of a building on this site to two stories.

The proposed development is not compatible with Title 19 as only 74 spaces are provided where 87 spaces are required.

In regard to "3":

The proposed use will not adversely impact streets in the vicinity of this site.

In regard to "4":

The building and landscape materials are compatible with development in this area of the city.

In regard to "5":

As stated above, the proposed use is located approximately 80 feet from single family residential where a separation of 330 feet is required, and it is not compatible with development in the area.

In regard to "6":

The proposed development will be subject to regular inspections for permitting and licensing and will therefore, not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT

13

SENATE DISTRICT 9

NOTICES MAILED 377 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-19097** APN: 125-27-410-004

Name of Property Owner: Krfam, LP

Name of Applicant: Nigro Development

Name of Representative: Brad Jones

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

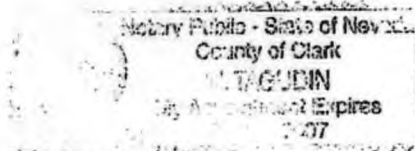
Signature of Property Owner: _____

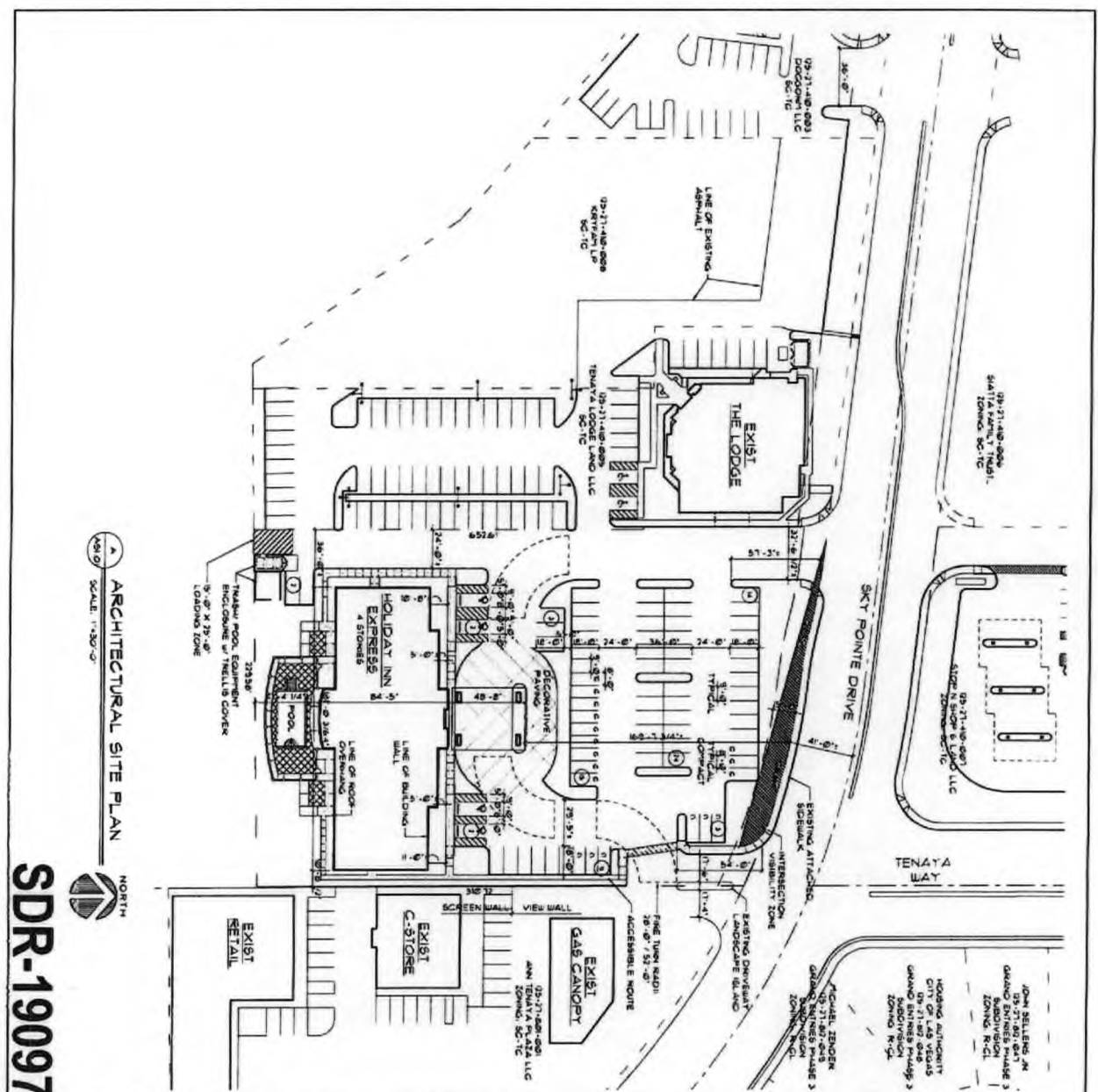
Print Name: Wayne Krygier

Subscribed and sworn before me

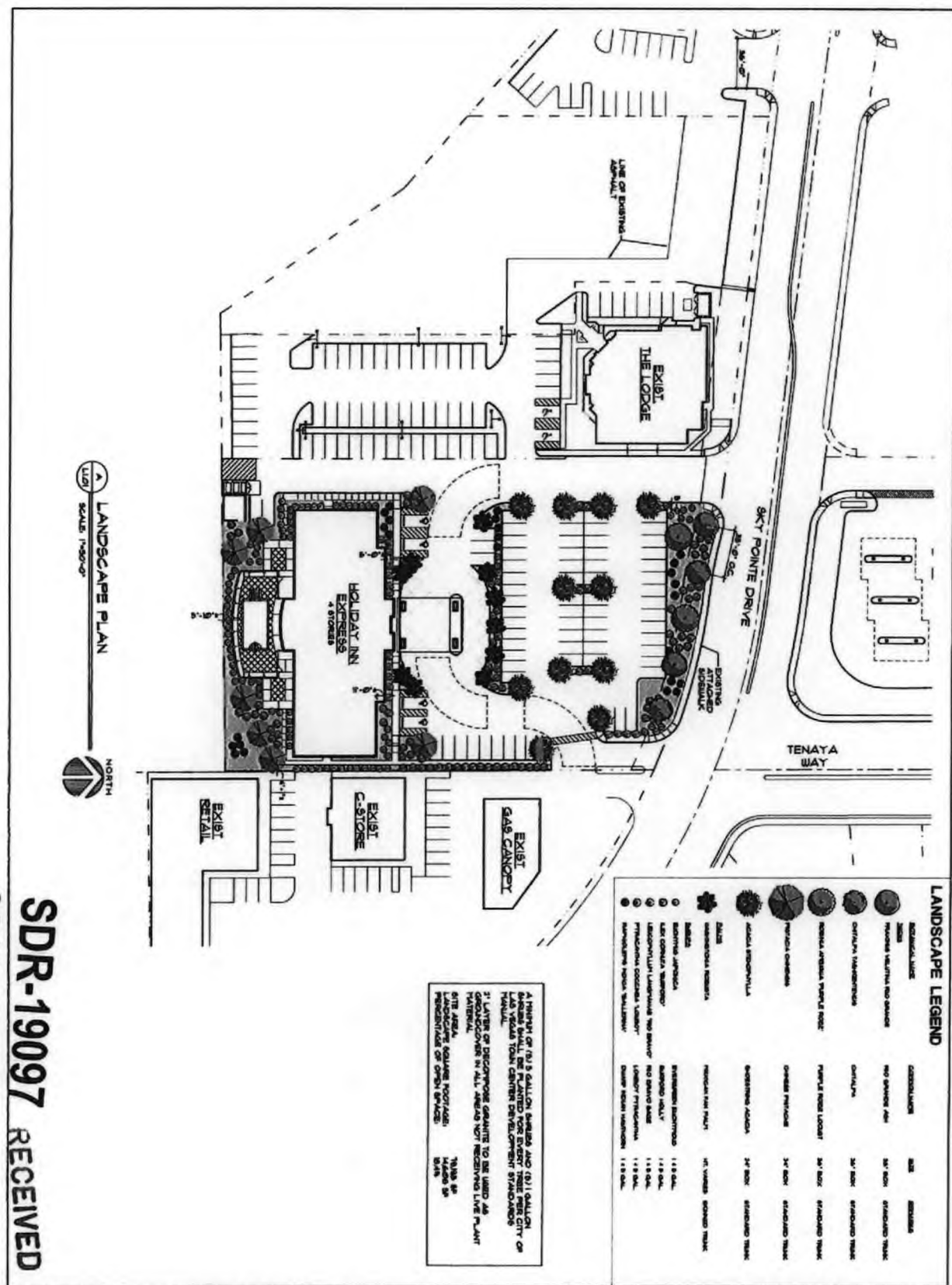
This 18 day of December, 2006

M. Tudin
Notary Public in and for said County and State



[illegible][illegible]

On instruments of service these drawings and specifications are the property of the architect and may not be reproduced or used for any purpose without the architect's written consent. Copies of the drawings and specifications retained by the client may be utilized only for their use and for completing the project for which they were prepared, and not for construction of any other projects. Any use or reproduction of the drawing in whole or part by any means whatsoever is strictly prohibited. These documents are not final and ready for use, and therefore not valid unless they are signed, sealed, and dated. noc 682.760 pacific design concepts, inc. 6/2009.



LANDSCAPE PLAN

SUP. SDR. VAR SUBMITTAL

nigro

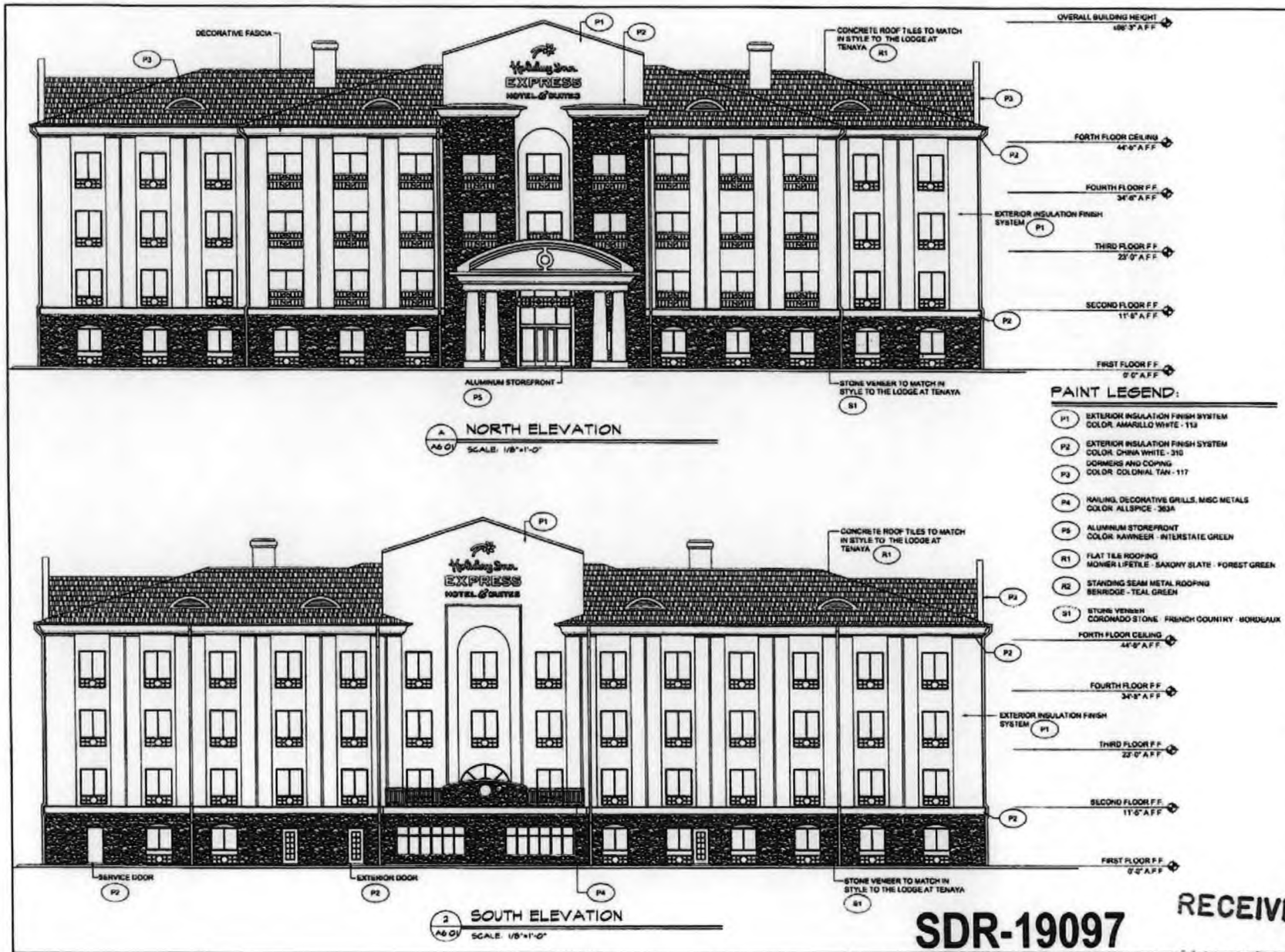
project title •

Holiday Inn EXPRESS

pacific design concepts, llc

**3005 W. HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NEVADA 89052
(702) 454-5842 FAX (702) 454-7842**

P:\06-1807\Drawings\A\1807097.dwg, plotted 1/25/2007 9:24 AM by: R. J. Fenn



pacific design concepts, llc
3005 W. HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NEVADA 89015
(702) 434-5812 FAX (702) 434-7842

PROJECT FILE
IN CHARGE OF
SWITCH DRW
HOLIDAY INN EXPRESS
1/2/2007

EXTERIOR ELEVATIONS
SUP. SDR. VAR SUBMITTAL

REVISIONS

NO.	DATE	BY	REVISION
1	1/25/2007	RJF	ISSUED FOR PERMIT
2	1/25/2007	RJF	ISSUED FOR PERMIT
3	1/25/2007	RJF	ISSUED FOR PERMIT
4	1/25/2007	RJF	ISSUED FOR PERMIT
5	1/25/2007	RJF	ISSUED FOR PERMIT
6	1/25/2007	RJF	ISSUED FOR PERMIT
7	1/25/2007	RJF	ISSUED FOR PERMIT
8	1/25/2007	RJF	ISSUED FOR PERMIT
9	1/25/2007	RJF	ISSUED FOR PERMIT
10	1/25/2007	RJF	ISSUED FOR PERMIT

SDR-19097
02/22/07 PC

DATA DING HEIGHT
183.9" A.F.F.

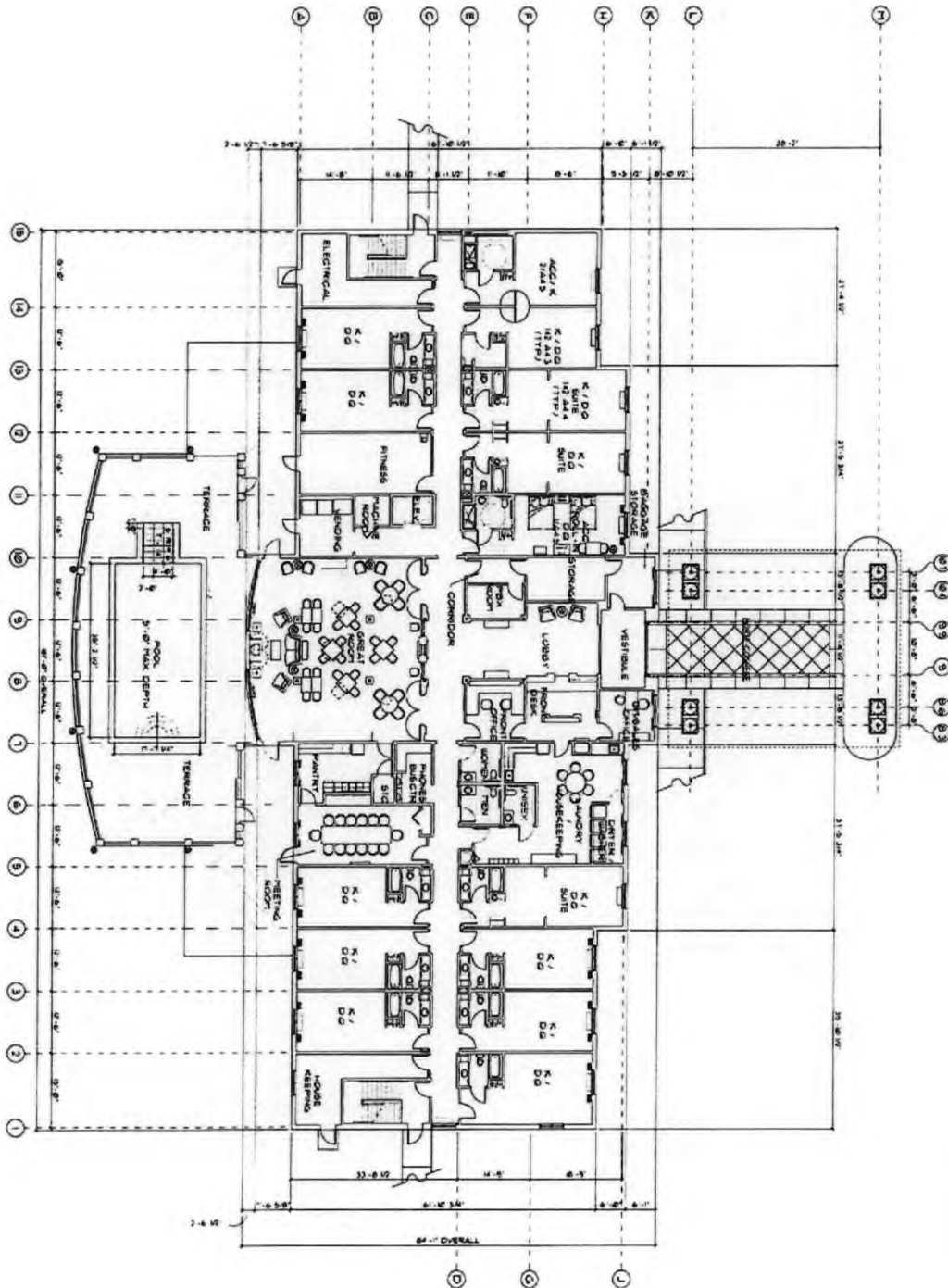
FIRST FLOOR CEILING
46.8" A.F.F.

FOURTH FLOOR CEILING
111.8" A.F.F.

THIRD FLOOR F.F.
20.9" A.F.F.

SECOND FLOOR F.F.
11.8" A.F.F.

FIRST FLOOR F.F.
0.0" A.F.F.



1ST FLOOR PLAN
SDR-19097 RECEIVED
02/22/07 PC
JAN 08 2007



sheet title -
1st FLOOR
FLOOR PLAN
SUP, SDR, VAR SUBMITTAL



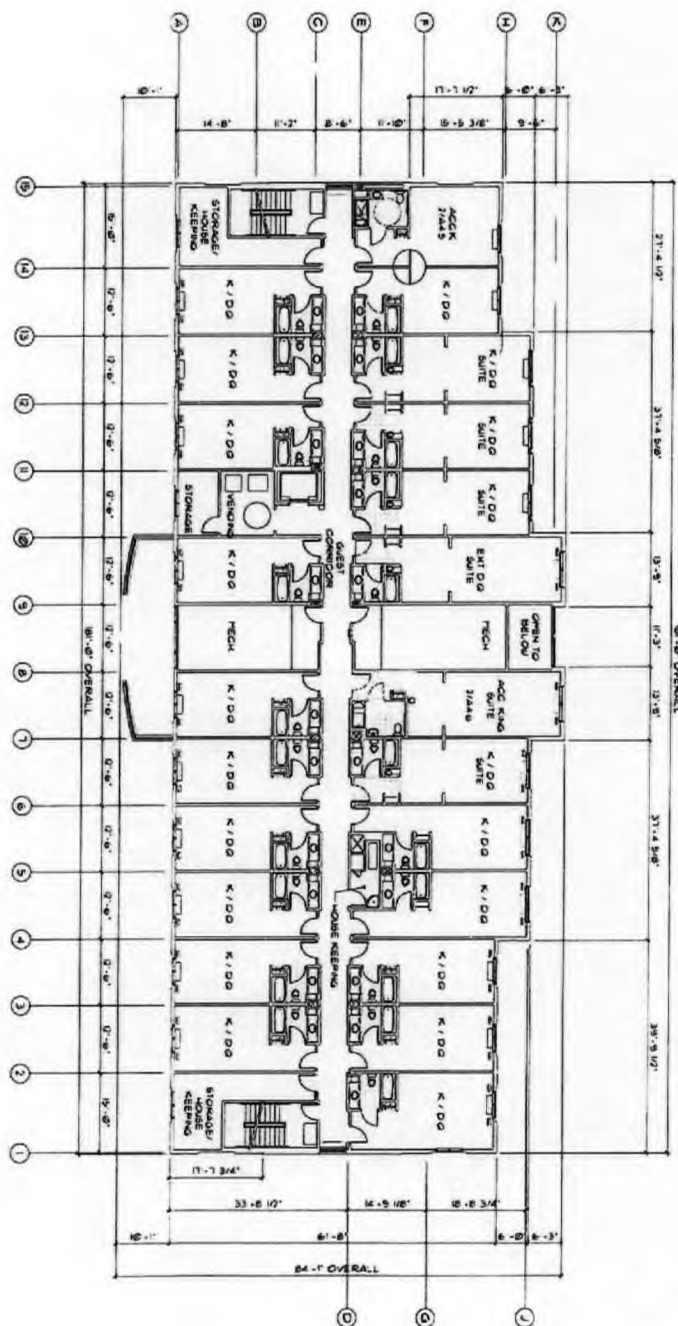
PROJECT TITLE:



**Holiday Inn
EXPRESS**

SW CORNER OF
BRYANT DRIVE
AND TENAYA WAY
LAS VEGAS, NEVADA

pacific design concepts, llc
3005 w. horizon ridge parkway, suite 200
henderson, nevada 89052
(702) 454-5842 fax (702) 454-7842



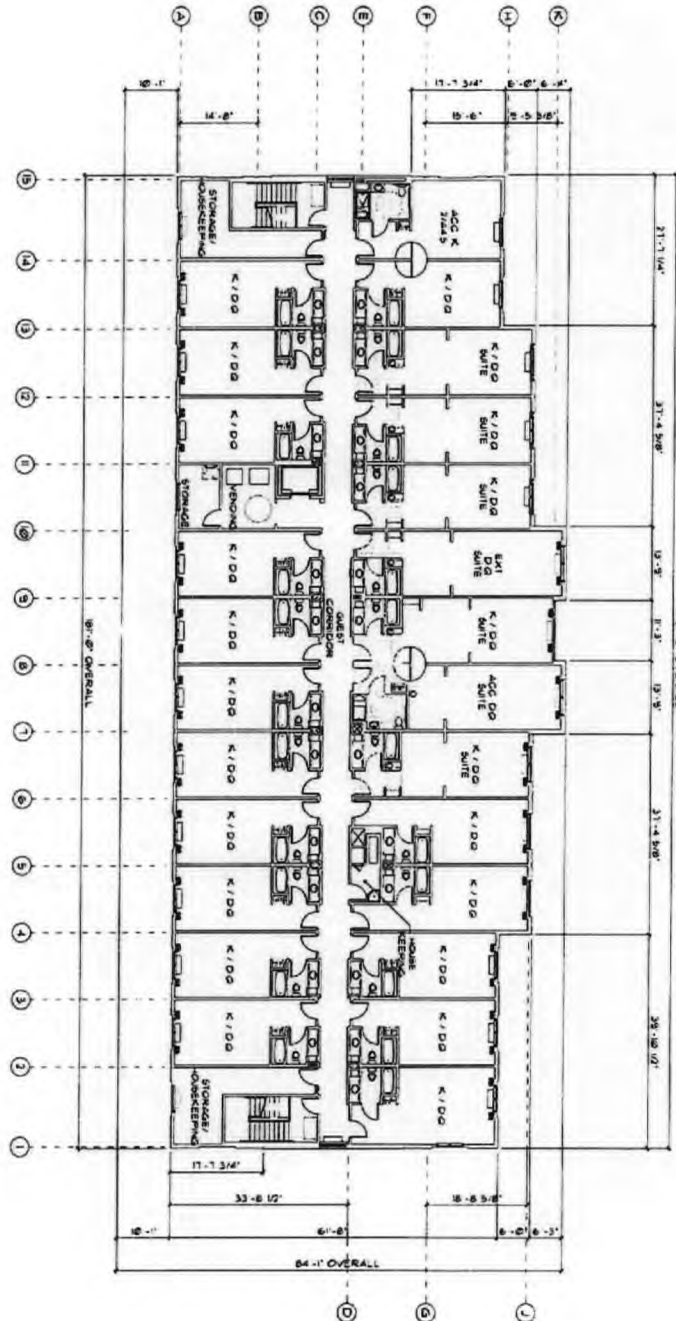
2nd FLOOR PLAN
SCALE: 1"=10'-0"
SDR-19097

RECEIVED

02/22/07 PC

JAN 08 2007

[illegible]



3rd and 4th FLOOR PLANS
SCALE: 1/8"=1'-0"

SDR-19097

RECEIVED
NORTH
A103

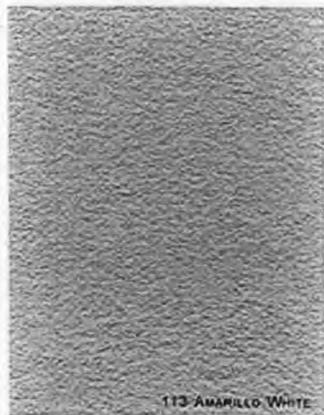
02/22/07 PC

JAN 08 2007

Sheet Title:
3rd and 4th FLOOR
FLOOR PLANS
SUP, SDR, VAR SUBMITTAL



pacific design concepts, llc
3005 W. HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NEVADA 89052
(702) 454-5842 fax (702) 454-7842



Primary EIFS Color
Amarillo White



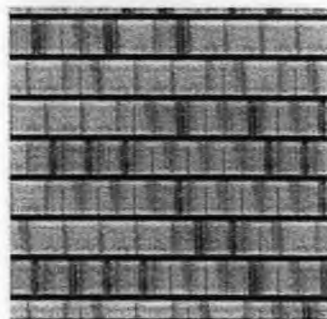
Secondary EIFS Color
China White



Dormer and Coping Color
Colonial Tan



Railing, Decorative Grills
and Misc. Metals
Allspice



Primary Roofing Tiles
Monier Lifetile - Forest Green



Stone Veneer
Coronado Stone
French Country - Bordeaux



Standing Seam Metal Roof
Berridge - Teal Green



Aluminum Storefront
Kawneer -
Interstate Green

Holiday Inn Express at Skypointe and Tenaya

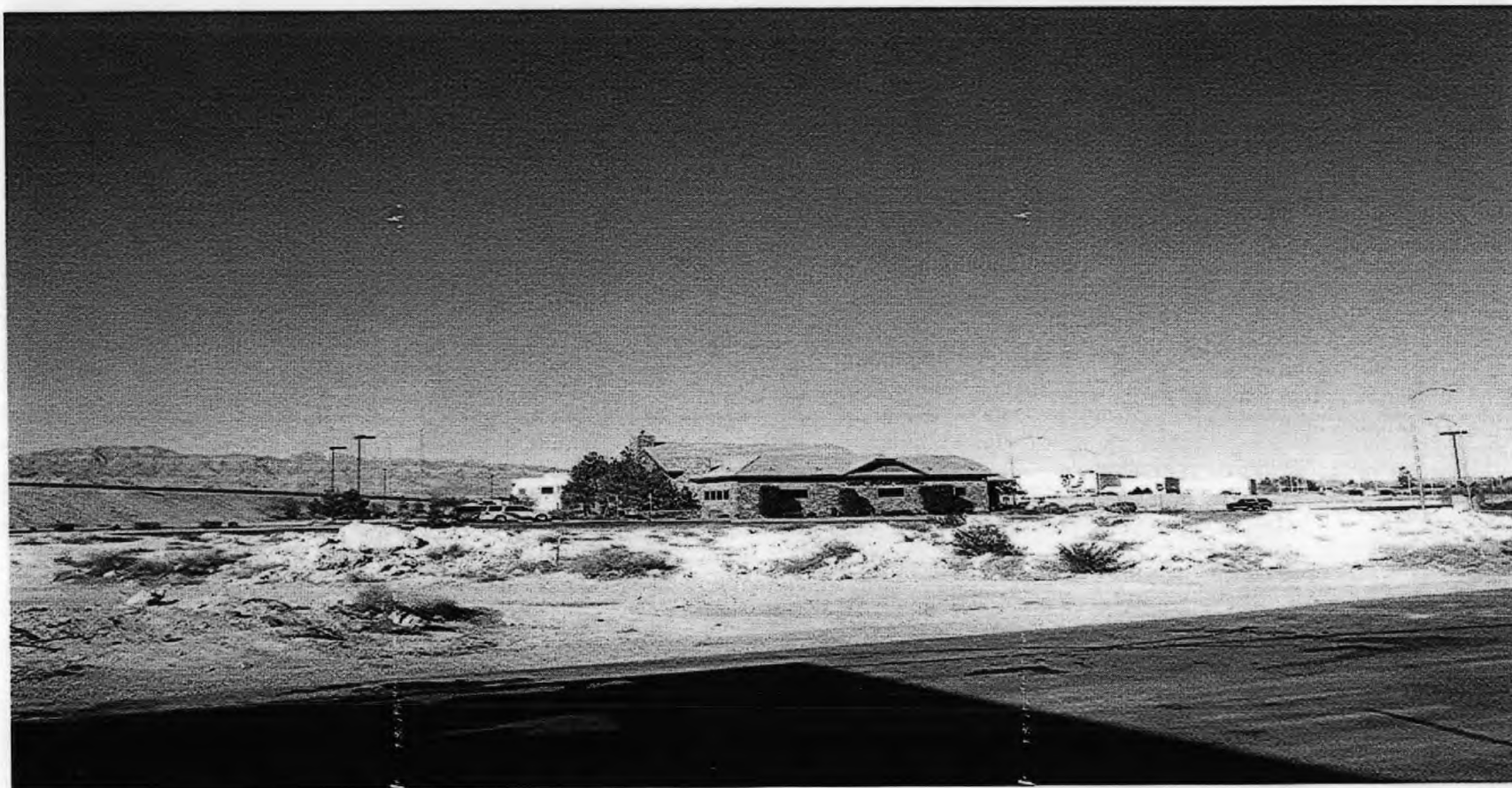
pacific design concepts, llc

**SDR-19097
02/22/07 PC**

**RECEIVED
JAN 08 2007**



3005 w horizon ridge parkway, suite 200 henderson, nevada 89052ph. 454-5842



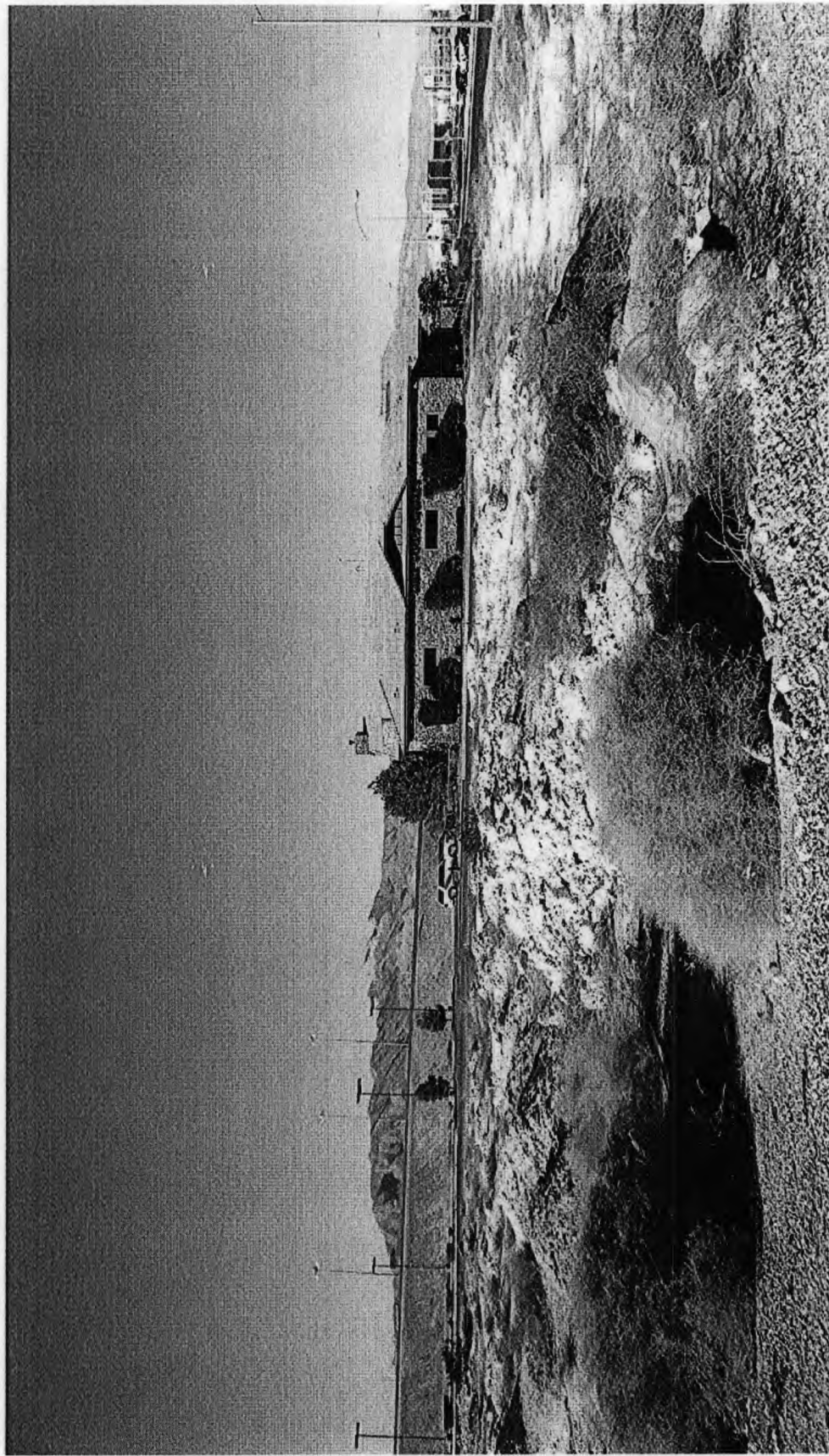
VAR-19098, VAR-19447, SUP-19100 & SDR-19097 - VARIANCE - PUBLIC HEARING -
APPLICANT/OWNER: KRYFAM, LP
SOUTHWEST CORNER OF TENAYA WAY AND SKY POINTE DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



VAR-19098, VAR-14447, SUP-19100 & SDR-19097 - VARIANCE - PUBLIC HEARING -
APPLICANT/OWNER: KRYFAM, LP
SOUTHWEST CORNER OF TENAYA WAY AND SKY POINTE DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



VAR-19098, VAR-19447, SUP-19100 & SDR-19097 - VARIANCE - PUBLIC HEARING -
APPLICANT/OWNER: KRYFAM, LP
SOUTHWEST CORNER OF TENAYA WAY AND SKY POINTE DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07

January 4, 2007

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

**RE: HOLIDAY INN EXPRESS
PROJECT NO: 06-180
JUSTIFICATION LETTER
APN #125-27-410-004**

To Whom It May Concern:

We are requesting a Special Use Permit, Site Development Review, Waiver of Development Standards and Variance to allow a Hotel use in a SC-TC (Service Commercial – Town Center) Zone.

The current zoning of this property, Service Commercial, allows a hotel with a Special Use Permit therefore the current zoning is appropriate. The project is bounded on the North, East and West by same zone designation properties. These are developed with a Convenience Store with gas pumps on the North across Sky Point, a Convenience Store w/ gas pumps and a Retail Building on the East, and a Tavern on the West. The South is bounded by the Ann Road/ US-95 Interchange. The Northeast corner of Sky Point Drive and Tenaya Way is the back of a Residential Development, the Grand Entries Subdivision.

We are requesting a Waiver of Development Standard to reduce the required 330' separation from a residential development. This project is a non-gaming, non-dining, non-entertaining hotel. The only food service for this hotel will be to provide a continental style breakfast meal for its guests. The intent of this hotel is to serve the local residential community, and the family and friends who visit who wish to stay closer to the family than to the entertaining portion of the city.

The front parking encroaches into the 15' landscape setback by less than twelve inches for a width of approximately three feet. This encroachment is allowed by the Town Center Development Standards Manual in Section D.2.B.8.c. so no waiver is required for this minor encroachment.

We are also requesting a Variance for the quantity of required "on-site" parking spaces. The hotel requires 87 parking spaces. Due to the slender nature of this site we are able to provide a total of 74 spaces. These spaces are a combination of standard, compact and accessible space as permitted by the Development Standards. We are requesting a reduction of 13 spaces which is 14.9%. We feel that by the nature of the non-gaming, non-entertaining hotel and the cross access of the properties to the East and West the reduction shall not have an adverse affect on the roadways or local community.

We feel that the proposed 87 room Hotel is well suited for the neighborhood. The design features a combination of cement plaster finish and stone veneer with a hip roof. The building has a residential feel and will blend nicely with the adjacent Tavern.

SDR-19097 02/22/07 PC

We respectfully request the City of Las Vegas grant approval for this project as shown on the accompanying plans. We ask that this submittal be used for approval of the Site Development Review.

Thank you for your consideration in this matter. Should you have any further questions or require additional information please call our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ray Finkel', with a long horizontal flourish extending to the right.

Ray Finkel
Project Manager

cc: 6180 JL.doc

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

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
La Quinta Inn # of rooms 128 # of available spaces 128	2/14/2007	9:00 AM	104	75%	96.5
	2/14/2007	7:00 PM	89		
	2/15/2007	7:30 AM	83	65%	83
	2/16/2007	7:00 PM	108	84%	108
	2/17/2007	6:00 PM	70	55%	70

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
Hampton Inn # of rooms 127 # of available spaces 127	2/14/2007	9:00 AM	95	72%	91.5
	2/14/2007	7:00 PM	88		
	2/15/2007	7:30 AM	88	54%	88
	2/16/2007	7:00 PM	101	80%	101
	2/17/2007	6:00 PM	105	83%	105

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
Siena Extended Stay # of rooms 300 # of available spaces 325	2/14/2007	9:00 AM	200	61%	197
	2/14/2007	12:00 PM	218		
	2/14/2007	6:00 PM	173		
	2/15/2007	9:00 AM	193	63%	205
	2/15/2007	12:00 PM	234		
	2/15/2007	6:00 PM	188		
	2/16/2007	9:00 AM	169	56%	182
	2/16/2007	12:00 PM	222		
	2/16/2007	6:00 PM	155		
	2/17/2007	9:00 AM	170	57%	185
	2/17/2007	12:00 PM	215		
	2/17/2007	6:00 PM	171		
	2/18/2007	9:00 AM	83	43%	138
	2/18/2007	12:00 PM	197		
	2/18/2007	6:00 PM	125		

	Date	Time	# of Cars	Daily Avg. Cars	
				Daily Avg. %	Daily Avg. Cars
Tenaya Lodge # of available spaces 69	2/16/2007	7:00 PM	51	74%	51
	2/17/2007	6:00 PM	22	32%	22
	2/18/2007	5:45 PM	31	45%	31

	Date	Time	# of Cars	Daily Avg. Cars	
				Daily Avg. %	Daily Avg. Cars
Mulligans # of available spaces 65	2/14/2007	9:00 AM	26	45%	29
	2/14/2007	12:00 PM	23		
	2/14/2007	6:00 PM	39		
	2/15/2007	9:00 AM	22	46%	30
	2/15/2007	12:00 PM	35		
	2/15/2007	6:00 PM	33		
	2/16/2007	9:00 AM	18	48%	31
	2/16/2007	12:00 PM	31		
	2/16/2007	6:00 PM	45		
	2/17/2007	9:00 AM	21	39%	26
	2/17/2007	12:00 PM	34		
	2/17/2007	6:00 PM	22		
	2/18/2007	9:00 AM	14	23%	15
	2/18/2007	12:00 PM	21		
	2/18/2007	6:00 PM	10		

Submitted at Planning Commission

Date 2/22/07 Item #29-32

Telephone Protest/ Approval Log

Meeting Date: 2/22/07

Case Number: SDR 19097

Date: 2/21/07
Name: Rayshell Berry
Address: 7012 Glass Slipper
Phone: 655-2741
☒ PROTEST ☐ APPROVE

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

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

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

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

MASTER SIGN PLAN AND WAIVER OF TOWN CENTER DESIGN STANDARDS

ARC-20049 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: NIGRO DEVELOPMENT - OWNER: KRYFAM, LP - REQUEST FOR APPROVAL OF A MASTER SIGN PLAN AND WAIVERS OF THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL FOR A 65' HIGH PYLON SIGN WHERE 24' HIGH IS THE LIMIT, TO ALLOW A PYLON SIGN ADVERTISING ONE TENANT WHERE MULTIPLE TENANTS IS REQUIRED AND FOR A 12' HIGH MONUMENT SIGN WHERE 8' HIGH IS THE LIMIT FOR A COMMERCIAL DEVELOPMENT, SKY POINTE HOTEL LOCATED ON THE SOUTHWEST CORNER OF TENAYA WAY AND SKY POINTE DRIVE (APN 125-27-410-004), TC (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Staff Report
3. Supporting Documentation
4. Justification Letter
5. ARC-20049 Action Letter
6. CHARC-TC Minutes of March 6, 2007

Motion made by GARY REESE to Hold in Abeyance Items 104-108 and Item 130 to 5/2/2007; Items 110-112 to 5/16/2007; Item 117 to 6/20/2007; Item 113 to 7/11/2007; Item 103 to 7/18/2007; and Withdraw Without Prejudice Items 114 and 115

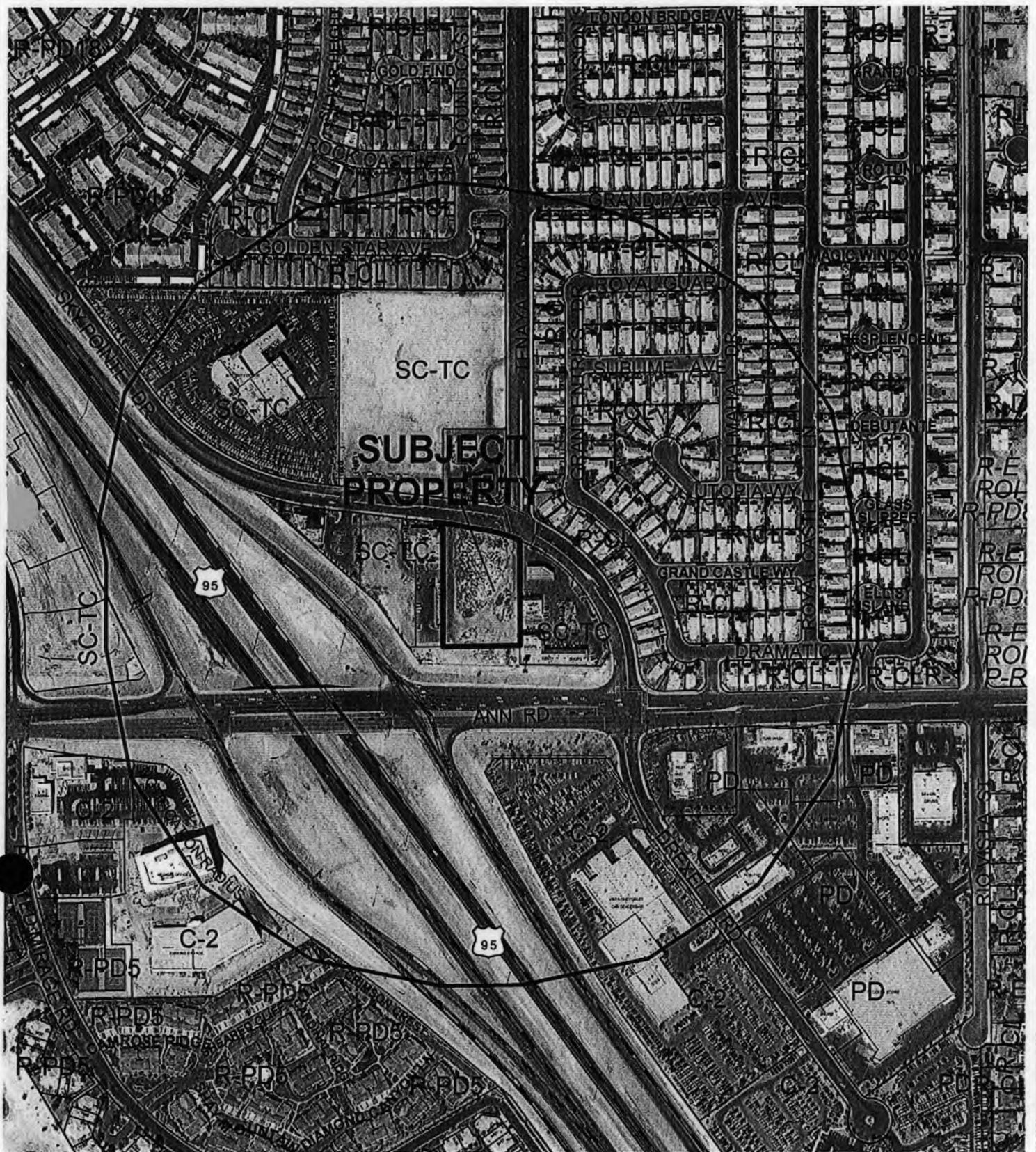
Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

See Item 104 for related backup.





CASE: ARC-20049

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE-COMMERCIAL) SPECIAL LAND USE DESIGNATION]

0 500 1000 Feet



Memorandum

City of Las Vegas Planning and Development Department

To: Centennial Hills Architectural Review Committee (CHARC)
From: Yorgo Kagafas, Urban Design Coordinator *YK*
CC: Flinn Fagg, Current Planning Manager
Date: March 6, 2007
Re: CHARC application #ARC-20049

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Master Sign Plan (ARC-20049) for a new commercial development, Holiday Inn Express, and Waivers of the Town Center Development Standards to allow for a 65' high pylon sign where 24' is the limit, to allow for a pylon sign for one tenant where advertisement for multiple tenants is required and to allow for a 12' high monument sign where 8' is the limit for APN 125-27-410-004 on 1.83 acres located at 5701 Sky Pointe Drive on the southwest corner of Sky Pointe Drive and Tenaya Way.

B) Applicant's Justification

The applicant requests review and approval of the proposed Master Sign Plan to comply with Town Center development standards. They state that the increased height is needed due to the lower elevation of the property in relation to the surrounding roadways.

BACKGROUND INFORMATION

A) Previous Actions

- 12/07/98 The City Council approved a rezoning (Z-76-98) of this site to TC (Town Center) as part of a larger overall request.
- 02/22/07 The Planning Commission approved Site Development Review Plan (SDR-19097) with a waiver of the perimeter landscape buffer width of 14 feet where 15 feet is required for a hotel. Variance (VAR-19098) for reduced parking and Special Use Permit (SUP-19100) to allow a hotel and reduce the distance requirement to 80 feet where 330 feet is required from a residential development. The item will be heard by City Council on 03/21/07.

B) Pre-Application Meeting

01/17/07 Staff met with the applicant for Holiday Inn Express and went over the CHARC requirements for submittal consideration. The applicant was notified that a Master Sign Plan was a requirement of the Town Center Development Standards Manual and that they would need to justify the three waivers needed for their request.

DETAILS OF APPLICATION REQUEST

A) Existing Land Use

Subject Property:	Undeveloped Commercial
North:	Commercial
South:	Commercial
East:	Commercial
West:	Commercial

B) Planned Land Use

Subject Property:	TC
North:	TC
South:	C
East:	TC
West:	TC

C) Existing Zoning

Subject Property:	SC-TC (Service Commercial, Town Center)
North:	SC-TC (Service Commercial, Town Center)
South:	C (General Commercial)
East:	SC-TC (Service Commercial, Town Center)
West:	SC-TC (Service Commercial, Town Center)

D) General Plan Compliance

This site is located within the Town Center Plan Area of the Centennial Hills Sector Plan of the General Plan. The site is designated as SC-TC (Service Commercial – Town Center) within the Town Center Land Use Map, which allows low to medium intensity retail, office or other commercial uses that serve the local area.

ANALYSIS

A) Zoning Code Compliance

The proposed hotel project is permitted within the Service Commercial Zone of Town Center and recently received Planning Commission approval for a Site Development Plan Review.

A1) Sign Standards

The following new signage is proposed for the property:

- A) South Building Elevation: This elevation fronts Ann Road. Applicant is proposing a 204 +/- square feet standard wall signage with logo for the top center of the elevation.
- B) North Building Elevation: This elevation fronts on Sky Pointe Drive. Applicant is proposing a 204 +/- square feet standard wall signage with logo for the top center of the elevation.
- C) East Building Elevation: This elevation faces a commercial strip mall. Applicant is proposing a 153 +/- square feet standard wall signage with logo for the top center of the elevation that can be seen from Tenaya Way as well as the residential development to the east of Tenaya Way.
- D) West Building Elevation: This elevation faces a commercial building. Applicant is proposing a 153 +/- square feet standard wall signage with logo for the top center of the elevation.
- E) Pylon Sign: The applicant is proposing one 65-feet high pylon sign, with a 432 square feet double faced sign and logo. The sign sits on the southwest corner of the property and can be seen from Ann Road and US 95.
- F) Monument Sign: The applicant is proposing one 12-feet high monument sign, with an 82.6 square feet double faced sign and logo. The sign fronts on Sky Pointe Drive.

Monument Sign:

Standards	Allowed	Provided	Complies
Maximum Number	1/300' Street frontage 1 – Sky Pointe Drive (south)	1- Sky Pointe Drive (south)	Yes
Maximum Area	75 SF /sign	82.6 SF maximum	No
Maximum Height	8 Feet	12 Feet	No
Minimum Setback	5 Feet	5 Feet	Yes
Illumination	No fugitive light	H.O. Fluorescent Lamps	Yes

Pylon Sign:

Standards	Allowed	Provided	Complies
Maximum Number	One per Street frontage with tenant at least 20,000 square feet or greater in area 1 – Sky Pointe Drive (south)	Tenant is over 20,000 square feet in area 1- Sky Pointe Drive (south)	Yes
Maximum Number	One per Street frontage that advertises multiple tenants	Only one tenant	No
Maximum Area	N/A	N/A	Yes
Maximum Height	24 Feet	65 Feet	No
Minimum Setback	5 Feet	5 Feet	Yes
Illumination	No fugitive light	H.O. Fluorescent Lamps	Yes

Wall Signs:

Standards	Allowed	Provided	Complies
Maximum Number	Up to 15% of each building elevation	Less than 15% of each building elevation	Yes
Maximum Height	N/A	N/A	N/A
Illumination	No fugitive light	Internal, external (subject to approval)	Yes
Facing Residential Property	No	No	Yes
Above Ground Level	Yes –Hotels and buildings over 12 stories	Yes	Yes

A2) Residential Separation Standards

The proposed pylon sign is located on the southwest corner of the property with the nearest single-family residential property over 400' away from the sign and thus meets the 330' distance requirement.

B) General Analysis and Discussion

The applicant is requesting a signage package that requires three waivers of the Town Center Development Standards Manual. The first waiver would allow a 65' high pylon sign where the maximum height allowed is 24' in order for the signage to be visible from US 95 and Ann Road, both of which are much higher in elevation than the property in question. Although staff does not support the request, it should be noted that the City Council recently approved a 90' pylon sign on the west side of US 95 for just such a reason. The pylon sign would also need to have a waiver of the condition that pylon signs must advertise multiple tenants. In this case, there is only one tenant so a waiver is required. The third waiver is needed to allow a 12' high monument sign where 8' is the height limit permitted. The applicant states this is needed in order for guests to find the hotel once they exit off of US 95. Staff does not concur with any of the requested waivers.

The wall signage is minimal in design, size and consists of illuminated pan channel letters that is within the Town Center Development Standards Manual requirements.

Staff Recommendation: APPROVAL, subject to the following conditions:

1. Conformance to the sign elevations and documentation dated February 21, 2007 as submitted in conjunction with this request, except as modified herein.
2. All signage shall have proper permits obtained through the Building and Safety Department.
3. No waivers are approved with this application. Wall signs shall be permitted as submitted; pylon sign and monument sign shall conform to Town Center Development Standards Manual.
4. Any additional signage for the development shall conform to this Master Sign Plan, or be submitted for review and approval by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC).



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ARC-20049 APN: 125-27-410-004

Name of Property Owner: Kryfam LP

Name of Applicant: Nigro Development

Name of Representative: Brad Jones

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: _____

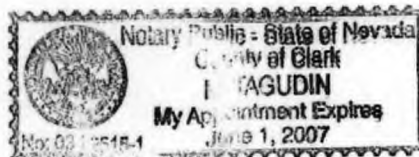
WYNNE KRYGIER

Subscribed and sworn before me

This 20 day of February, 2007

M. Tudor

Notary Public in and for said County and State

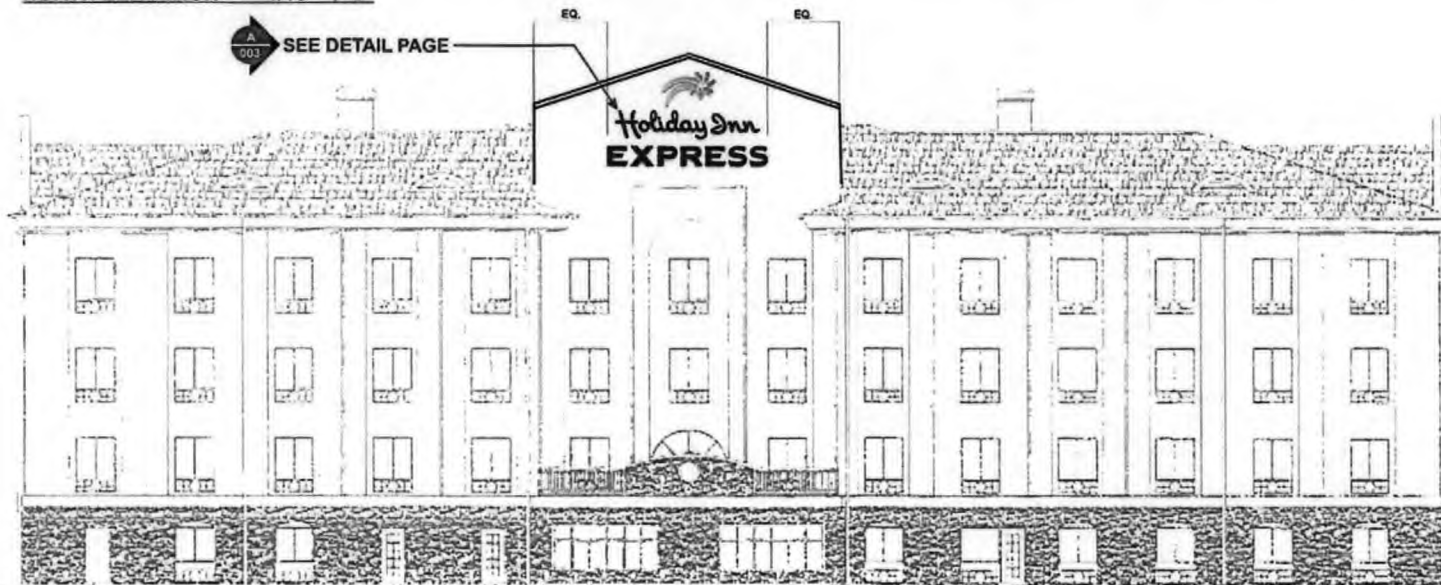


SEE DETAIL PAGE -



NORTH ELEVATION 1/16"=1'-0"

SEE DETAIL PAGE -



SOUTH ELEVATION 1/16"=1'-0"



SKY POINT DRIVE

PAN CHANNEL
LETTERS

BLDG SIGN A

VISION SIGN

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

These plans are prepared and submitted for the
contractor as an exemption to NRS 622.330
for work under contractor license category
authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

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

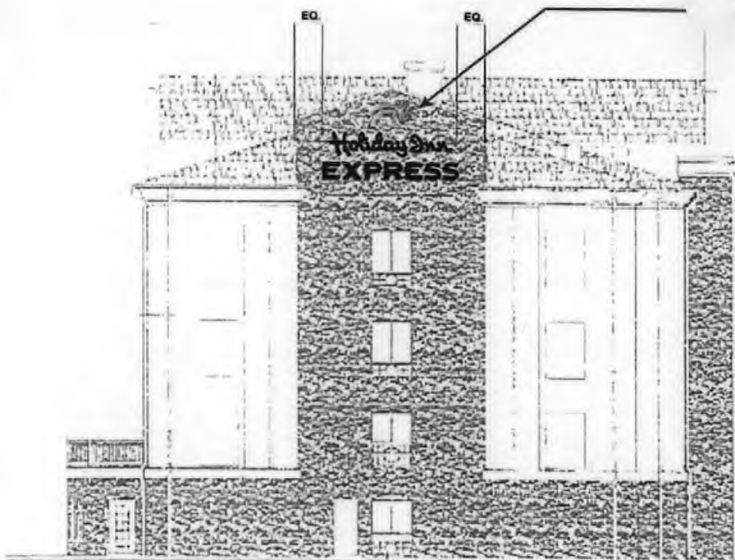
JOB NO: 11232
DATE: 02-05-2007
DRAWN: DERRICK
CHECK: SHOCK
FILE NAME: 11232.CDR
FOLDER:

REVISIONS MADE
02-20-07 DH ADD (2) ELEVATION

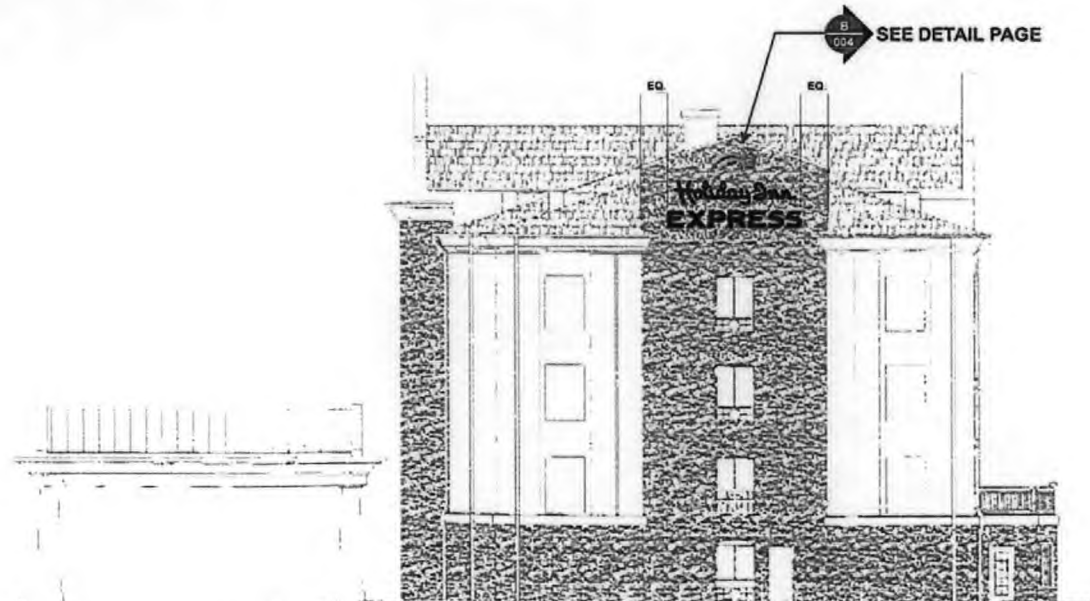
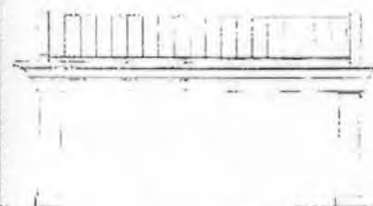
SHEET

001

ARC-20049
CHARC-TC
03/06/07



EAST ELEVATION 1/16"=1'-0"



WEST ELEVATION 1/16"=1'-0"

**Holiday Inn
EXPRESS**

SKY POINT DRIVE

**PAN CHANNEL
LETTERS**

BLDG SIGN B

VISION SIGN

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

These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #43776

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

PROJECT: 11232
DATE: 02-05-2007
DESIGNER: DERRICK
CHECKER: SHOCK
FILE NAME: 11232.CDR
FOLDER:

REVISIONS MADE
02-20-07 DR ADD (2) ELEVATION

SHEET

002

**ARC-20049
CHARC-TC
03/06/07**

ARC-20049
CHARC-TC
03/06/07



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

Re: Holiday Inn Signage

To Whom It May Concern:

Nigro Development is proposing an Eighty-Seven room Holiday Inn Express Hotel at the SE corner of Sky Pointe Drive and Tenaya Way. Please find enclosed a sign package with this application. We are requesting a 65' tall pylon sign where 24' is the maximum height allowed in SC-TC. In addition, we are requesting a 12' tall sign on Sky Pointe Drive. The building signage consists of "Holiday Inn Express" and it's logo on all four sides at, or slightly above, the roof line on an architectural feature.

Signage and visibility are key in operating a hotel. This site will be nearly 27' lower than Ann Road and the adjacent on ramp to US 95 North. We are proposing to construct our 65' tall pylon sign on the South side of the Hotel. The code allows for a 24' tall pylon sign, however, it is evident that a 24' tall sign would not be seen as Ann Road would block such signage as shown in the attached renderings. By placing the pylon sign on the South side of the Hotel it will not be visible by residents as shown in 2 renderings. This sign is proportionate to the existing 65' tall Shell sign adjacent to us and the 55' tall Vista sign on the South side of Ann Road. We strongly believe that by placing this sign against the US 95 right of way it will have no impact on the surrounding neighbors while clearly identifying our hotel to vehicle traffic on US 95.

We are proposing a 12' tall sign along Sky Pointe. This is for directional signage only and will mark our entrance. Please feel free to contact me with any questions you may have.

Regards,

Brad Jones

Project Manager Land Development

3965 SOUTH DURANGO DR, SUITE 106

LAS VEGAS, NEVADA 89147

ph 702.247.1920

fax 702.247.1916

nigrodevelopment.net



March 6, 2007

Mr. Brad Jones
Nigro Development
3965 South Durango #106
Las Vegas, Nevada 89147

RE: ARC-20049

Dear Applicant:

The Centennial Hills Architectural Review Committee considered your request for approval of a Master Sign Plan and waivers of the Town Center Development Standards Manual for a 65' high pylon sign where 24' high is the limit, to allow a pylon sign advertising one tenant where multiple tenants is required and for a 12' high monument sign where 8' high is the limit for a commercial development, Sky Pointe Hotel located on the Southwest Corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), TC (Town Center) Zone, Ward 6 (Ross).

The Centennial Hills Architectural Review Committee voted to **APPROVE** your request subject to the following amended conditions of approval:

1. Conformance to the sign elevations and documentation dated February 21, 2007 as submitted in conjunction with this request, except as modified herein.
2. All signage shall have proper permits obtained through the Building and Safety Department.
3. One 8' high monument sign located on the northeast corner of the property with a 5' setback is APPROVED.
4. A waiver of the Town Center Development Standards Manual to allow a pylon sign advertising one tenant where multi-tenant advertising is required is APPROVED.
5. A waiver of the Town Center Development Standards Manual to allow a 65' high pylon sign where 24' high is the maximum permitted is APPROVED. Pylon sign must be at a 90 angle (southwest to northeast) from the building.
6. Any additional signage for the development shall conform to this Master Sign Plan, or be submitted for review and approval by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC).

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
WARD 5 (VACANT)

DOUGLAS A. SELBY
CITY MANAGER

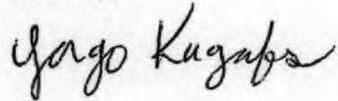
CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov



This action by the Centennial Hills Architectural Review Committee on March 6, 2007 becomes final on March 17, 2007 unless a written appeal is filed with the City Clerk within ten days of the date of the Centennial Hills Architectural Review Committee's decision.

Sincerely,



Yorgo Kagafas, AICP
Urban Design Coordinator
Planning and Development Department
Comprehensive Planning Division

cc: Ms. Marisa Tagudin
KRYFAM LP
7140 Dean Martin Drive #1200
Las Vegas, NV 89118

YK:ah

**CITY OF LAS VEGAS
CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE (CHARC)
Tuesday March 6, 2007
12:00 P.M.
Development Services Center
731 South Fourth Street – Conference Room 2B
Las Vegas, NV 89101**

ANNOTATED MINUTES

Members Present

David Steinman
Andrea Allred
Jeff Gale
Ronni Council (arrived at 12:20 pm)

Members Excused

Sam Dunnam

Members Absent

Citizens

Steve Bauer (Shea Commercial)
Rich Hinshaw (YESCO)
Brad Jones (Nigro Dev)
Todd Nigro (Nigro Dev)

City Staff

Yorgo Kagafas
Angie Horn

ANNOUNCEMENT: OPEN MEETING LAW / CALL TO ORDER

The meeting was called to order by David Steinman at 12:03 p.m. This meeting has been properly noticed in accordance with the Open Meeting Law.

ITEM 1: APPROVAL OF FEBRUARY 6, 2007 MINUTES BY REFERENCE

Andrea Allred made a motion to accept the February 6, 2007 minutes. Jeff Gale seconded. Motion unanimously approved.

ITEM 2: ARC-20019

Request for approval of a Master Sign Plan and for waivers of Town Center Development Standards to allow wall signage to face an existing residential development that is outside of the Town Center limits and to allow wall signage on the second floor of Buildings "A" and "B" for a commercial / retail development, Shea at Tenaya Village located at 7425-7495 Azure Drive (APN 125-27-114-001), TC (Town Center) Zone, Ward 6 (Ross).

David Steinman opened the item to the committee for discussion. Yorgo Kagafas briefed the committee stating that this request is before CHARC to replace an existing Master Sign Plan with a new Master Sign Plan to reflect the new owner's sign criteria. They are requesting that the four monument signs and the locations that were previously approved with the first Master Sign Plan remain. They meet the Town Center Development Standards for size, location, and setback.

This application contains two waiver requests. The first would allow wall signage to face an existing residential development outside of the Town Center limits where no

such wall signage is permitted by code. This condition was put into place to protect the existing residential properties from negative effects of the proposed commercial development. Although the applicant is not proposing to illuminate such wall signs, staff does not recommend approval. If that was the only concern of the residents at the time, then wall signs would have been permitted without illumination. It is important to note that the residential property was built before this property was rezoned from residential to commercial and before the Town Center Development Standards were adopted.

The second waiver would permit wall signage on the second level of both buildings "A" and "B." Staff recommends approval of this waiver for north facing elevations only. This elevation faces only commercial development and the 215 freeway and would not impact any residential property. However, if the committee approves the first waiver and this waiver as requested, then signs would be clearly visible to the residential properties to the south. As a result, staff does not recommend approval of this waiver for south, east, or west facing elevations of buildings "A" and "B." Aside from the waivers for the location of the wall signs, the design, size, and colors for the proposed wall signs meets or exceeds the minimum standards for wall signs in the Town Center.

Staff recommends approval subject to the following conditions:

1. Conformance to the sign elevations, sign criteria and documentation as submitted and date stamped February 20, 2007 in conjunction with this request, except as modified herein.
2. The requested Waiver from the Town Center Development Standards to allow wall signage on the south elevations of all buildings and the west elevation of building "G" is **DENIED**.
3. The requested Waiver from Town Center Development Standards to allow wall signage above the ground level on buildings "A" and "B" is approved for the north elevations only.
4. All signage shall have proper permits obtained through the Building and Safety Department.
5. This approval replaces the sign plan approved under DIR-3572 for APN 125-27-114-001 only. DIR-3572 shall continue to apply for the remaining parcels that were included as part of that approval.
6. Any additional signage for the development shall require an amendment to the Master Sign Plan, approved by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC).

Mr. Kagafas presented a copy of the original Master Sign Plan to the committee for clarification of the targeted areas.

Steve Bauer, Vice President of Development for Shea Commercial, introduced both himself and Rich Hinshaw of Young Electric Sign Company to the committee. Mr. Bauer presented an overview of his company's sign criteria and the importance of their current request. He offered a solution (contingent on the committee's agreement) to having non-illuminated signs on the building facing south. In addition,

he does not need signs on the west face of Building G, and no signs on Buildings A and B above the first floor level on the south elevation.

David Steinman voiced concern regarding the issue of how the four approved monument signs would work for all occupants.

Andrea Allred stated that there were conditions put in place before the applicant's request was made and that the committee needs to abide by the intent of those conditions - to protect the residents. Ms. Allred further stated that there is no justification for signs of the south elevations nor on the second floor.

There was discussion among the committee members and the applicants.

Jeff Gale made a motion to approve Item 2 (ARC-20019) subject to the following amended conditions of approval:

1. Conformance to the sign elevations, sign criteria and documentation as submitted and date stamped February 20, 2007 in conjunction with this request, except as modified herein.
2. The requested Waiver from the Town Center Development Standards to allow non-illuminated ground level wall signage on the south elevations of all buildings is APPROVED.
3. The requested Waiver from Town Center Development Standards to allow second-level wall signage on buildings "A" and "B" is approved for the north elevations only.
4. All signage shall have proper permits obtained through the Building and Safety Department.
5. Any additional signage for the development shall require an amendment to the Master Sign Plan, approved by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC).

Motion was approved 3-1 with Andrea Allred opposing.

Yorgo Kagafas notified the applicant that the effective date of the letter of approval would reflect the ten (10) day written appeal process unless either a member of the City Council and/or the Planning Commission appealed this decision.

ITEM 3: ARC-20049

Request for approval of a Master Sign Plan and waivers of the Town Center Development Standards Manual for a 65' high pylon sign where 24' high is the limit, to allow a pylon sign advertising one tenant where multiple tenants is required and for a 12' high monument sign where 8' high is the limit for a commercial development, Sky Pointe Hotel located on the Southwest Corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), TC (Town Center) Zone, Ward 6 (Ross).

David Steinman opened the item to the committee for discussion. Yorgo Kagafas briefed the committee stating that this is a request for approval of a Master Sign

Plan for a new commercial development, Holiday Inn Express. The applicant is requesting a signage package that requires three waivers of the Town Center Development Standards Manual. The first waiver would allow a 65' high pylon sign where 24' high is maximum height permitted, the second would allow a pylon sign for one tenant where multiple tenants are required for a pylon sign in Town Center, and the third waiver would allow a 12' high monument sign where 8' high is the maximum height-limit permitted. The applicant states that the lot condition, which is located below the Ann Road and US 95 elevations, require the requested waivers. There is a pylon sign to the east of this property advertising the Shell Gas Station. However, this sign was approved prior to the adoption of the Town Center Development Standards which do not permit a pylon sign to advertise one tenant, you must advertise multiple tenants. If this waiver was granted, it would open the possibility of several pylon signs being located within a short distance of each other since there are several commercial lots to the west of this one with similar conditions.

The proposed wall signage would be clearly visible from Ann Road since most customers would know to exit on Ann Road to the Holiday Inn Express. This signage should be enough for customers to find it once they are on Ann Road. The wall signage proposed meets the Town Center Development Standards. Since the monument sign is located on Sky Pointe Drive and not visible from Ann Road, there is no need to increase the height to 12', as an 8' monument sign is just as visible as a 12' high one is in the case.

Staff recommends approval subject to the following conditions:

1. Conformance to the sign elevations and documentation dated February 21, 2007 as submitted in conjunction with this request, except as modified herein.
2. All signage shall have proper permits obtained through the Building and Safety Department.
3. No waivers are approved with this application. Wall signs shall be permitted as submitted; pylon sign and monument sign shall conform to Town Center Development Standards Manual.
4. Any additional signage for the development shall conform to this Master Sign Plan, or be submitted for review and approval by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC).

David Steinman requested applicants introduce themselves. Todd Nigro with Nigro Development introduced himself as the representative of the applicant stating that he was accompanied by Brad Jones also with Nigro Development.

Mr. Nigro commented that he wanted to address one of Staff's conditions of approval, Condition 3. They agree to reduce the monument sign to 8', but the primary issue is the pylon sign which sits in a 30' hole. It is important for the success of this project that it be visible from the highway. The sign does not materially impact the neighborhood and he believes this is a justifiable request to accommodate a limited-service hotel.

Andrea Allred questioned the height of the building and the sign. She feels a pylon sign here is redundant because the building already has a large sign on all four sides and can be seen from all directions.

There was discussion among committee members and the applicants regarding better representation of the angle of the pylon sign, when it can be seen from the highway, the sign's exact location, and waivers necessary for the pylon sign and the height.

Jeff Gale made a motion to approve Item 3 (ARC-20049) subject to the following amended conditions of approval:

1. Conformance to the sign elevations and documentation dated February 21, 2007 as submitted in conjunction with this request, except as modified herein.
2. All signage shall have proper permits obtained through the Building and Safety Department.
3. One 8' high monument sign located on the northeast corner of the property with a 5' setback is APPROVED.
4. A waiver of the Town Center Development Standards Manual to allow a pylon sign advertising one tenant where multi-tenant advertising is required is APPROVED.
5. A waiver of the Town Center Development Standards Manual to allow a 65' high pylon sign where 24' high is the maximum permitted is APPROVED. Pylon sign must be at a 90 degree angle (southwest to northeast) from the building.
6. Any additional signage for the development shall conform to this Master Sign Plan, or be submitted for review and approval by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC).

Motion was approved 3-1 with Andrea Allred opposing.

Yorgo Kagafas notified the applicant that the effective date of the letter of approval would reflect the ten (10) day written appeal process unless either a member of the City Council and/or the Planning Commission filed an appeal of this decision.

ITEM 4: CITIZENS PARTICIPATION

None

ITEM 5: SET NEXT MEETING DATE / ADJOURNMENT

There are two items to be heard by the Centennial Hills Architectural Review Committee next month; therefore the next meeting date is set for April 3, 2007.

David Steinman adjourned the meeting at 1:22 p.m. without objection.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VARIANCE

VAR-19282 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: PETER PAPAS - OWNERS: AEGEAN ISLE, WEST CHARLESTON ANIMAL HOSPITAL, AND DIXIE LEAVITT AGENCY - Request for a Variance TO ALLOW 267 EXISTING PARKING SPACES WHERE 301 PARKING SPACES ARE REQUIRED FOR AN EXISTING SHOPPING CENTER on 5.20 acres at 7871 through 7891 West Charleston Boulevard (APNs 163-04-514-002, 003, and 004), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). The Planning Commission (6-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 03-08-07 Planning Commission Meeting Item 23

Motion made by STEVE WOLFSON to Approve Subject to Conditions

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DAVID STRAIT, D.W. Strait Architecture, 101 West Brooks Avenue, Unit C, North Las Vegas, appeared with applicant, PETER PAPAS.

CITY COUNCIL MEETING OF: APRIL 18, 2007

COUNCILMAN WOLFSON commented that he had personally viewed the site and could support the request. The Variance is small compared to other variances, and there is plenty of parking to accommodate the tenants in the area.

MAYOR GOODMAN declared the Public Hearing closed.



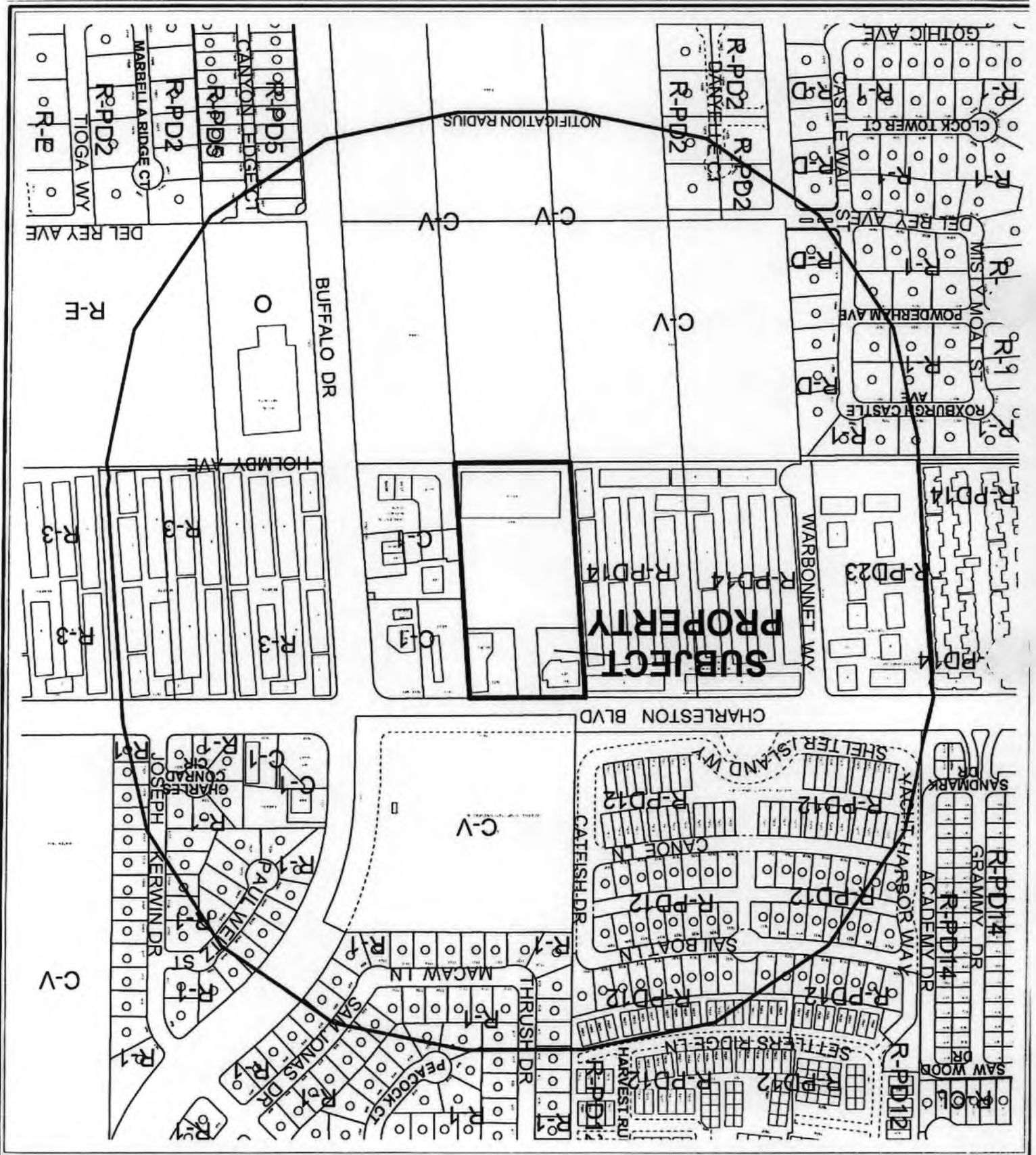


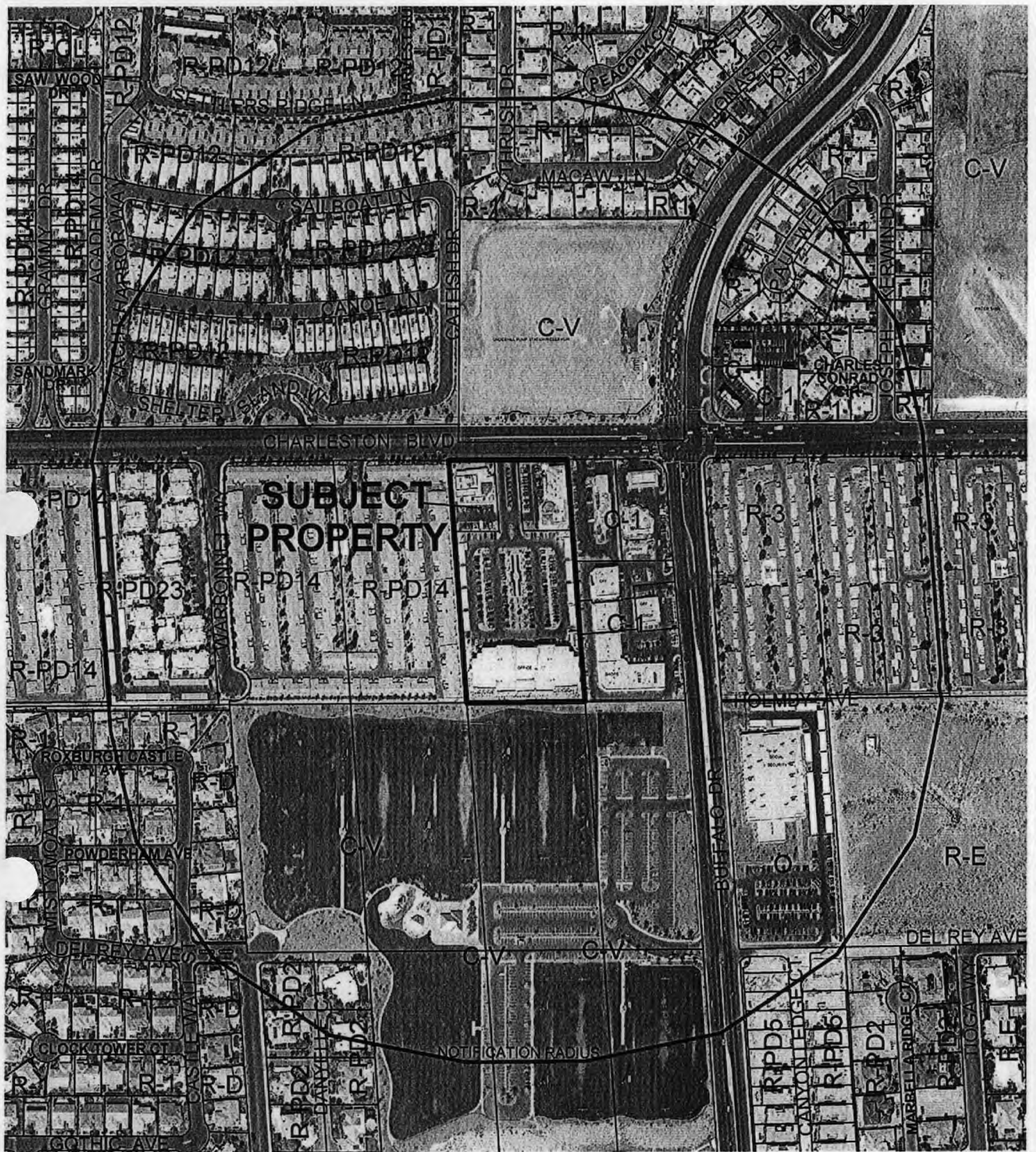
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

RADIUS: 1000 FT

CASE: VAR-19282

0 500 Feet





CASE: **VAR-19282**

RADIUS: 1000 FT

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

0 500 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

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

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 4, 2007 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN WOLFSON.

**** CONDITIONS ****

The Planning Commission (6-1/sd vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
3/10/97	The City Council approved a Rezoning (Z-0004-97) from N-U (Non-Urban) Zone to C-1 (Limited Commercial) on property located on the south side of Charleston Boulevard, approximately 330 feet west of Buffalo Drive for a proposed office and retail center.
3/11/98	The City Council approved a request for an Extension of Time [Z-4-97(1)] for an approved Rezoning from the U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone on 5.00 acres located on the south side of Charleston Boulevard, approximately 330 feet west of Buffalo Drive for a proposed office and retail center.
11/06/00	The City Council approved a request for a Reinstatement and Extension of Time [Z-4-97(1)] for an approved Rezoning from the U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone on 5.50 acres located on the south side of Charleston Boulevard, approximately 330 feet west of Buffalo Drive for a proposed office and retail center.
11/14/00	A Request for an Administrative Site Development Plan Review [Z-0004-97(3)] for a proposed 58,528 square-foot office development on 5.50 acres located on the south side of Charleston Boulevard, approximately 330 feet west of Buffalo Drive was administratively approved by the Planning and Development Staff.
6/06/02	A Request for an Administrative Site Development Plan Review [Z-0004-97(4)] for a proposed 6,735 square-foot office development on 0.59 acres located at 7881 West Charleston Boulevard was administratively approved by the Planning and Development Staff.
12/03/03	The City Council approved a request for a Site Development Plan Review SDR-3108 and a Waiver from the Perimeter Buffer and Parking Lot Landscaping Requirements and Commercial Design Standards for a one-story commercial building on 0.64 acres.
03/08/07	The Planning Commission voted 6-1/sd to recommend APPROVAL (PC Agenda Item #23/mh).

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

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

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

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

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

ANALYSIS

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

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

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

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

PLANNING COMMISSION ACTION

At the Planning Commission meeting it was established that a shared parking agreement is on file with the city.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 308 by City Clerk

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-19282 APN: 163-04-514-002
Name of Property Owner: PETER PAPAS (LOU CHRISTIAN AEGEAN) 154
Name of Applicant: PETER PAPAS
Name of Representative: PETER PAPAS

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

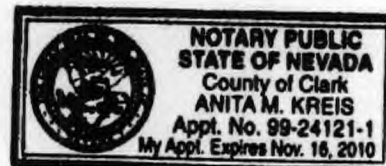
Print Name: PETER PAPAS

Subscribed and sworn before me

This 18th day of January, 2007

Anita M. Kreis

Notary Public in and for said County and State



RECEIVED
JAN 22 2007

Applicant: Peter Papas - Tel. (702) 256-1825

DATE _____
JOB # _____
SCALE _____
DRAWN _____
DESIGNED _____
CHECKED _____
SHEET _____

A0_v

BUFFALO DRIVE

PROPOSED BUILDING
FF-2343.00

CHARLESTON BOULEVARD

(100' NDOT R.O.W.)

HORIZONTAL CONTROL & STRIPING PLAN

**BUFFALO-CHARLESTON
OFFICE BUILDING**

FREMONT CONSTRUCTION


LOCHSA ENGINEERING

LEGEND

[illegible]

CAME TABLE		CAME TABLE	
CAME POSITION	MOBILE	CAME	TABLE
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NOTE:
NEVADA DEPARTMENT OF TRANSPORTATION
(DOT) PERMIT REQUIRED

LEADS

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

1. **Small 100% for use**
2. **Small 100% for use**
3. **Small 100% for use**

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A diagram showing a crane lifting a load. A crane arm is positioned horizontally, supported by a vertical post. A cable is attached to the end of the arm and extends downwards to a load. The load is represented by a circle with a cross inside. The crane is shown in profile, facing right.

ALSO DRIVE

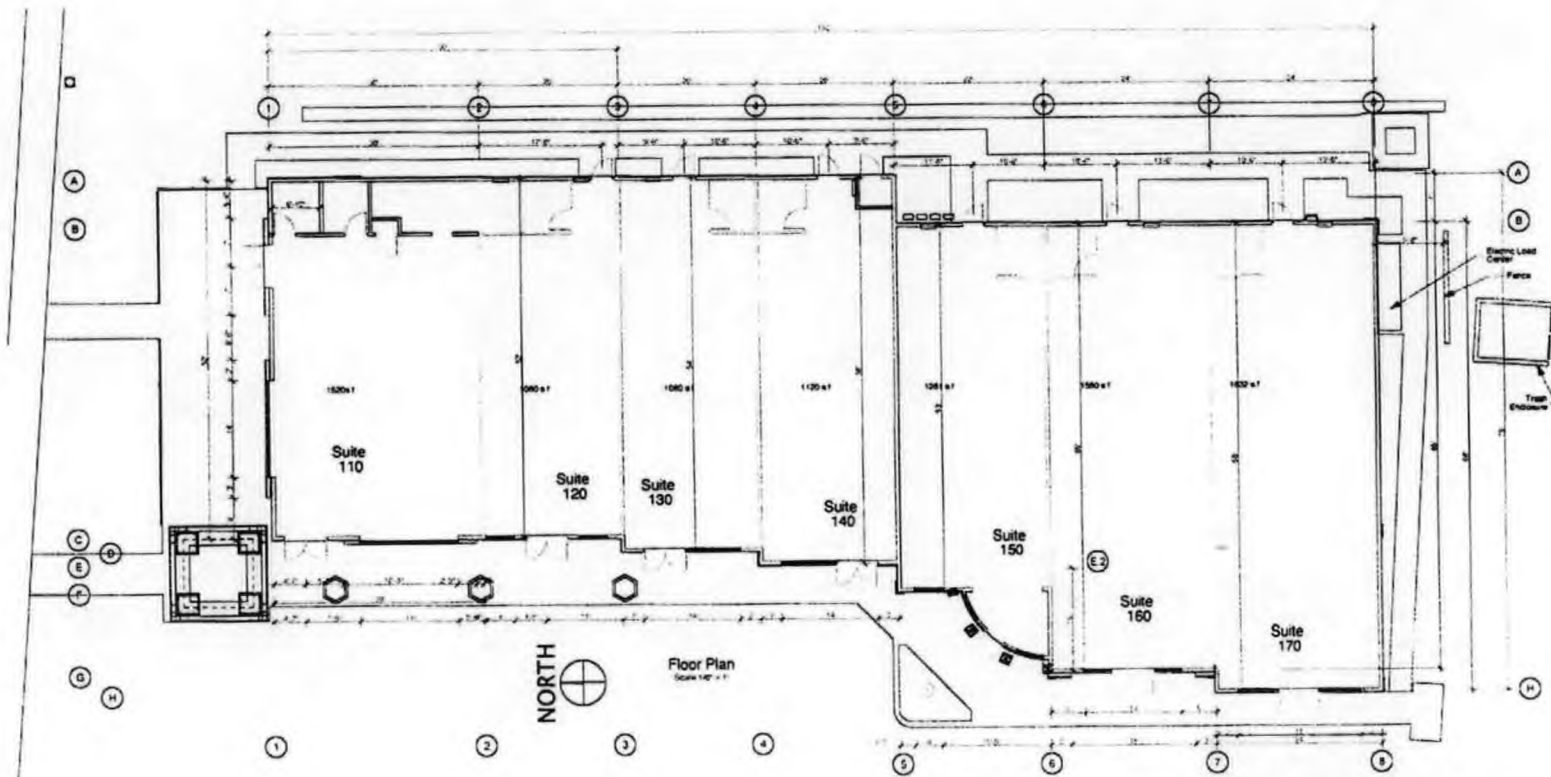
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VAR-19282

03/08/07 PC

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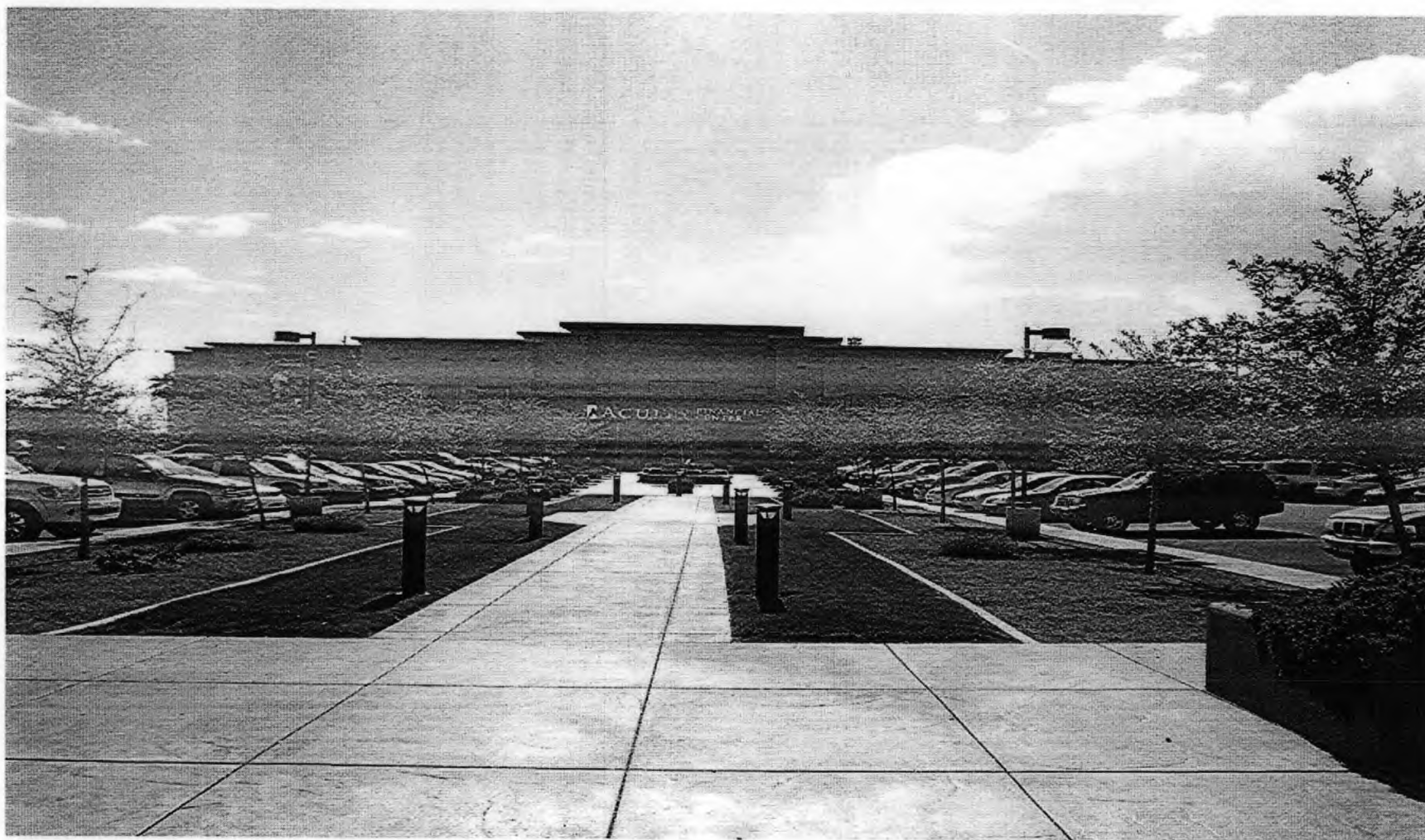
VAR-19282
03/08/07 PC

| | |
|--|-------------------|
| D. W. Strait, AIA
Architecture & Planning
KPM
631 W. Brooks Ave., Suite C
Las Vegas, NV 89106
TEL: (702) 657-0266
FAX: (702) 657-0266 | |
| Commercial Center Parking Waiver
At The Las Vegas Convention Center
3901 West Charleston (S. Buffalo), Las Vegas
SHEET 1 OF 1 | |
| NAME
DATE
BY | Floor Plan |
| DATE: 11/22/06
JOB #: 19282
SCALE: 1/8" = 1'-0"
DRAWN: [blank]
DESIGNED: [blank]
CHECKED: [blank]
SHEET: | |
| A1 | |



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

01/31/07



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

01/31/07



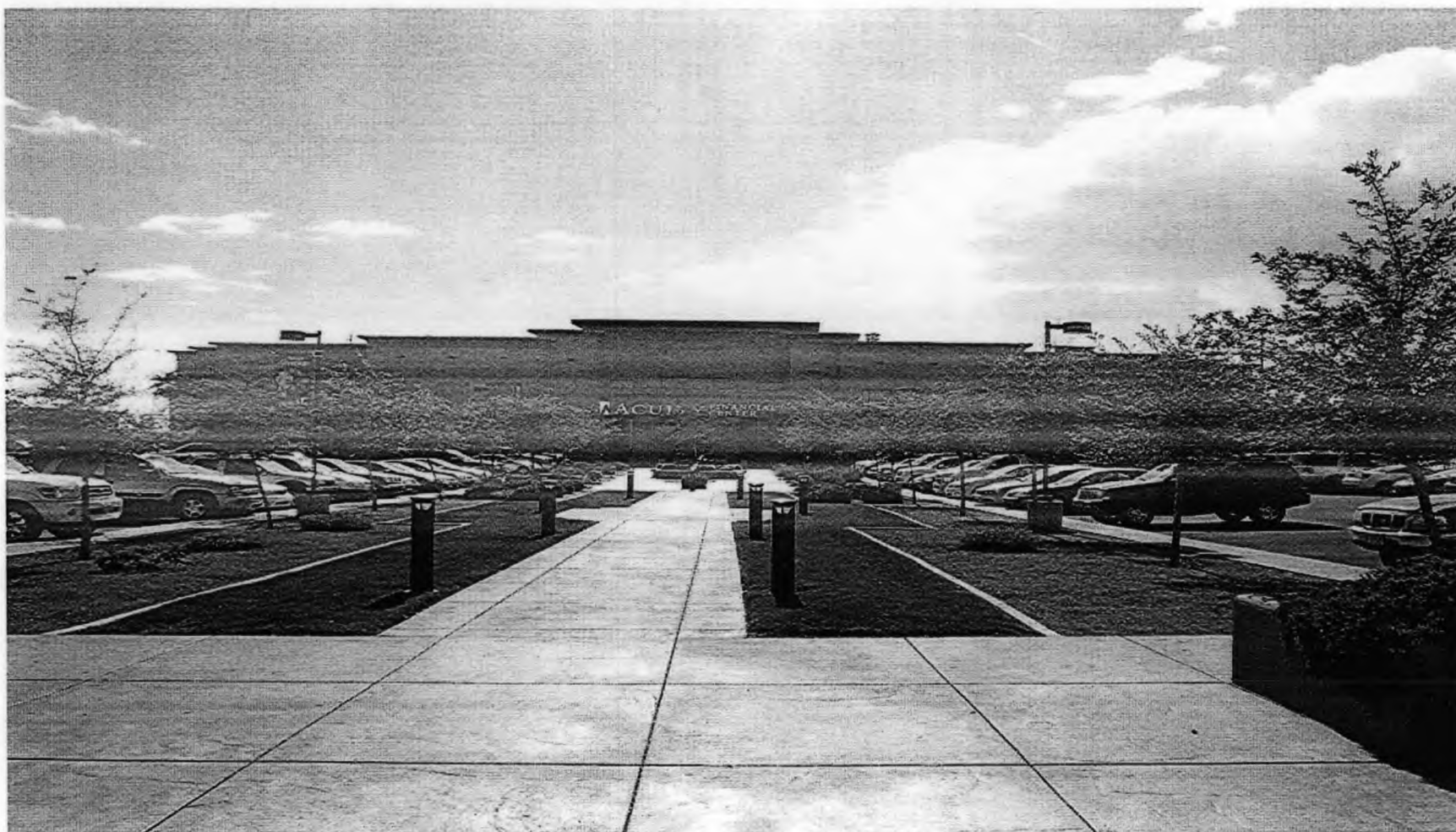
VAR-19282 - APPLICANT: PETER PAPAS - OWNERS: AEGEAN ISLE, WEST CHARLESTON ANIMAL
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7881 WEST CHARLESTON BOULEVARD
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01/31/07



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7881 WEST CHARLESTON BOULEVARD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



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

01/31/07



D. W. STRAIT Architecture & Planning

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

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

Request

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

Background

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

Justification

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

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

Summary

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

Submitted on behalf of the applicant,

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

VAR-19282
03/08/07 PC

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

Maury Abrams, L.L.C.

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

April 18, 2006

via Facsimile: (702) 385-7268

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

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

Dear Mr. Korkosz:

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

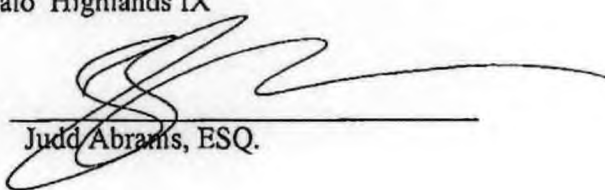
We strongly oppose allowing a reduction in the number of cars required in order to comply with the zoning requirements.

We request that you do not grant this variance.

Please pass this protest on to the City Council members.

Sincerely,

Buffalo Highlands IX

BY: 

Judd Abrams, ESQ.

Enclosures

MA-Resolving-Notice of Public Hearing Ltrs - Buff IX-Request to reduce parking spaces, VAR 19282 [03-01-07]

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

P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 18, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-18347 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - Request for a Special Use Permit FOR A PROPOSED 800 SQUARE FOOT CAR WASH, FULL SERVICE on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), U [(Undeveloped) Zone, SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest letter by Gary R. Kronenberg
6. Submitted after final agenda – Abeyance request from Pacific Design Concepts LLC for Items 110-112
7. Backup referenced from the 02-08-07 Planning Commission Meeting Item 15

Motion made by GARY REESE to Hold in Abeyance Items 104-108 and Item 130 to 5/2/2007; Items 110-112 to 5/16/2007; Item 117 to 6/20/2007; Item 113 to 7/11/2007; Item 103 to 7/18/2007; and Withdraw Without Prejudice Items 114 and 115

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

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



CASE: SUP-18347

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SUP-18347 - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 4, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-1-1/gt,sd vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-18349) and Special Use Permit (SUP-18630) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a proposed 800 square foot Car Wash, Full Service at the northeast corner of Grand Teton Drive and Durango Drive. An accompanying Special Use Permit (SUP-18630) for a Beer/Wine/Cooler Off-sale Establishment and a Site Development Plan Review (SDR-18349) for the Car Wash, a Service Station without automotive repair and a fast-food restaurant will be considered. An approved tavern is under construction at the subject site as well.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|--|---|
| 3/17/99 | The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive. |
| 6/08/99 | The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999. |
| 6/21/00 | The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval. |
| 7/17/02 | The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval. |
| 03/17/04 | The City Council approved a General Plan Amendment application (GPA-3483) from PCD (Planned Community Development) to SC (Service Commercial), a Rezoning (ZON-3509) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], and a Review of Condition (ROC-2671) to remove a condition that restricted commercial development to the western portion of the subject site. The Planning Commission recommended approval of the GPA, ZON and ROC on 1/22/04 and tabled requests for a Special Use Permit (SUP-3513) for a proposed mini-warehouse facility, and a Site Development Plan Review application (SDR-3511) for a proposed 71,570 square foot office, tavern, mini-storage development. Staff recommended approval for all five applications. |

| | |
|---|---|
| 04/06/05 | The City Council approved a Special Use Permit (SUP-5691) for a Tavern and a Waiver from the distance separation requirements from an existing park, a Variance (VAR-5694) to allow a 24-foot setback where residential adjacency standards require a minimum of 73 feet, a Variance (VAR-5693) a Variance to allow 132 parking spaces where 148 spaces are the minimum required, and a Site Development Plan Review (SDR-5689) for a 6,115 square-foot tavern and a Waiver of trash enclosure separation. The Planning Commission recommended approval on 03/10/05 and staff recommended denial. |
| 01/11/07 | The Planning Commission held in abeyance a Special Use Permit (SUP-18347) for a proposed 800 square foot Car Wash, Full Service; a Special Use Permit (18630) for a proposed Beer/Wine/Cooler Off-sale Establishment and a Site Development Plan Review (SDR-18349) for the Car Wash, a Service Station without automotive repair and a fast-food restaurant with a drive-through. Staff recommended denial. |
| 02/08/07 | The Planning Commission recommended approval of companion items SU-18630 and SDR-18349 concurrently with this application.

The Planning Commission voted 5-1-1/gt/sd to recommend APPROVAL (PC Agenda Item #15/rl). |
| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
| 12/09/05 | Business License L16-266-4-1214 issued for a Tavern issued to Tomfoolery, inactive effective 06/07/06. |
| 06/07/06 | Pending Business License requests created for The Lodge at Grand Teton including C05-96168-0-107791 for Tobacco Retailer, C08-96164-0-107791 for Coin Operated Amusements, C20-96167-7-850 for Convention Hall Gaming Tax, G01-96166-4-850 for Gaming-Restricted, and R09-96163-0-107791 for a Restaurant. |
| 08/18/06 | Building Permit C-0189-05 issued for a trash enclosure, on-site improvements and a Certificate of Occupancy for a tavern on the subject site. |
| <i>Pre-Application Meeting</i> | |
| 11/13/06 | At a Pre-application meeting, the applicant was told of the requirements for a site development plan review and the requirements for a special use permit. Additional detail was given regarding landscaping and parking requirements particular to the subject site. |

| Neighborhood Meeting | |
|-----------------------------|--|
| 01/02/06 | <p>A neighborhood meeting was held at the Silverstone Golf Club 8600 Cupp Drive at 6:00 p.m. Attendance included three members of the development team, nine members of the public and one member of the Planning & Development staff. The following concerns were brought up by members of the public:</p> <ul style="list-style-type: none"> • Concerns about the speaker box of the fast food pad • Area over saturated by alcohol uses • Request for a family restaurant • No 24 hrs uses <p>Concerns about Day Care use at 7955 Quail Heaven being too close to uses.</p> |

| Details of Application Request | |
|---------------------------------------|------|
| Site Area | |
| Gross Acres | 2.71 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|-----------------------------|------------------------------------|-------------------------------------|---|
| Subject Property | Tavern, Undeveloped | SC (Service Commercial) | U(SC) Undeveloped (Service Commercial) under Resolution of Intent to C-1 (Limited Commercial) |
| North | Single Family | PCD (Planned Community Development) | R-PD6 (Residential Planned Community – 6 Units per Acre) |
| South | Single Family (under construction) | PCD (Planned Community Development) | R-PD7 (Residential Planned Community – 7 Units per Acre) |
| East | Single Family (under construction) | PCD (Planned Community Development) | U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to R-PD7 (Residential Planned Community – 7 Units per Acre) |
| West | Undeveloped (proposed retail) | PCD (Planned Community Development) | U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to C-1 (Limited Commercial) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | X | N/A |
| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| Special Purpose and Overlay Districts | | X | N/A |
| Trails | X | | Y* |
| Rural Preservation Overlay District | | X | N/A |
| Development Impact Notification Assessment | | X | N/A |

* The Trail Requirements related to the subject site are fully addressed in the companion application for Site Development Plan Review (SDR-18349).

DEVELOPMENT STANDARDS

| <i>Standard</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|--|-------------------------------|---------------------|-------------------|
| Min. Lot Size | N/A | 115,730 Square Feet | Y |
| Min. Lot Width | 100 Feet | 220 Feet | Y |
| Min. Setbacks | | | |
| • Front | 20 Feet | 25 Feet | Y |
| • Side | 10 Feet | 16 Feet | Y |
| • Corner | 15 Feet | 24 Feet | Y |
| • Rear | 20 Feet | 80 Feet | Y |
| Max. Lot Coverage | 50% | 12% | Y |
| Max. Building Height | N/A | 32.75 Feet | Y |
| Trash Enclosure | 50 Feet from residential uses | 62 Feet | Y |
| Mech. Equipment | Screened | Screened | Y |
| <i>Residential Adjacency Standards</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
| 3:1 proximity slope | 79.5 Feet | 105 Feet | Y |
| Adjacent development matching setback | 10 Feet | 80 Feet | Y |
| Trash Enclosure | 50 Feet from residential uses | 73 Feet | Y |

| <i>Landscaping and Open Space Standards</i> | | | | |
|---|--------------------------------------|--------------|-----------------|-------------------|
| <i>Standards</i> | <i>Required</i> | | <i>Provided</i> | <i>Compliance</i> |
| | <i>Ratio</i> | <i>Trees</i> | | |
| Parking Area | 1 Tree/6 Spaces
1 Finger/6 Spaces | 22 | 23 | Y
N* |

| | | | | |
|-----------------|----------------|----|---------|----|
| Buffer: | | | | |
| Min. Trees | | | | |
| North | 1 Tree/20 Feet | 21 | 20 | N* |
| East | 1 Tree/20 Feet | 14 | 12 | N* |
| South | 1 Tree/30 Feet | 13 | 18 | Y |
| West | 1 Tree/30 Feet | 9 | 9 | Y |
| TOTAL | | 79 | 82 | Y |
| Min. Zone Width | | | | |
| • East | 15 Foot Buffer | | 15 Foot | Y |
| • North | 8 Foot Buffer | | 10 Foot | Y |
| • West | 8 Foot Buffer | | 8 Feet | Y |
| • South | 15 Foot Buffer | | 20 Feet | Y |

* Additional trees and parking lot fingers to be required by condition on related Site Development Plan Review (SDR-18349).

| <i>Standards</i> | <i>Required</i> | <i>Provided</i> | <i>Compliance</i> |
|---------------------|--------------------------------|-------------------|-------------------|
| Wall Height | | | |
| East Property Line | Minimum 6 Feet, Maximum 8 Feet | 8 Foot Block Wall | Y |
| North Property Line | Minimum 6 Feet, Maximum 8 Feet | 8 Foot Block wall | Y |

| Parking Requirement | | | | | | | |
|---------------------------------|---|------------------|---------|------------------|----------|------------------|------------|
| Use | Gross Floor Area
or Number of
Units | Required | | | Provided | | Compliance |
| | | Parking
Ratio | Parking | | Parking | | |
| | | | Regular | Handi-
capped | Regular | Handi-
capped | |
| Tavern
(Existing) | 3,171 SF | 1:50 SF | 64 | | | | |
| | Public seating | | | | | | |
| | 3,204 SF | 1:200 SF | 16 | | | | |
| Remainder | | | | | | | |
| Car Wash* | 800 SF | NA | NA | | | | |
| Service
Station | 4,056 | 1:250 SF | 16 | | | | |
| Restaurant* | 650 SF | 1:50 SF | 13 | | | | |
| | Public seating | | | | | | |
| | 2,050 SF | 1:200 SF | 10 | | | | |
| Remainder | | | | | | | |
| Sub-Total | | | 114 | 5 | 122 | 5 | |
| TOTAL –Including
Handicapped | | | 119 | | 127 | | Y |

* The Restaurant Drive-Through and the Car Wash each provide six stacking spaces in addition to the above parking spaces provided.

ANALYSIS

- General

The subject site is located in the SC (Service Commercial) General Plan designation in the Centennial Hills Sector of the Las Vegas 2020 Master Plan. The proposed Car Wash, Full Service use is compatible with the SC designation. The proposed use will be in conjunction with a Service Station without automotive repair. In addition, the development includes a proposed fast food restaurant and an approved tavern. The combination of these uses, however, are too intense for the site and staff recommends denial.

- Zoning

The subject property is located in the C-1 zone. The C-1 zone is intended to provide for a variety of commercial, retail, restaurant and office uses including the proposed Car Wash, subject to the approval of a Special Use Permit.

- Use

Title 19.20 defines Car Wash (Full Service) as a car wash facility, typically operated in conjunction with a gas station, which customarily employs automatic or semiautomatic methods of cleaning. The proposed Car Wash, Full Service use is not compatible with the surrounding neighborhoods because of the type, intensity and number of uses proposed on this site, in combination with the approved tavern. Further, a condition of approval of a previously approved Site Development Plan Review (SDR-5689) read "No roll-up doors or drive-thru windows shall be allowed on this site." Therefore staff recommends denial.

- Conditions

The proposed Car Wash (Full Service) use meets the requirement below, as per Title 19.04; however, the use, particularly in concentration with the other uses at the subject site, is too intense for this location.

1. Each wash bay shall have a stacking lane that will accommodate at least six cars.

FINDINGS

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

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

The project is compatible with the General Plan land-use designation for the area and satisfies the requirements of the Zoning Code with respect to minimum separation distance requirements. The project, however, in combination with the other uses on this relatively small site is too intense for its location and not harmonious and compatible with the surrounding land uses. Therefore, staff recommends denial.

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

The intensity of the Car Wash, Full Service use, particularly in combination with the other proposed uses on this site are too intense in scope and number for the surrounding residential neighborhoods.

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

The proposed Car Wash, Full Service use will be accessed from Durango Drive and Grand Teton Drive, identified on the Master Plan of Streets and Highways as a 100-foot Primary Arterials and a 120-Foot Parkway Arterial, respectively. While these roads have adequate capacity, the proposed uses are too intense for this intersection.

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

The proposed Car Wash, Full Service use in combination with the other proposed and approved uses is too intense for the location; and therefore, staff finds that approval of the Special Use Permit will be inconsistent with the public health, safety, and welfare as well as the overall objectives of the General Plan.

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

The subject site meets all applicable conditions for a Car Wash, Full Service as per the requirements of Title 19.04; however, for the aforementioned reasons, this use is not appropriate for the subject site.

PLANNING COMMISSION ACTION

There was one speaker in opposition at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 882 by City Clerk

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18347** APN: 125-09-401-031
Name of Property Owner: GRAND TETON LODGE LAND, LLC
Name of Applicant: GRAND TETON LODGE LAND, LLC
Name of Representative: PACIFIC DESIGN CONCEPTS

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

☐ Yes☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

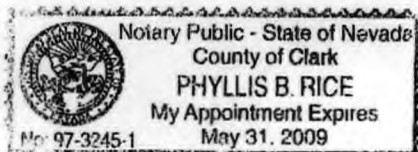
Print Name: STUART APOLU

Subscribed and sworn before me

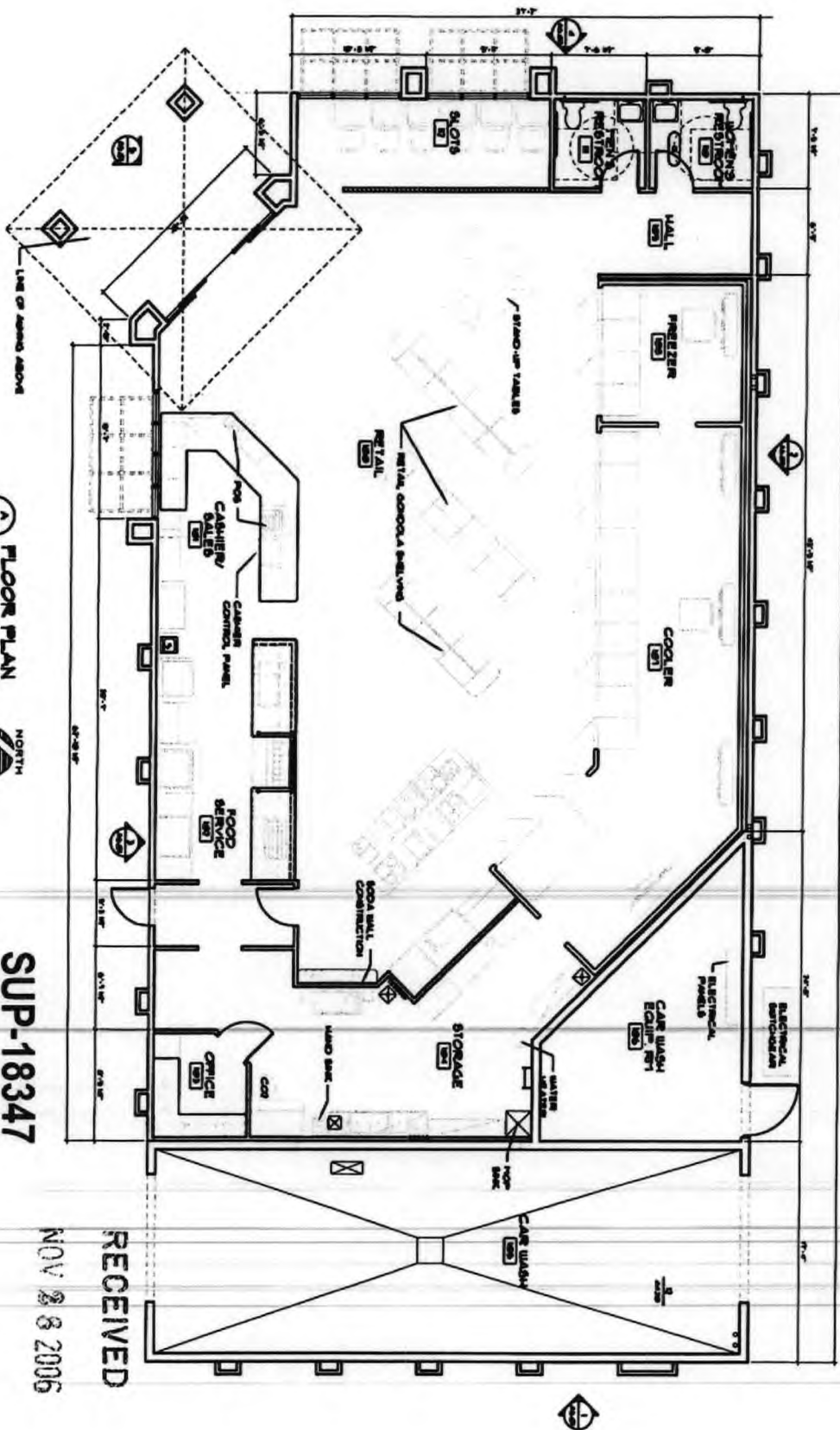
This 21st day of NOV, 2006

Phyllis B. Rice
Notary Public in and for said County and State

Revised 11-14-06



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



GENERAL NOTES:

1. PROVIDE CORNER GUARDS FULL HEIGHT AT ALL ENTRANCE CORNERS.
2. PROVIDE CORNER GUARDS FULL HEIGHT AT ALL ENTRANCE CORNERS.
3. PROVIDE CORNER GUARDS FULL HEIGHT AT ALL ENTRANCE CORNERS.
4. PROVIDE TRAILING STRIPS AT ALL ENTRANCE CORNERS AND ALONG ALL WALLS, STOPS AT ALL DOOR THRESHOLDS AND CONCERTE.
5. PROVIDE SOUND ATTENUATION BARRIERS IN WALLS SEPARATING THE LOBBY ROOMS AND OTHER ADJACENT ROOMS.
6. CONNECTION WALL, PROVIDE AND LOCATE ACCESS PANELS AS REQUIRED FOR ELECTRICAL, MECHANICAL, DATA, PLUMBING AND RADIANT, ETC.
7. ALL PARTITIONS ADJACENT TO OR LOCATED AT THE BACK OF PLUMBING ROOMS SHALL BE CONSTRUCTED WITH SOUND INSULATING RESISTANT DRYWALL.

RECEIVED
NOV 28 2006

SUP-18347
SDR-18349

02/08/07 PC

As Instruments of Service these drawings and specifications are the property of the architect and may not be reproduced or used for any purpose without the architect's written consent. Copies of the drawings and specifications retained by the client may be utilized only for their use and for completing the project for which they were prepared and not for construction of any other projects. Any use or reproduction of the drawing in whole or part by any means whatsoever is strictly prohibited. These documents are not final and ready for use, and therefore not valid, unless they are sealed, signed, and dated. REC 623,763 Pacific Design Concepts, Inc. © 2006.

C-STORE FLOOR PLAN

LAND USE SUBMITTAL

PRELIMINARY
NOT FOR
CONSTRUCTION

project title :
**C-STORE AT
GRAND TETON**
ADDRESS
LAS VEGAS, NEVADA

3005 W. HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NEVADA 89052
(702) 454-5842 FAX (702) 454-7842

pacific design concepts, llc
3005 w. horizon ridge parkway, suite 200
henderson, nevada 89052
(702) 454-5842 fax (702) 454-7842

1
pacific design concepts, llc

3005 w. horizon ridge pkwy., #200, henderson, nv 89052 (702) 454-5842 fax (702) 454-7842

PDC

November 21, 2006

City of Las Vegas
731 S. 4th Street
Las Vegas, NV 89101

Attn: Planner

**RE: C-STORE AT GRAND TETON
APN: 125-09-401-031
JUSTIFICATION LETTER**

PROJECT NO: 06-182

Dear Planner,

We respectfully request favorable consideration for the above referenced project for a Special Use Permit.

The proposed Special Use Permit is to allow an automated car wash facility in conjunction with a convenience store with gas pumps.

The proposed special use permit is appropriate based on the following findings of facts;

- A. The proposed use can be conducted in a manner. That is harmonious and compatible with existing surrounding land uses, and with future surrounding land use as projected by the General Plan;
- B. The subject site is physically suitable for the type and intensity of land use being proposed;
- C. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use;
- D. Approval of the Special Use Permit at the site in question will be consistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan.

Should you have any questions or require additional information please contact our office.

Sincerely,



Richard C. Gallegos
Principal

RCG/mt

Cc: 06-182.js.lt.sup.civ.cstore.grand.teton

**SUP-18347
SDR-18349
02/08/07 PC**

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

FEB. 24, 07

I VOTE NO FOR PERMIT
SUP-18347

KRONENBERG GARY R
8316 BLUSHING HEIGHTS AVE
LAS VEGAS NV 89131-4610

Gary R. Kronenberg

MEETING: CITY COUNCIL
DATE: MARCH 7, 2007
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-18347

APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED 800 SQUARE FOOT CAR WASH, FULL SERVICE ON 2.71 ACRES ON THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN 125-09-401-031), U [(UNDEVELOPED) ZONE, SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>



SEE LOCATION MAP ON REVERSE SIDE

Protest

BEVERLY BRIDGES
ACTING CITY CLERK

RECEIVED
CITY CLERK
2007 FEB 26 A 11:07

NOTICE OF PUBLIC HEARING

Dec. 29, 06

1 note NO on

SUP-18347

Gary R. Kronenberg

12516110007

Case: SUP-18347

KRONENBERG GARY R
8316 BLUSHING HEIGHTS AVE
LAS VEGAS NV 89131-4610

MEETING: PLANNING COMMISSION
DATE: JANUARY 11, 2007
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-18347

APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED 800 SQUARE FOOT CAR WASH, FULL SERVICE ON 2.71 ACRES ON THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN 125-09-401-031), U [(UNDEVELOPED) ZONE, SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



JOHN KORKOSZ, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

ITEM # 34
CASE # SUP-18347
PC MTG 1-11-07

pacific design concepts, llc**PDC**

3005 w. horizon ridge pkwy., #200, henderson, nv 89052 (702) 454-5842 fax (702) 454-7842

April 2, 2007

2007 APR 17 A 9:15

City of Las Vegas
731 S. 4th Street
Las Vegas, NV 89101

Attn: John Korkosz

RE: C-STORE AT GRAND TETON
SUP-18347
SUP-18630
SDR-18349

PROJECT NO: 06-182

Dear John,

We respectfully request to hold in abeyance the above referenced items that are scheduled to be heard at the City Council meeting on 4-18-2007 for thirty (30) days until the May 16th City Council

We have conducted a neighborhood meeting which was held on April 11th and need this additional time for a re-design of the site as we continue to work with the neighbors.

Should you have any questions or require additional information please contact our office.

Sincerely,



Richard C. Gallegos
Principal

RCG/mt

Cc: 06-182.lt.hold.civ-john.korkosz.4-18-07
Stuart Apollo
Sheila Lambert

Submitted after final agenda

Date 4-17-07 Item # 110-112

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:****SPECIAL USE PERMIT RELATED TO SUP-18347**

SUP-18630 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT IN A PROPOSED SERVICE STATION WITHOUT AUTOMOTIVE REPAIR on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), U [(Undeveloped) Zone, SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****City Council Meeting****1****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest letter by Gary R. Kronenberg
6. Backup referenced from the 02-08-07 Planning Commission Meeting Item 16

Motion made by GARY REESE to Hold in Abeyance Items 104-108 and Item 130 to 5/2/2007; Items 110-112 to 5/16/2007; Item 117 to 6/20/2007; Item 113 to 7/11/2007; Item 103 to 7/18/2007; and Withdraw Without Prejudice Items 114 and 115

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

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

Minutes:

See Item 110 for related backup.

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER
RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

SUP-18630

BEER/WINE/COOLER OFF-SALE

Business Licenses

- Child Care/Children Facility
- Supermarket/Restaurant Service Bar
- Tavern
- Liquor on/off Sales
- RELIGIOUS
- CITY PARKS
- SCHOOLS
- 400 foot buffer
- Subject Property



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SUP-18630 - APPLICANT/OWNER: GRAND
TETON LODGE LAND LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 4, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-1-1/gt, sd vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-18349), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a Beer/Wine/Cooler Off-Sale Establishment in a Proposed Service Station without Automotive Repair at the northeast corner of Grand Teton Drive and Durango Drive. This application is related to SUP-18347 and SDR-18349.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|--|---|
| 3/17/99 | The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive. |
| 6/08/99 | The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999. |
| 6/21/00 | The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval. |
| 7/17/02 | The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval. |
| 03/17/04 | The City Council approved a General Plan Amendment application (GPA-3483) from PCD (Planned Community Development) to SC (Service Commercial), a Rezoning (ZON-3509) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], and a Review of Condition (ROC-2671) to remove a condition that restricted commercial development to the western portion of the subject site. The Planning Commission recommended approval of the GPA, ZON and ROC on 1/22/04 and tabled requests for a Special Use Permit (SUP-3513) for a proposed mini-warehouse facility, and a Site Development Plan Review application (SDR-3511) for a proposed 71,570 square foot office, tavern, mini-storage development. Staff recommended approval for all five applications. |

| | |
|----------|---|
| 04/06/05 | The City Council approved a Special Use Permit (SUP-5691) for a Tavern and a Waiver from the distance separation requirements from an existing park, a Variance (VAR-5694) to allow a 24-foot setback where residential adjacency standards require a minimum of 73 feet, a Variance (VAR-5693) a Variance to allow 132 parking spaces where 148 spaces are the minimum required, and a Site Development Plan Review (SDR-5689) for a 6,115 square-foot tavern and a Waiver of trash enclosure separation. The Planning Commission recommended approval on 03/10/05 and staff recommended denial. |
| 01/11/07 | The Planning Commission held in abeyance a Special Use Permit (SUP-18347) for a proposed 800 square foot Car Wash, Full Service; a Special Use Permit (18630) for a proposed Beer/Wine/Cooler Off-sale Establishment and a Site Development Plan Review (SDR-18349) for the Car Wash, a Service Station without automotive repair and a fast-food restaurant with a drive-through. Staff recommended denial. |
| 02/08/07 | The Planning Commission recommended approval of companion items SUP-18630 and SDR-18349 concurrently with this application.

The Planning Commission voted 5-1-1/gt/sd to recommend APPROVAL (PC Agenda Item #15/rl). |

Related Relevant City Actions by P&D, Fire, Bldg., etc.

| | |
|----------|--|
| 12/09/05 | Business License L16-266-4-1214 issued for a Tavern issued to Tomfoolery, inactive effective 06/07/06. |
| 06/07/06 | Pending Business License requests created for The Lodge at Grand Teton including C05-96168-0-107791 for Tobacco Retailer, C08-96164-0-107791 for Coin Operated Amusements, C20-96167-7-850 for Convention Hall Gaming Tax, G01-96166-4-850 for Gaming-Restricted, and R09-96163-0-107791 for a Restaurant. |
| 08/18/06 | Building Permit C-0189-05 issued for a trash enclosure, on-site improvements and a Certificate of Occupancy for a tavern on the subject site. |

Pre-Application Meeting

| | |
|----------|---|
| 11/13/06 | At a Pre-application meeting, the applicant was told of the requirements for a site development plan review and the requirements for a special use permit. Additional detail was given regarding landscaping and parking requirements particular to the subject site. |
|----------|---|

| Neighborhood Meeting | |
|-----------------------------|--|
| 01/02/06 | <p>A neighborhood meeting was held at the Silverstone Golf Club 8600 Cupp Drive at 6:00 p.m. Attendance included three members of the development team, nine members of the public and one member of the Planning & Development staff. The following concerns were brought up by members of the public:</p> <ul style="list-style-type: none"> • Concerns about the speaker box of the fast food pad • Area over saturated by alcohol uses • Request for a family restaurant • No 24 hrs uses <p>Concerns about Day Care use at 7955 Quail Heaven being too close to uses.</p> |

| Details of Application Request | |
|---------------------------------------|------|
| Site Area | |
| Gross Acres | 2.71 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|-----------------------------|------------------------------------|-------------------------------------|---|
| Subject Property | Tavern, Undeveloped | SC (Service Commercial) | U(SC) Undeveloped (Service Commercial) under Resolution of Intent to C-1 (Limited Commercial) |
| North | Single Family | PCD (Planned Community Development) | R-PD6 (Residential Planned Community – 6 Units per Acre) |
| South | Single Family (under construction) | PCD (Planned Community Development) | R-PD7 (Residential Planned Community – 7 Units per Acre) |
| East | Single Family (under construction) | PCD (Planned Community Development) | U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to R-PD7 (Residential Planned Community – 7 Units per Acre) |
| West | Undeveloped (proposed retail) | PCD (Planned Community Development) | U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to C-1 (Limited Commercial) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | X | N/A |
| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| Special Purpose and Overlay Districts | | X | N/A |
| Trails | X | | Y |
| Rural Preservation Overlay District | | X | N/A |
| Development Impact Notification Assessment | | X | N/A |

DEVELOPMENT STANDARDS

| <i>Standard</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|-----------------|-------------------------|---------------------|-------------------|
| Min. Lot Size | N/A | 115,730 Square Feet | Y |
| Min. Lot Width | 100 Feet | 220 Feet | Y |
| Min. Setbacks | | | |
| • Front | 20 Feet | 25 Feet | Y |
| • Side | 10 Feet | 16 Feet | Y |
| • Corner | 15 Feet | 24 Feet | Y |
| • Rear | 20 Feet | 80 Feet | Y |

| | | | |
|----------------------|-------------------------------|------------|---|
| Max. Lot Coverage | 50% | 12% | Y |
| Max. Building Height | N/A | 32.75 Feet | Y |
| Trash Enclosure | 50 Feet from residential uses | 62 Feet | Y |
| Mech. Equipment | Screened | Screened | Y |

| <i>Residential Adjacency Standards</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|--|-------------------------------|-----------------|-------------------|
| 3:1 proximity slope | 79.5 Feet | 105 Feet | Y |
| Adjacent development matching setback | 10 Feet | 80 Feet | Y |
| Trash Enclosure | 50 Feet from residential uses | 73 Feet | Y |

| Parking Requirement | | | | | | | |
|---------------------------------|---|------------------|---------|------------------|----------|------------------|------------|
| Use | Gross Floor Area
or Number of
Units | Required | | | Provided | | Compliance |
| | | Parking
Ratio | Parking | | Parking | | |
| | | | Regular | Handi-
capped | Regular | Handi-
capped | |
| Tavern
(Existing) | 3,171 SF | 1:50 SF | 64 | | | | |
| | Public seating
3,204 SF | 1:200 SF | 16 | | | | |
| | Remainder | | | | | | |
| Car Wash* | 800 SF | NA | NA | | | | |
| Service
Station | 4,056 | 1:250 SF | 16 | | | | |
| Restaurant* | 650 SF | 1:50 SF | 13 | | | | |
| | Public seating
2,050 SF | 1:200 SF | 10 | | | | |
| | Remainder | | | | | | |
| Sub-Total | | | 114 | 5 | 122 | 5 | |
| TOTAL –Including
Handicapped | | | 119 | | 127 | | Y |

* The Restaurant Drive-Through and the Car Wash each provide six stacking spaces in addition to the above parking spaces provided.

ANALYSIS

- General Plan and Zoning**

The subject site is located in the Centennial Hills Sector of the General Plan with a land-use designation of SC (Service Commercial). This designation allows for a variety of commercial uses that serve primarily local area patrons, including the proposed use. The subject site is under a Resolution of Intent to the C-1 (Limited Commercial) zoning district, within which the proposed Beer/Wine/Cooler Off-Sale Establishment use is permissible with a Special Use Permit.

- **Use**

The sale of beer/wine/coolers for consumption off-premise in conjunction with a car wash is an allowed use within the C-1 (Limited Commercial) Zoning District with the approval of a Special Use Permit. The reason for a special use permit is to ensure that a proposed use conducted in a manner that is harmonious and compatible with uses located on the same or surrounding properties. The process recognizes that, within a given zoning district, certain uses may be appropriate and compatible in some locations but not in others.

The Special Use Permit process allows a site-specific inquiry into the compatibility of a proposed use at a particular location, taking into account: the characteristics of the site and the surroundings; the relevant zoning and planning principles; and the input of the Planning Commission, City Council and other interested parties. The proposed Beer/Wine/Cooler Off-Sale Establishment use is not compatible with the surrounding neighborhoods because of the type, intensity and number of uses proposed on this site, in combination with the approved tavern. Therefore staff recommends denial.

- **Conditions**

The submitted documents indicate that the proposed use meets all of the applicable requirements for this special use from Title 19.04 listed below; however, the Beer/Wine/Cooler Off-Sale Establishment use is not appropriate at this particular location because of the type, intensity and number of uses proposed on this site.

The following conditions apply to the proposed use:

1. Except as otherwise provided in this Chapter, no retail establishment with accessory package liquor off-sale (hereinafter "establishment") shall be located within four hundred feet of any church, synagogue, child care facility licensed for more than twelve children, or City park.
2. Except as otherwise provided in Paragraph 3 below, the distances referred to in Paragraph 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purpose of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

- a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph 1.
3. In the case of an establishment property to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
 - a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
 - b. In the case of a proposed establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property lines of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Paragraph 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirements in Paragraph 1 do not apply to:
 - a. An establishment which has a nonrestricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992; or
 - b. A proposed establishment having more than fifty thousand square feet of retail floor space.
6. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.
7. The minimum distance requirements set forth in paragraph 1, which are otherwise nonwaivable under the provisions of this subdivision, maybe be waived:
 - a. In accordance with the provisions of Section 19.040.050(A)(4) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;
 - b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan; or

- c. In connection with a retail establishment having less than twenty thousand square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or right-of-way with a width of at least one hundred feet.

FINDINGS

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

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

While the proposed project is compatible with the General Plan land-use designation for the area and satisfies the requirements of the Zoning Code with respect to minimum separation distance requirements, the intensity of a Beer/Wine/Cooler Off-sale Establishment use on this site in combination with an approved tavern is too intense to be harmonious and compatible with the surrounding area.

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

The intensity of the Beer/Wine/Cooler Off-Sale Establishment use, particularly in combination with the other proposed uses on this site are too intense in scope and number for the surrounding residential neighborhoods.

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

The proposed Beer/Wine/Cooler Off-Sale Establishment use will be accessed from Durango Drive and Grand Teton Drive, identified on the Master Plan of Streets and Highways as a 100-foot Primary Arterials and a 120-Foot Parkway Arterial, respectively. While these roads have adequate capacity, the proposed uses are too intense for this intersection.

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

The proposed Beer/Wine/Cooler Off-Sale Establishment use in combination with the other proposed and approved uses is too intense for the location; and therefore, staff finds that approval of the Special Use Permit will be inconsistent with the public health, safety, and welfare as well as the overall objectives of the General Plan.

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

The subject site meets all applicable conditions for a Beer/Wine/Cooler Off-Sale Establishment as per the requirements of Title 19.04; however, for the aforementioned reasons, this use is not appropriate for the subject site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 882 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING &
DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18630** APN: 125-09-401-031Name of Property Owner: Grand Teton Lodge Land, LLCName of Applicant: Grand Teton Lodge Land, LLC - Stuart ApolloName of Representative: Pacific Design Concepts, LLC

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

☐ Yes☒ No

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

City Official: _____

Partner(s): _____

APN: _____

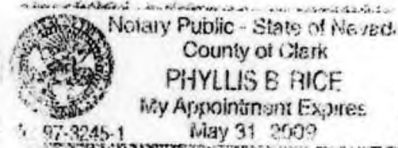
Signature of Property Owner: _____

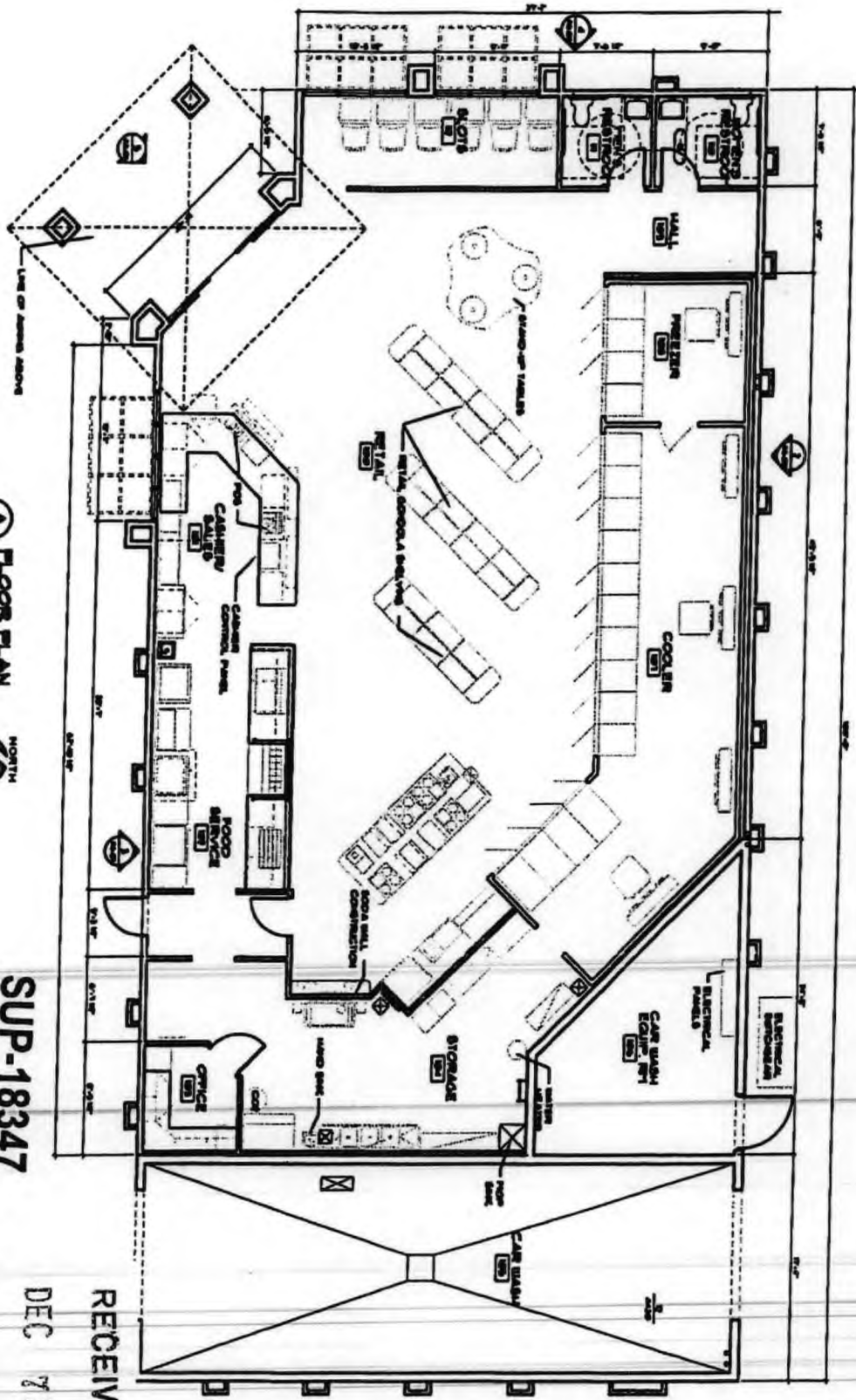
Print Name: STUART APOLLO

Subscribed and sworn before me

This 6th day of DEC, 2006

Phyllis B. Rice
Notary Public in and for said County and State

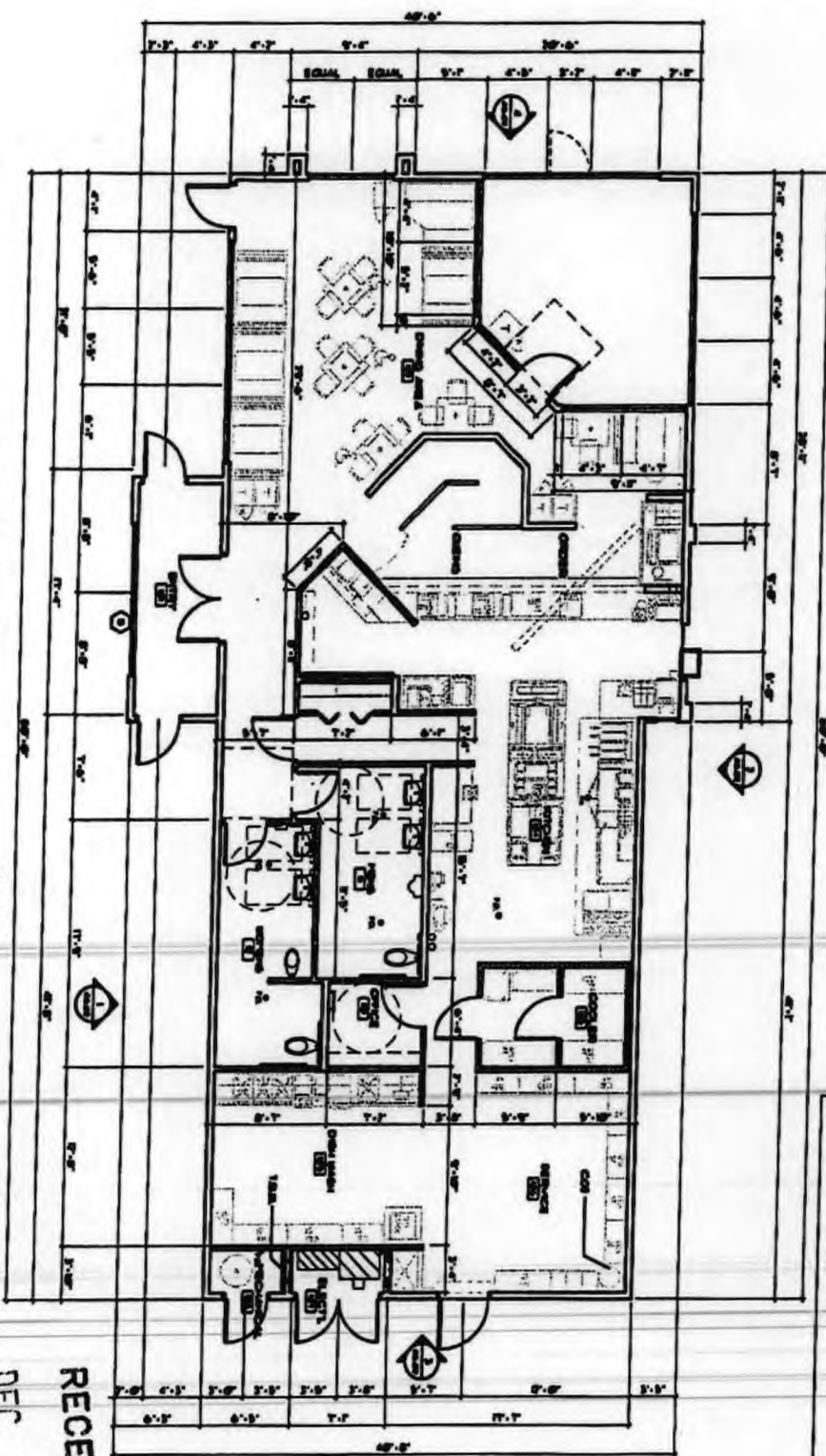




FLOOR PLAN
SCALE: 1/8" = 1'-0"
NORTH

- GENERAL NOTES:**
1. PROVIDE OR REPAIR AS NECESSARY TO FACE OF EXISTING AREAS TO BE CONCRETE SLAB ON GRADE. PROVIDE CURBS AT ALL EXTERIOR WALLS AND CORNERS AT 48" MIN. AND SLOPE AWAY FROM BUILDING TO ADJACENT AREAS. PROVIDE CURBS AT ALL EXTERIOR CORNERS. PROVIDE AT ALL EXTERIOR CORNERS.
 2. PROVIDE INSULATION BARS AT ALL EXTERIOR WALLS. PROVIDE INSULATION BARS AT ALL EXTERIOR WALLS AND CORNERS AT 48" MIN. AND SLOPE AWAY FROM BUILDING TO ADJACENT AREAS. PROVIDE CURBS AT ALL EXTERIOR CORNERS. PROVIDE AT ALL EXTERIOR CORNERS.
 3. PROVIDE INSULATION BARS AT ALL EXTERIOR WALLS. PROVIDE INSULATION BARS AT ALL EXTERIOR WALLS AND CORNERS AT 48" MIN. AND SLOPE AWAY FROM BUILDING TO ADJACENT AREAS. PROVIDE CURBS AT ALL EXTERIOR CORNERS. PROVIDE AT ALL EXTERIOR CORNERS.
 4. PROVIDE INSULATION BARS AT ALL EXTERIOR WALLS. PROVIDE INSULATION BARS AT ALL EXTERIOR WALLS AND CORNERS AT 48" MIN. AND SLOPE AWAY FROM BUILDING TO ADJACENT AREAS. PROVIDE CURBS AT ALL EXTERIOR CORNERS. PROVIDE AT ALL EXTERIOR CORNERS.
 5. PROVIDE INSULATION BARS AT ALL EXTERIOR WALLS. PROVIDE INSULATION BARS AT ALL EXTERIOR WALLS AND CORNERS AT 48" MIN. AND SLOPE AWAY FROM BUILDING TO ADJACENT AREAS. PROVIDE CURBS AT ALL EXTERIOR CORNERS. PROVIDE AT ALL EXTERIOR CORNERS.
 6. PROVIDE INSULATION BARS AT ALL EXTERIOR WALLS. PROVIDE INSULATION BARS AT ALL EXTERIOR WALLS AND CORNERS AT 48" MIN. AND SLOPE AWAY FROM BUILDING TO ADJACENT AREAS. PROVIDE CURBS AT ALL EXTERIOR CORNERS. PROVIDE AT ALL EXTERIOR CORNERS.

RECEIVED
DEC 7 2006
SUP-18347
SDR-18349 SUP-18630
02/08/07 PC



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

- GENERAL NOTES**
1. ALL DIMENSIONS ARE TO FACE OF STUDS AND CENTER LINE OF STUDS AND COLUMNS, UNLESS NOTED OTHERWISE.
 2. ROOM SIZES ARE APPROXIMATE AND BASED ON THE LATEST ASHRAE DATA.
 3. ROOM SIZES ARE APPROXIMATE AND BASED ON THE LATEST ASHRAE DATA.
 4. SEE DETAILS FOR ALL ROOM SIZES, WALL, FLOORING, CEILING, ETC.
 5. SEE DETAILS FOR ALL ROOM SIZES, WALL, FLOORING, CEILING, ETC.
 6. PROVIDE GOOD SIGHT LINE AT ALL WALL CORNERS.
 7. PROVIDE SLOPES AS REQUIRED FOR DRAINAGE, ETC.
 8. SEE SEPARATE PLAN FOR ALL ROOM SIZES, WALL, FLOORING, CEILING, ETC.
 9. PROVIDE CORRELATION FOR ALL ROOM SIZES, WALL, FLOORING, CEILING, ETC.

SUP-18347
SDR-18349
SUP-18630
02/08/07 PC

RECEIVED
DEC 7 2006

| | | | |
|--|---|---|---|
| <p>FAST FOOD
 FLOOR PLAN
 LAND USE SUBMITTAL</p> | <p>PRELIMINARY
 NOT FOR
 CONSTRUCTION</p> | <p>PROJECT INFO:
 C-STORE AT
 GRAND TETON
 ADDRESS:
 LAS VEGAS, NEVADA</p> | <p>pacific design concepts, llc
 3005 W. HORIZON RIDGE PARKWAY, SUITE 200
 HENDERSON, NEVADA 89052
 (702) 454-5842 FAX (702) 454-7842</p> |
|--|---|---|---|

pacific design concepts, llc

PDC

3005 w. horizon ridge pkwy., #200, henderson, nv 89052 (702) 454-5842 fax (702) 454-7842

December 1, 2006

City of Las Vegas
731 S. 4th Street
Las Vegas, NV 89101

Attn: Planner

**RE: C-STORE AT GRAND TETON
APN: 125-09-401-031
JUSTIFICATION LETTER**

PROJECT NO: 06-182

Dear Staff,

We respectfully request favorable consideration for the above referenced project for a Special Use Permit.

The proposed special use permit is to allow the sale of beer/wine/cooler off sale establishment in conjunction with a convenience store.

The proposed special use permit is appropriate based on the following findings of facts;

- A. The proposed use can be conducted in a manner. That is harmonious and compatible with existing surrounding land uses, and with future surrounding land use as projected by the General Plan;
- B. The subject site is physically suitable for the type and intensity of land use being proposed;
- C. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use;
- D. Approval of the Special Use Permit at the site in question will be consistent with or not compromise the public health, safety and welfare or the overall objectives of the General Plan.
- E. This use is common with a convenience store and all separation distances have been met.

Should you have any questions or require additional information please contact our office.

Sincerely,



Richard C. Gallegos
Principal

RCG/mt

Cc: 06-182.js.lt.sup.civ.cstore.grand.teton

**SUP-18630
02/08/07 PC**

NOTICE OF PUBLIC HEARING

FEB. 24, 07

SPECIAL USE PERMIT

I VOTE NO FOR

PERMIT SUP-18630

Gary R. Kronenberg
GARY R. KRONENBERG
8316 BLUSHING HTS. AVE,
LAS VEGAS, NV, 89131-4610

MEETING: CITY COUNCIL
DATE: MARCH 7, 2007
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-18630

APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - REQUEST FOR A SPECIAL USE PERMIT FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT IN A PROPOSED SERVICE STATION WITHOUT AUTOMOTIVE REPAIR ON 2.71 ACRES ON THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN 125-09-401-031), U [(UNDEVELOPED) ZONE, SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>



SEE LOCATION MAP ON REVERSE SIDE

Protest

BEVERLY BRIDGES
ACTING CITY CLERK

2007 FEB 26 A 11:06

RECEIVED
CITY CLERK
2007 FEB 26 11:06
RECEIVED

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

NOTICE OF PUBLIC HEARING

Dec. 29, 06

SPECIAL USE PERMIT

1 note NO on

SUP-18630.

GARY R. KRONENBERG
GARY R. KRONENBERG
8316 BRUSHING HTS. AVE.
LAS VEGAS, NV. 89131

MEETING: PLANNING COMMISSION
DATE: JANUARY 11, 2007
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-18630

APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - REQUEST FOR A SPECIAL USE PERMIT FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT IN A PROPOSED SERVICE STATION WITHOUT AUTOMOTIVE REPAIR ON 2.71 ACRES ON THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN 125-09-401-031), U [(UNDEVELOPED) ZONE, SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



JOHN KORKOSZ, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

ITEM # 35

CASE # SUP-18630

PC MTG 1-11-07

2

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 18, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-18347 AND SUP-18630

SDR-18349 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON LODGE LLC - Request for a Major Amendment to an approved Site Development Plan Review FOR A PROPOSED 4,056 SQUARE-FOOT SERVICE STATION WITHOUT AUTOMOTIVE REPAIR, AN 800 SQUARE FOOT CAR WASH, FULL SERVICE, AND A 2,700 SQUARE FOOT RESTAURANT WITH DRIVE-THROUGH on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), U [(Undeveloped) Zone, SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-08-07 Planning Commission Meeting Item 17

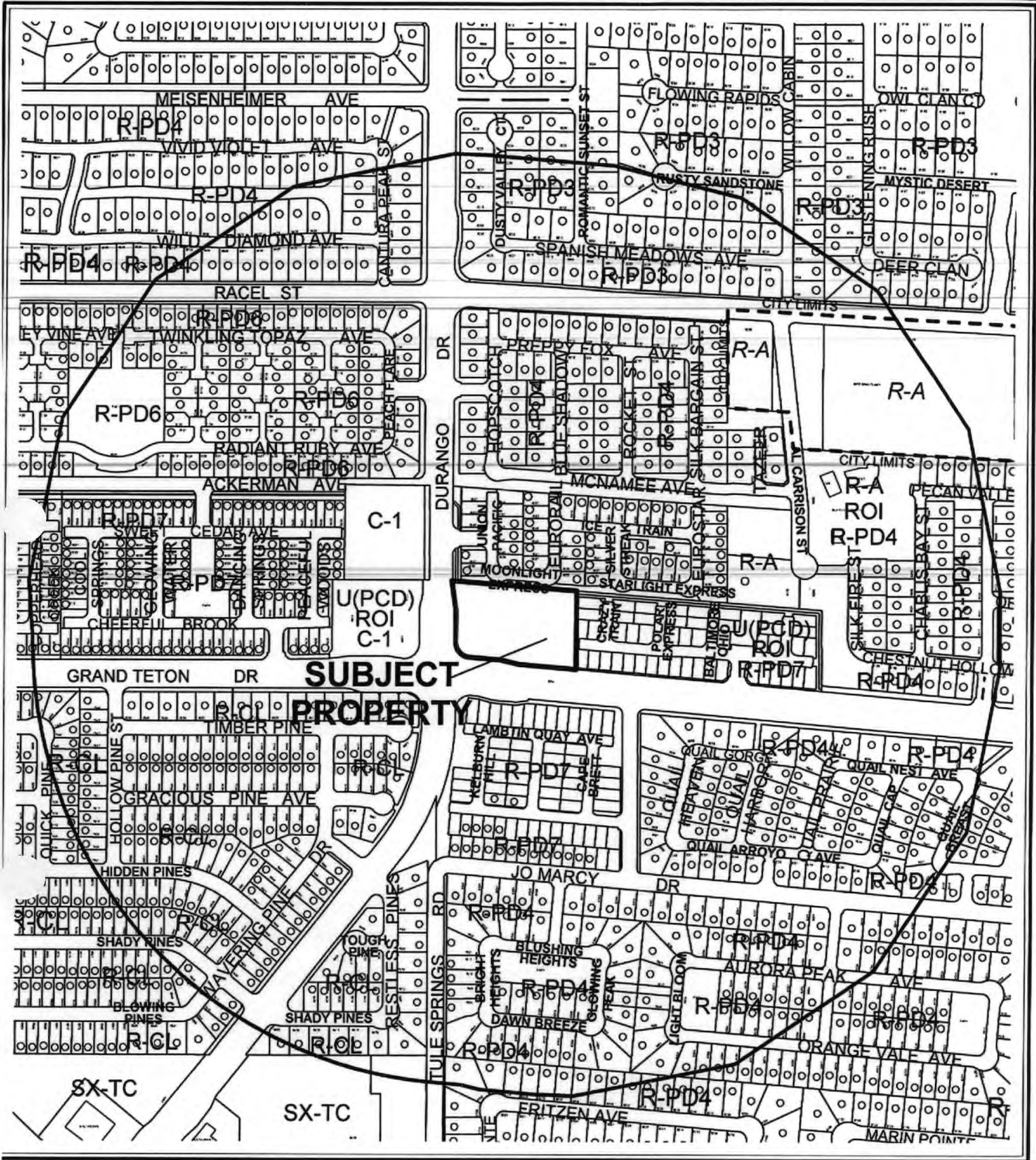
Motion made by GARY REESE to Hold in Abeyance Items 104-108 and Item 130 to 5/2/2007; Items 110-112 to 5/16/2007; Item 117 to 6/20/2007; Item 113 to 7/11/2007; Item 103 to 7/18/2007; and Withdraw Without Prejudice Items 114 and 115

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

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

Minutes:

See Item 110 for related backup.



CASE: **SDR-18349**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SDR-18349 - APPLICANT/OWNER: GRAND TETON LODGE LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 4, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-1-1/gt, sd vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-18347) and Special Use Permit (SUP-18630), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 11/28/06, except as amended by conditions herein.
4. A revised landscape plan shall be submitted prior to the time an application is made for a building permit depicting a total of twenty-one 24-inch box trees spaced 20 feet on center in the landscape perimeter buffer along the north side of the property, fourteen 24-inch box trees spaced 20 feet on center in the landscape perimeter buffer along the east property line, and one parking lot landscape finger for every six parking spaces.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. If not already constructed at time of development, construct half-street improvements on Durango Drive and Grand Teton Drive, including the widened median island on Grand Teton Drive, concurrent with development of this site. If applicable, extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
13. The required equestrian trail along the north side of this site shall be deeded to the City of Las Vegas within one year of completion of construction. The trail shall be privately maintained prior to conveyance. Coordinate with the right-of-way section of the Department of Public Works regarding the appropriate method to convey the trail to the City of Las Vegas; a parcel map or other map may be required to create the legal trail parcel.
14. The required multi-use transportation trail along Durango Drive shall be granted to the City of Las Vegas prior to the issuance of any permits and shall be designated as a multi-use transportation trail easement over its entirety to be privately maintained; coordinate the right-of-way section of the Department of Public Works regarding document preparation.

15. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
16. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
19. Site development to comply with all applicable conditions of approval for ZON-3509 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Site Development Plan Review for a proposed 4,056 square-foot Service Station without Automotive Repair, an 800 square-foot Car Wash, and a 2,700 square-foot Restaurant with Drive-Through on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive.

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|---|---|
| 3/17/99 | The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive. |
| 6/08/99 | The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999. |
| 6/21/00 | The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval. |
| 7/17/02 | The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval. |
| 03/17/04 | The City Council approved a General Plan Amendment application (GPA-3483) from PCD (Planned Community Development) to SC (Service Commercial), a Rezoning (ZON-3509) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], and a Review of Condition (ROC-2671) to remove a condition that restricted commercial development to the western portion of the subject site. The Planning Commission recommended approval of the GPA, ZON and ROC on 1/22/04 and tabled requests for a Special Use Permit (SUP-3513) for a proposed mini-warehouse facility, and a Site Development Plan Review application (SDR-3511) for a proposed 71,570 square foot office, tavern, mini-storage development. Staff recommended approval for all five applications. |

| | |
|----------|---|
| 04/06/05 | The City Council approved a Special Use Permit (SUP-5691) for a Tavern and a Waiver from the distance separation requirements from an existing park, a Variance (VAR-5694) to allow a 24-foot setback where residential adjacency standards require a minimum of 73 feet, a Variance (VAR-5693) a Variance to allow 132 parking spaces where 148 spaces are the minimum required, and a Site Development Plan Review (SDR-5689) for a 6,115 square-foot tavern and a Waiver of trash enclosure separation. The Planning Commission recommended approval on 03/10/05 and staff recommended denial. |
| 01/11/07 | The Planning Commission held in abeyance a Special Use Permit (SUP-18347) for a proposed 800 square foot Car Wash, Full Service; a Special Use Permit (18630) for a proposed Beer/Wine/Cooler Off-sale Establishment and a Site Development Plan Review (SDR-18349) for the Car Wash, a Service Station without automotive repair and a fast-food restaurant with a drive-through. Staff recommended denial. |
| 02/08/07 | <p>The Planning Commission recommended approval of companion items SU-18347 and SUP-18630 concurrently with this application.</p> <p>The Planning Commission voted 5-1-1/gt, sd to recommend APPROVAL (PC Agenda Item #17/rl).</p> |

Related Relevant City Actions by P&D, Fire, Bldg., etc.

| | |
|----------|--|
| 12/09/05 | Business License L16-266-4-1214 issued for a Tavern issued to Tomfoolery, inactive effective 06/07/06. |
| 06/07/06 | Pending Business License requests created for The Lodge at Grand Teton including C05-96168-0-107791 for Tobacco Retailer, C08-96164-0-107791 for Coin Operated Amusements, C20-96167-7-850 for Convention Hall Gaming Tax, G01-96166-4-850 for Gaming-Restricted, and R09-96163-0-107791 for a Restaurant. |
| 08/18/06 | Building Permit C-0189-05 issued for a trash enclosure, on-site improvements and a Certificate of Occupancy for a tavern on the subject site. |

Pre-Application Meeting

| | |
|----------|---|
| 11/13/06 | At a Pre-application meeting, the applicant was told of the requirements for a site development plan review and the requirements for a special use permit. Additional detail was given regarding landscaping and parking requirements particular to the subject site. |
|----------|---|

| Neighborhood Meeting | |
|-----------------------------|--|
| 01/02/06 | <p>A neighborhood meeting was held at the Silverstone Golf Club 8600 Cupp Drive at 6:00 p.m. Attendance included three members of the development team, nine members of the public and one member of the Planning & Development staff. The following concerns were brought up by members of the public:</p> <ul style="list-style-type: none"> • Concerns about the speaker box of the fast food pad • Area over saturated by alcohol uses • Request for a family restaurant • No 24 hrs uses <p>Concerns about Day Care use at 7955 Quail Heaven being too close to uses.</p> |

| Details of Application Request | | | |
|---------------------------------------|------------------------------------|-------------------------------------|---|
| Site Area | | | |
| Gross Acres | 2.71 | | |
| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
| Subject Property | Tavern, Undeveloped | SC (Service Commercial) | U(SC) Undeveloped (Service Commercial) under Resolution of Intent to C-1 (Limited Commercial) |
| North | Single Family | PCD (Planned Community Development) | R-PD6 (Residential Planned Community – 6 Units per Acre) |
| South | Single Family (under construction) | PCD (Planned Community Development) | R-PD7 (Residential Planned Community – 7 Units per Acre) |
| East | Single Family (under construction) | PCD (Planned Community Development) | U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to R-PD7 (Residential Planned Community – 7 Units per Acre) |
| West | Undeveloped (proposed retail) | PCD (Planned Community Development) | U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to C-1 (Limited Commercial) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | X | N/A |
| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| Special Purpose and Overlay Districts | | X | N/A |
| Trails | X | | Y |
| Rural Preservation Overlay District | | X | N/A |
| Development Impact Notification Assessment | | X | N/A |

DEVELOPMENT STANDARDS

| <i>Standard</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|--|-------------------------------|---------------------|-------------------|
| Min. Lot Size | N/A | 115,730 Square Feet | Y |
| Min. Lot Width | 100 Feet | 220 Feet | Y |
| Min. Setbacks | | | |
| • Front | 20 Feet | 25 Feet | Y |
| • Side | 10 Feet | 16 Feet | Y |
| • Corner | 15 Feet | 24 Feet | Y |
| • Rear | 20 Feet | 80 Feet | Y |
| Max. Lot Coverage | 50% | 12% | Y |
| Max. Building Height | N/A | 32.75 Feet | Y |
| Trash Enclosure | 50 Feet from residential uses | 62 Feet | Y |
| Mech. Equipment | Screened | Screened | Y |
| <i>Residential Adjacency Standards</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
| 3:1 proximity slope | 79.5 Feet | 105 Feet | Y |
| Adjacent development matching setback | 10 Feet | 80 Feet | Y |
| Trash Enclosure | 50 Feet from residential uses | 73 Feet | Y |

Landscaping and Open Space Standards

| <i>Standards</i> | <i>Required</i> | | <i>Provided</i> | <i>Compliance</i> |
|------------------|--------------------------------------|--------------|-----------------|-------------------|
| | <i>Ratio</i> | <i>Trees</i> | | |
| Parking Area | 1 Tree/6 Spaces
1 Finger/6 Spaces | 22 | 23 | Y
N* |
| Buffer: | | | | |
| Min. Trees | | | | |
| North | 1 Tree/20 Feet | 21 | 20 | N* |
| East | 1 Tree/20 Feet | 14 | 12 | N* |
| South | 1 Tree/30 Feet | 13 | 18 | Y |
| West | 1 Tree/30 Feet | 9 | 9 | Y |

| | | | | |
|-----------------------|--------------------------------|--|-------------------|-------------------|
| TOTAL | | | | |
| Min. Zone Width | | | | |
| • East | 15 Foot Buffer | | 15 Foot | Y |
| • North | 8 Foot Buffer | | 10 Foot | Y |
| • West | 8 Foot Buffer | | 8 Feet | Y |
| • South | 15 Foot Buffer | | 20 Feet | Y |
| Wall Standards | Required | | Provided | Compliance |
| Wall Height | | | | |
| East Property Line | | | | |
| North Property | Minimum 6 Feet, Maximum 8 Feet | | 8 Foot Block Wall | Y |
| Line | Minimum 6 Feet, Maximum 8 Feet | | 8 Foot Block wall | Y |

** Additional trees to be required by Condition 4.

| Parking Requirement | | | | | | | |
|------------------------------|--|------------------|----------|------------------|----------|------------------|------------|
| Use | Gross Floor Area or
Number of Units | Parking
Ratio | Required | | Provided | | Compliance |
| | | | Parking | | Parking | | |
| | | | Regular | Handi-
capped | Regular | Handi-
capped | |
| Tavern
(Existing) | 3,171 SF | 1:50 SF | 64 | | | | |
| | Public seating | | | | | | |
| | 3,204 SF | 1:200 SF | 16 | | | | |
| | Remainder | | | | | | |
| Car Wash* | 800 SF | NA | NA | | | | |
| Service
Station | 4,056 | 1:250 SF | 16 | | | | |
| Restaurant* | 650 SF | 1:50 SF | 13 | | | | |
| | Public seating | | | | | | |
| | 2,050 SF Remainder | 1:200 SF | 10 | | | | |
| Sub-Total | | | 114 | 5 | 122 | 5 | |
| TOTAL –Including Handicapped | | | 119 | | 127 | | Y |

* The Restaurant Drive-Through and the Car Wash each provide six stacking spaces in addition to the above parking spaces provided.

| Waivers | | |
|--|--|----------------------|
| Request | Requirement | Staff Recommendation |
| Landscape Island at end of 100 Foot Aisle. | 1 Landscape Finger every 6 parking spaces. | Denial |

ANALYSIS

The subject site is located in a C-1 (Limited Commercial) zone in the SC (Service Commercial) Land Use designation area within the Centennial Hills Sector of the Las Vegas 2020 Master Plan. The C-1 zone is intended to provide most retail shopping and personal services. This district should be on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors, such as Grand Teton Drive and Durango Drive. The property is not located within any special plan areas or overlay districts. The proposed restaurant and convenience store is appropriate and conforming to C-1 zone and the SC designation; however the proposed site plan is too intense for the specific location. The proposed site plan includes a full service car wash and a fast food restaurant with a drive through; however, a previously approved Site Development Plan Review (SDR-5689) on the site was approved with a condition "no roll-up doors or drive-thru windows shall be allowed on this site."

The proposed site plan depicts a proposed 2,700 square-foot fast food restaurant, a proposed 4,056 service station without automotive repair with an attached 800 square-foot full-service car wash, and an existing 6,375 square-foot tavern on a 115,730 square foot parcel. 127 parking spaces are provided where 125 are required. The site plan conforms to all Title 19 development standards including building setbacks, lot coverage, building height and screening. The proposed structures conform to the residential adjacency standards as required in Title 19 including proximity slope and residential equivalent setbacks. Both the tavern and the service station are oriented to the setback line at Grand Teton Drive, with the restaurant set behind the service station. Sufficient stacking for six vehicles is provided for both the car wash and for the restaurant drive-through. However, the combination of uses on this site is deemed too intense for the surrounding neighborhood, and staff; therefore, recommends denial.

A multi-use transportation trail runs along the west property line of the subject site along the Durango Drive right-of-way. Also, a multi-use equestrian trail runs along the north property line of the subject site. The latter is contained entirely in the subject site. The proposed site plan and landscape plan depict that the trails will be built to the standards as required by the Las Vegas 2020 Master Plan, as previously required by previously approved Site Development Plan Review (SDR-5689).

The perimeter landscape buffer widths comply with the Title 19 requirements; however, the plan shows a deficiency of one tree in the north buffer and two trees in the east buffer. The south buffer has five trees more than are required and a condition of approval has been added to require sufficient trees spaced 20 feet on center. The parking lot has a sufficient number of trees, but there are several spaces in which there are more than six spaces without a landscape finger or island. A condition has been added to provide a revised landscape plan prior to the issuance of building permits.

The elevations and floor plans depict structures which are consistent with Title 19 standards, and the colors and materials would be appropriate to the surrounding community at a more appropriate site.

FINDINGS

The following findings must be made for an SDR:

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

While the proposed project is compatible with the General Plan land-use designation for the area and satisfies the requirements of the Zoning Code with respect to minimum separation distance requirements, the intensity of a Car Wash, Full Service use on this site in combination with an approved tavern and other proposed development is too intense to be harmonious and compatible with the surrounding area.

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

While the proposed uses are permitted under the General Plan, the proposed development on this lot, and the necessary Waiver of Parking Lot landscape standards, indicate that this request exceeds the intensity that is appropriate for the site and cannot be supported.

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

The site will be accessed from Durango Drive a (100-foot) Primary Arterial and Grand Teton Drive a (120-foot) Parkway Arterial as designated on the Master Plan of Streets and Highways. The on-site circulation is limited as a parking lot landscape waiver is necessary in order to accommodate the required number of parking spaces.

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

The intensity of the uses, including a drive-through adjacent to Grand Teton Drive, indicates an attempt to exceed the intensity appropriate for the site that cannot be overlooked even though the materials and architectural features may be of appropriate quality for the area.

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

The building elevations depict design characteristics and other architectural and aesthetic features which are attractive and conducive to the locality, but the buildings themselves are inappropriate for the subject site.

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

While, the proposed development will be subject to the Uniform Building Code, the intensity of the proposed development may compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

The Planning Commission requested a re-design prior to City Council to which the applicant agreed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 867 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18349** APN: 125-09-401-031Name of Property Owner: GRAND TETON LODGE LAND, LLCName of Applicant: GRAND TETON LODGE LAND, LLCName of Representative: PACIFIC DESIGN CONCEPTS

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

☐ Yes☒ No

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

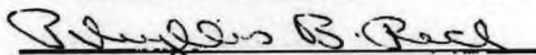
City Official: _____

Partner(s): _____

APN: _____

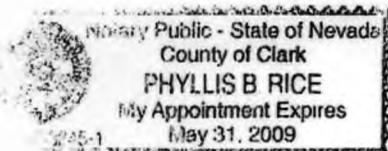
Signature of Property Owner: Print Name: STUART APPLE

Subscribed and sworn before me

This 21st day of NOV, 2006

Notary Public in and for said County and State

Revised 11-14-06

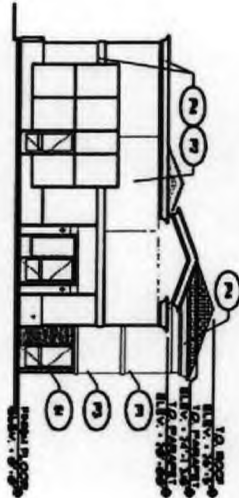


f:\depo\Application Packet\Statement of Financial Interest.pdf

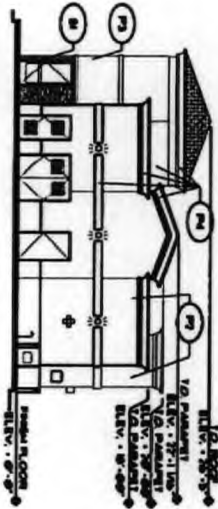
pacific design concepts, llc
3005 w. horizon ridge parkway, suite 200
henderson, nevada 89052
(702) 454-5842 fax (702) 454-7842

PAINT LEGEND

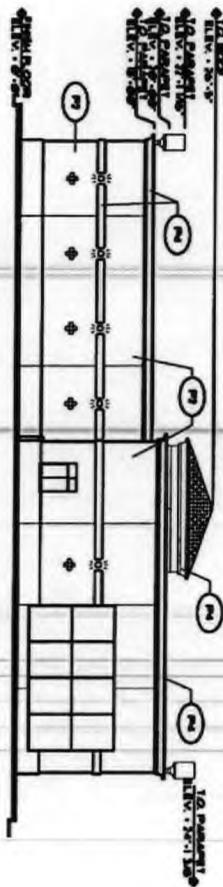
- (P) PRIMARY COLOR
PAINTER WHITE - STAINLESS LIGHT ON EQUAL
- (P) SECONDARY COLOR
PAINTER WHITE - TUCKER CLAY ON EQUAL
- (P) ACCENT COLOR
PAINTER WHITE - TUCKER CLAY ON EQUAL
- (P) DECORATING COLOR
PAINTER WHITE - TUCKER CLAY ON EQUAL
- (P) COLORED STONE - 100% WHITE MAINTENANCE
LEOPARDON COY - 100% ON EQUAL
- (P) MEDIUM LUMINOUS - QUARTZ, BROWN BLIND
ON EQUAL



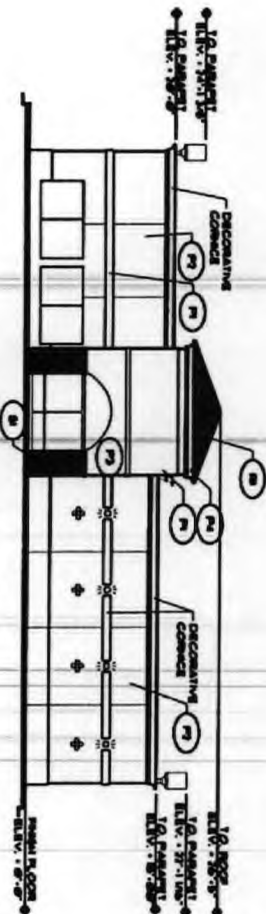
4 LEFT ELEVATION
SCALE 1/8"=1'-0"



5 RIGHT ELEVATION
SCALE 1/8"=1'-0"



2 REAR ELEVATION
SCALE 1/8"=1'-0"



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

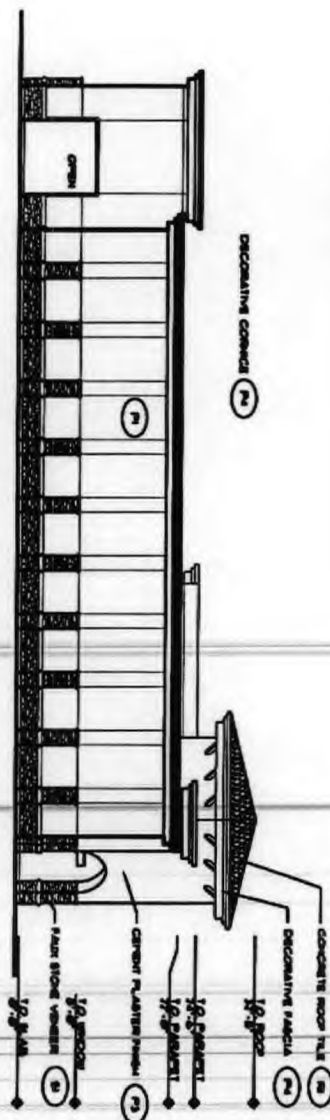
SUP-18347
SDR-18349
02/08/07 PC

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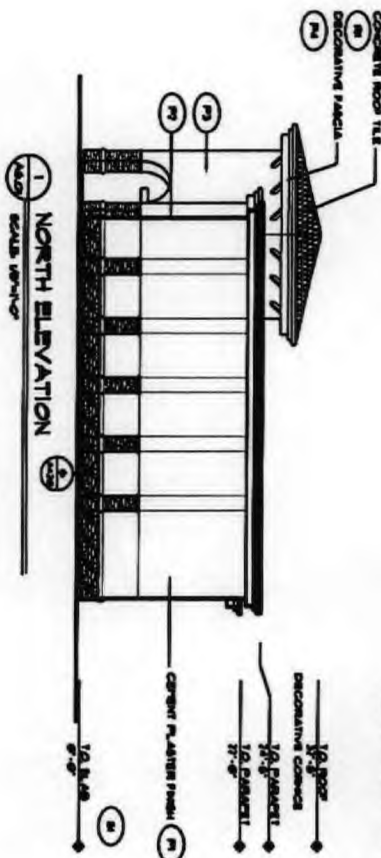
NOV 8 2006

PAINT LEGEND

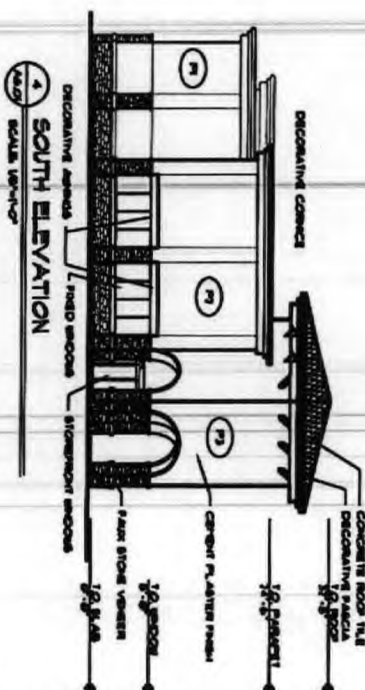
- 1 PRIMARY COLOR
PAINTER WHITE - STRATA LIGHT GR BOWL
- 2 SECONDARY COLOR
PAINTER WHITE - MASON CLAY GR BOWL
- 3 ACCENT COLOR
PAINTER WHITE - VERMILION GR BOWL
- 4 DECORATIVE FACIA COLOR
PAINTER WHITE - ROYAL VERMILION GR BOWL
- 5 ACCENT COLOR
PAINTER WHITE - VERMILION GR BOWL
- 6 PAINTER WHITE - FOR VALLEY MATHESON
LEONARDSON (CIV - 1937) GR BOWL
- 7 PAINTER WHITE - CHAMBERLAIN BROWN BOWL
- 8 PAINTER WHITE - CHAMBERLAIN BROWN BOWL



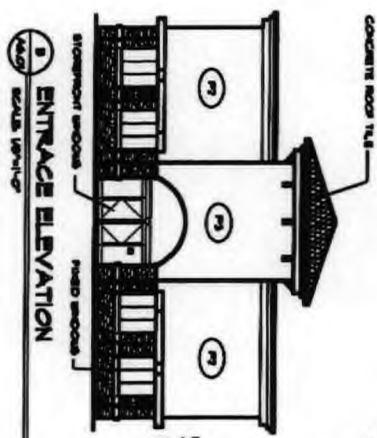
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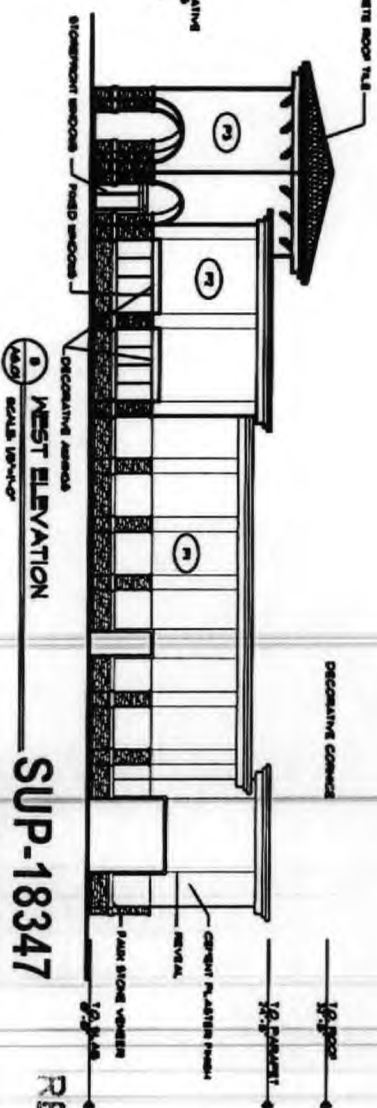
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SCALE 1/8"=1'-0"



4 SOUTH ELEVATION
SCALE 1/8"=1'-0"



5 ENTRANCE ELEVATION
SCALE 1/8"=1'-0"



3 WEST ELEVATION
SCALE 1/8"=1'-0"

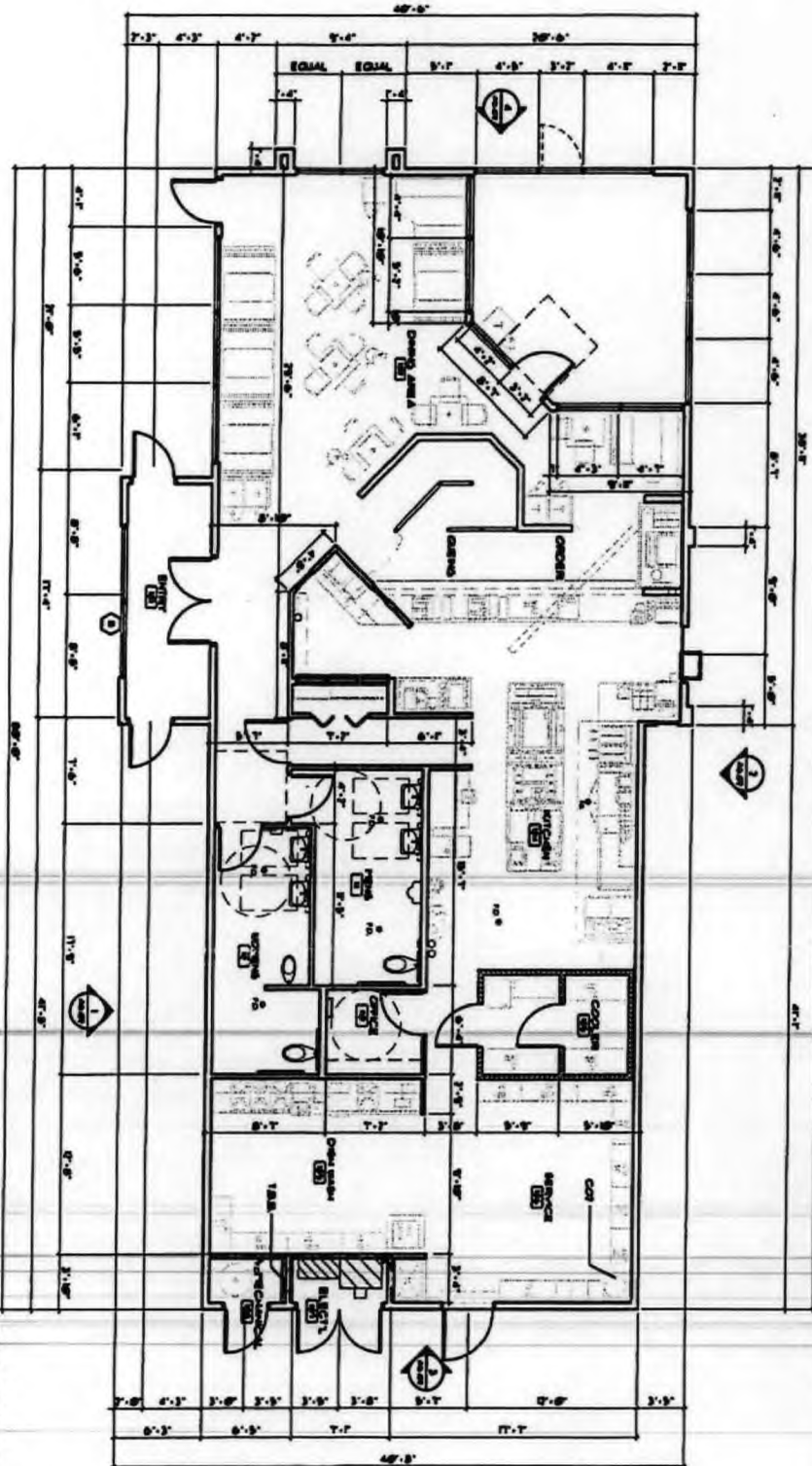
02/08/07 PC

SDR-18349

SUP-18347

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NOV 28 2006



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



GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE OF STUDS AND CENTER LINE OF DOORS AND COLUMNS UNLESS NOTED OTHERWISE.
2. FOR DOOR, WINDOW TYPES AND SCHEDULES SEE SHEETS A201 AND A202.
3. FOR ROOF FLOOR SCHEDULES SEE SHEET A203.
4. SEE DETAILS A204 FOR INTERIOR WALL, PARTIAL DETAILS AT SET LOCATIONS.
5. SEE DETAILS A205 FOR INTERIOR WALL, PARTIAL DETAILS AT SET LOCATIONS.
6. PROVIDE SOUND BATT INSULATION AT ALL WALL HEIGHT WALLS.
7. PROVIDE SOUND BATT INSULATION AT ALL WALL HEIGHT WALLS.
8. SEE EXISTING FLOOR PLAN FOR KITCHEN EQUIPMENT AND PARTIAL SCHEDULES.

SUP-18347
SDR-18349

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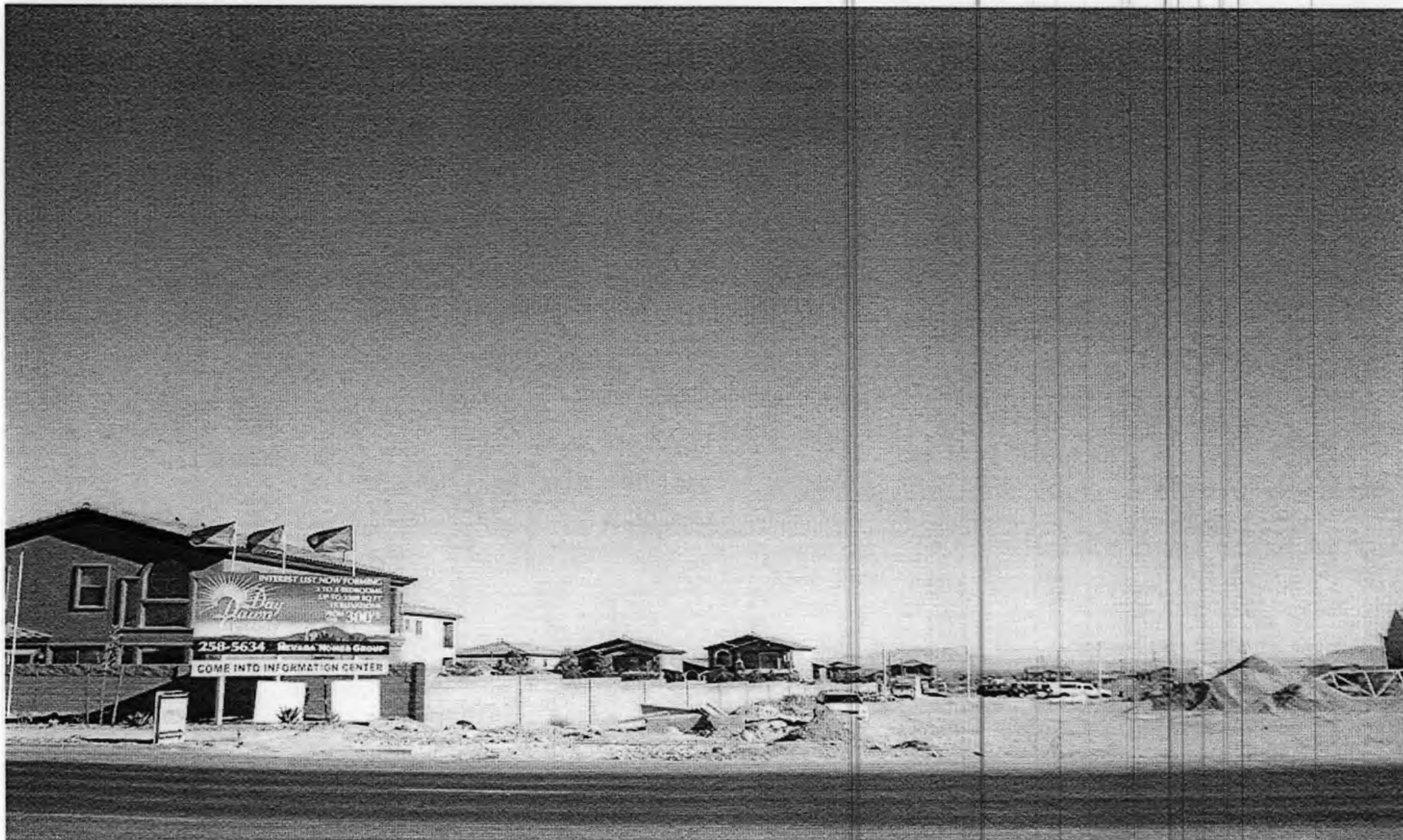
NOV 28 2006

02/08/07 PC

| | | | |
|---|---------------------------------------|---------------------------------------|---------------------------------------|
| <p>FAST FOOD
FLOOR PLAN
LAND USE SUBMITTAL</p> <p>PRELIMINARY
NOT FOR
CONSTRUCTION</p> <p>PROJECT: C-STORE AT
GRAND TETON
ADDRESS: LAS VEGAS, NEVADA</p> <p>pacific design concepts, llc
3005 W. HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NEVADA 89052
(702) 454-5842 FAX (702) 454-7842</p> | <p>NOV 28 2006</p> <p>NOV 28 2006</p> | <p>NOV 28 2006</p> <p>NOV 28 2006</p> | <p>NOV 28 2006</p> <p>NOV 28 2006</p> |
|---|---------------------------------------|---------------------------------------|---------------------------------------|

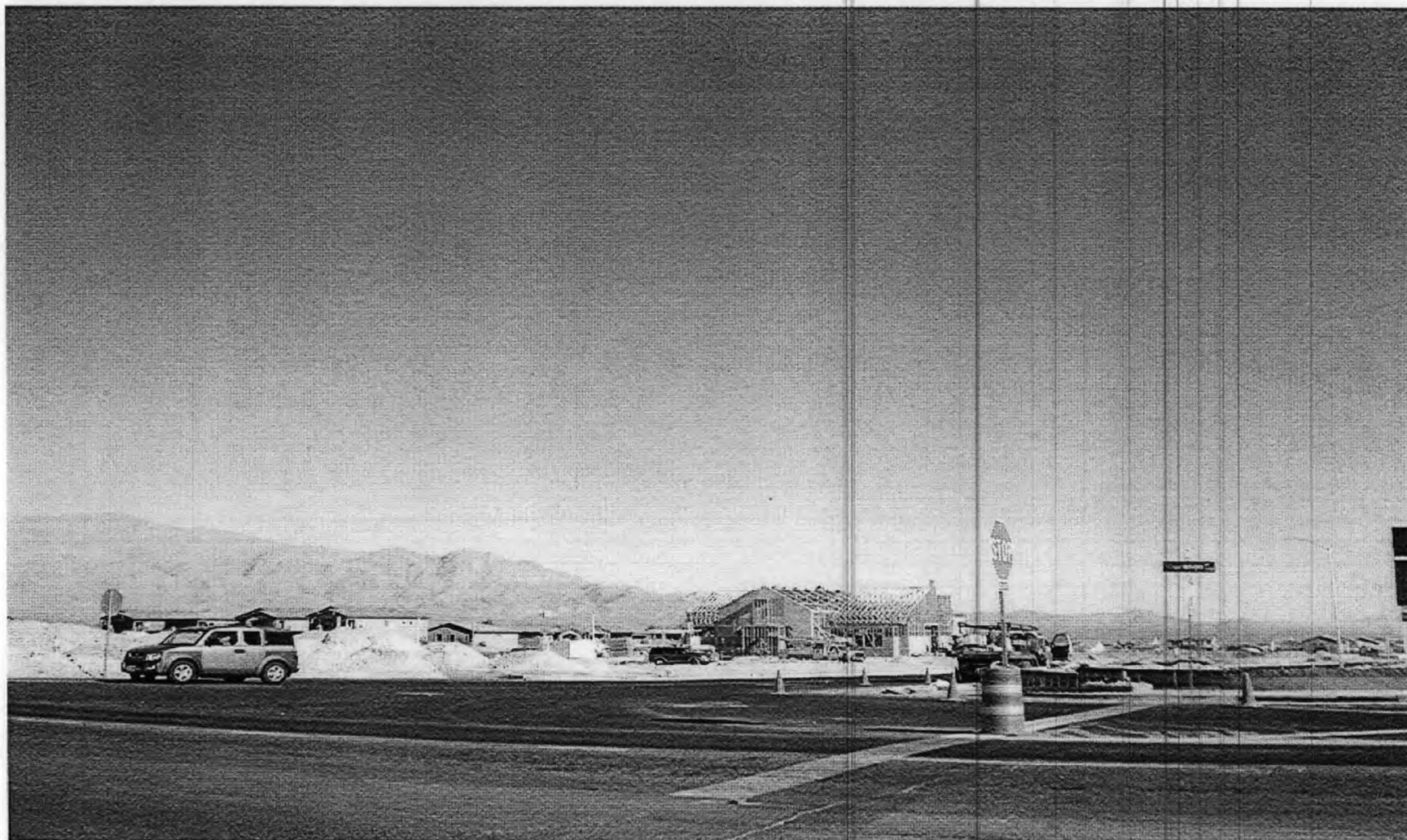
| | | | | |
|--|------------------------------------|-------|-------------|-------|
| SDR 18349 | | | | |
| Grand Teton Lodge LLC | | | | |
| | | | | |
| NEC Grand Teton & Durango | | | | |
| | | | | |
| Proposed 7.556 thousand square foot expansion of a commercial development. | | | | |
| | | | | |
| Traffic produced by proposed development: | | | | |
| | | | | |
| | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT) | CONVENIENCE MARKET W/GAS [1000 SF] | 4.856 | 845.60 | 4,106 |
| AM Peak Hour | | | 45.58 | 221 |
| PM Peak Hour | | | 60.61 | 294 |
| (heaviest 60 minutes) | | | | |
| | | | | |
| | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT) | FAST-FOOD W/ DRIVE THRU [1000 SF] | 2.7 | 496.12 | 1,340 |
| AM Peak Hour | | | 53.11 | 143 |
| PM Peak Hour | | | 34.64 | 94 |
| (heaviest 60 minutes) | | | | |
| | | | | |
| Project Total | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT) | SHOPPING CENTER [1000 SF] | 7.556 | | 5,446 |
| AM Peak Hour | | | | 365 |
| PM Peak Hour | | | | 388 |
| (heaviest 60 minutes) | | | | |
| | | | | |
| Existing traffic on all nearby streets: | | | | |
| Grand Teton Parkway | | | | |
| Average Daily Traffic (ADT) | 3,904 | | | |
| PM Peak Hour | 312 | | | |
| (heaviest 60 minutes) | | | | |
| | | | | |
| Durango Drive | | | | |
| Average Daily Traffic (ADT) | 9,755 | | | |
| PM Peak Hour | 780 | | | |
| (heaviest 60 minutes) | | | | |
| | | | | |
| Traffic Capacity of adjacent streets: | | | | |
| | | | | |
| | Adjacent street ADT | | | |

| | | | | |
|--|----------|--|--|--|
| | Capacity | | | |
| Grand Teton Parkway | 51700 | | | |
| Durango Drive | 51700 | | | |
| This project will add approximately 5,446 trips per day on Grand Teton and Durango. This will increase expected volumes by about one hundred fifty four percent on Grand Teton and about sixty two percent on Durango. Grand Teton is at about 8 percent of capacity and Durango is at about 19 percent of capacity. | | | | |
| Based on Peak Hour use, this development will add roughly 388 additional cars into the area; which works out to about one every five minutes. | | | | |
| Note that this report assumes all traffic from this development uses all named streets. | | | | |



SUP-18347, SUP-18630 AND SDR-18349 - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC
NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
FEBRUARY 8, 2007 PLANNING COMMISSION

12/08/06



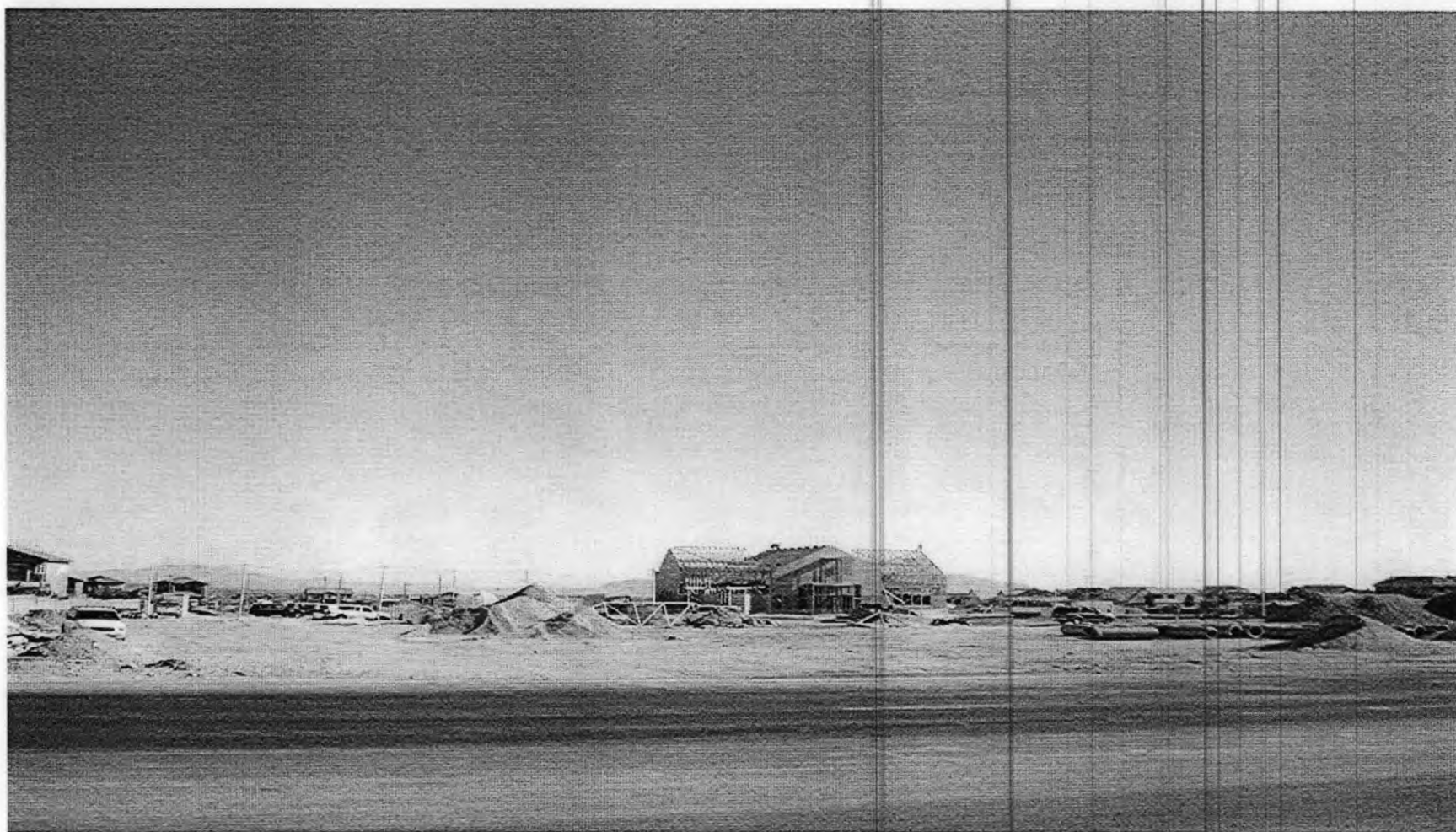
SUP-18347, SUP-18630 AND SDR-18349 - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC
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SUP-18347, SUP-18630 AND SDR-18349 - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC
NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
FEBRUARY 8, 2007 PLANNING COMMISSION

12/08/06

pacific design concepts, llc

PDC

3005 w. horizon ridge pkwy., #200, henderson, nv 89052 (702) 454-5842 fax (702) 454-7842

November 21, 2006

City of Las Vegas
731 S. 4th Street
Las Vegas, NV 89101

Attn: Planner

RE: C-STORE AT GRAND TETON
APN: 125-09-401-031
JUSTIFICATION LETTER

PROJECT NO: 06-182

Dear Planner,

We respectfully request favorable consideration for the above referenced project for a Site Development Review.

The proposed special use permit is to allow a single story 2,700 sq. ft. fast food convenience restaurant with a drive-thru lane and a single story 4,000 sq. ft. convenience store with gas pumps and a car wash.

This request is appropriate based on the following finding of the facts;

1. The proposed development is compatible with adjacent development and development in the area.
2. The proposed development is consistent with the General Plan, Title 19 and the Design Standards Manual, the landscape, Wall and buffer Standards, and other duly-adopted city plans, policies and standards.
3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.
4. Building and landscape materials are appropriate for the area and for the city.
5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area.
6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Should you have any questions or require additional information please contact our office.

Sincerely,



Richard C. Gallegos
Principal

RCG/mt

Cc: 06-182.js.lt.sdr.civ.cstore.grand.teton

SUP-18347
SDR-18349
02/08/07 PC

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

NOTICE OF PUBLIC HEARING

Dec 29, 06

SITE DEVELOPMENT PLAN REVIEW

I vote NO on

SDR-18349.

Mary L. Kronenberg
GARY R. KRONENBERG JR.
8316 Blushing Hts. Ave.
Las Vegas, NV 89131

MEETING: PLANNING COMMISSION
DATE: JANUARY 11, 2007
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SDR-18349

APPLICANT/OWNER: GRAND TETON LODGE LLC - REQUEST FOR A MAJOR AMENDMENT TO AN APPROVED SITE DEVELOPMENT PLAN REVIEW FOR A PROPOSED 4,056 SQUARE-FOOT SERVICE STATION WITHOUT AUTOMOTIVE REPAIR, AN 800 SQUARE FOOT CAR WASH, FULL SERVICE, AND A 2,700 SQUARE FOOT RESTAURANT WITH DRIVE-THROUGH ON 2.71 ACRES ON THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN 125-09-401-031), U [(UNDEVELOPED) ZONE, SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



JOHN KORKOSZ, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

ITEM # 36
CASE # SDR-18349
PC MTG 1-11-07

P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-13490 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: FIRST PRESBYTERIAN CHURCH OF LV NV - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1619 West Charleston Boulevard (APN 162-04-510-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

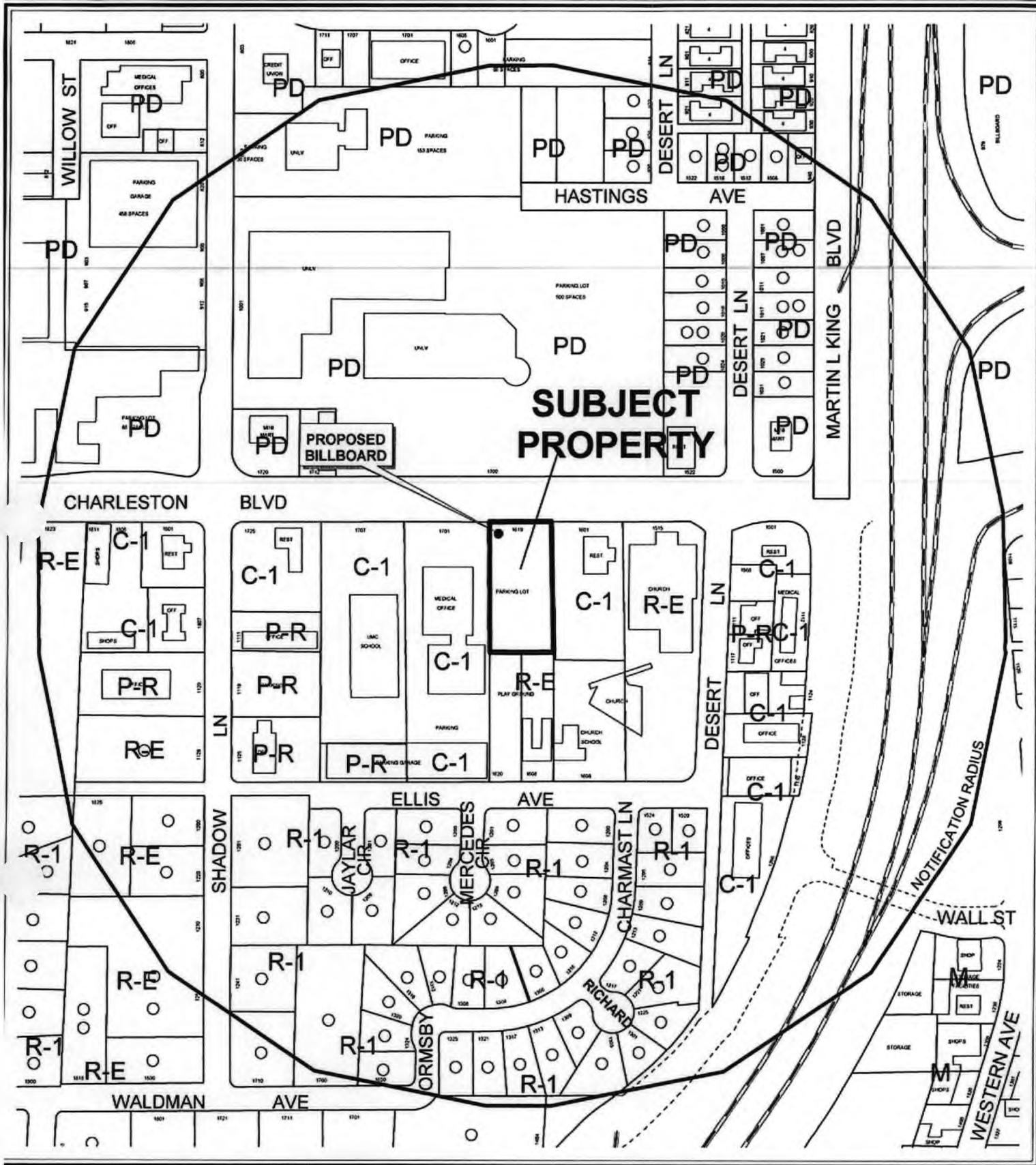
BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Revised Justification Letter
5. Appeal letter filed by Kelleen Cota
6. Submitted after final agenda – Abeyance request with reference letters by Peckman Sign Company
7. Backup referenced from the 11-16-06 Planning Commission Meeting Item 25

Motion made by GARY REESE to Hold in Abeyance Items 104-108 and Item 130 to 5/2/2007; Items 110-112 to 5/16/2007; Item 117 to 6/20/2007; Item 113 to 7/11/2007; Item 103 to 7/18/2007; and Withdraw Without Prejudice Items 114 and 115

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

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



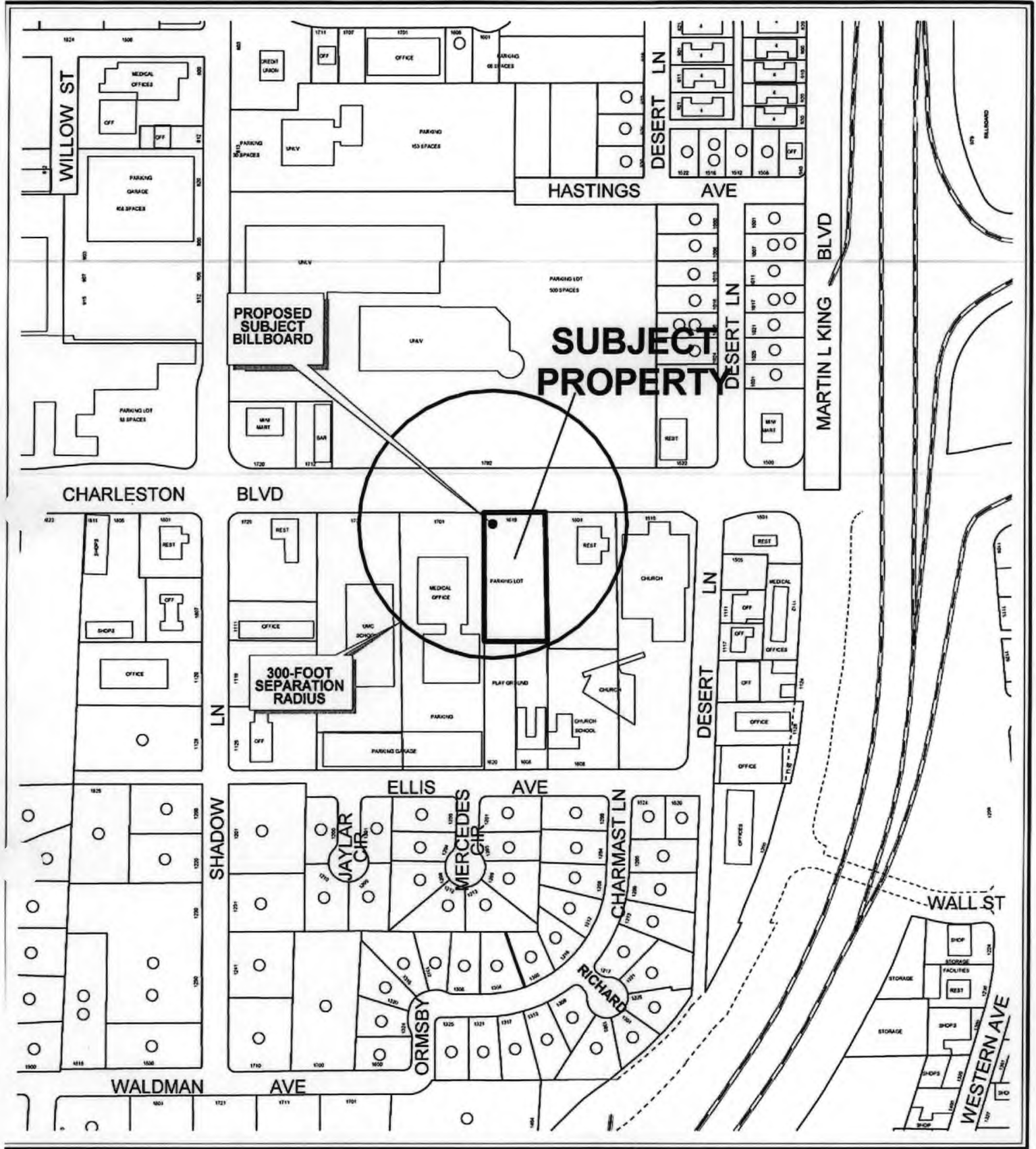
CASE: **SUP-13490**

RADIUS: 1000 FT

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

0 300 600 Feet





CASE: SUP-13490
SEPARATION RADIUS: 300 FT
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



SUP-13490

City of Las Vegas Billboard Data

-  Subject Parcel
 City of Las Vegas Billboard Location
 Clark County Billboard Location
 300 Foot Buffer Around Billboard
 750 Foot Buffer Around Freeway Billboard
 Off Premise Sign Exclusion Area
 Exempt - Off Premise Area Sign Area



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-13490 - APPLICANT/OWNER: FIRST PRESBYTERIAN CHURCH OF LAS VEGAS

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 21, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

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

Planning and Development

1. Approval of a General Plan Amendment (GPA-13372) to a Service Commercial land use.
2. The billboard shall be placed so that it is perpendicular to Charleston Boulevard.
3. The billboard face shall consist of static vinyl panels, or a similar material as approved by the Planning and Development Department
4. Animated and electronic message unit signage is prohibited.
5. The billboard shall not be internally or externally illuminated.
6. The billboard is limited to the exact height as specified in the public hearing notice. If the height of the adjacent freeway increases, the billboard is not entitled to any height increases allowed by Title 19 or Nevada Revised Statutes.
7. Prior to the issuance of any building permits, the applicant shall submit a site plan which includes a stamped certification, signed by a professional engineer, which includes the exact distances to the nearest residential property and to all other billboards and which states that the billboard complies with all separation requirements.
8. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a off-premise advertising (billboard) use.
9. 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.
10. This Special Use Permit shall be reviewed in two 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.

11. 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.
12. 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.
13. Only one advertising sign is permitted per sign face.
14. 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.
15. Bird deterrent devices shall be installed on the sign.

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

This is an appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit for a proposed 40-foot tall, 14-foot x 48-foot off-premise advertising (billboard) sign at 1619 West Charleston Boulevard. The sign is to be located within an existing church parking lot located west of the McDonalds restaurant.

This billboard is one of four to be considered on this agenda. Staff has prepared a map of the proposed billboard locations, on which the subject sign is identified as billboard "C"

EXECUTIVE SUMMARY

The Southeast Sector Map of the General Plan and the Charleston/Rancho land use study both designate this site for O (Office) land uses. Because the zoning districts recommended for this property by the Office land use designation do not permit billboards, and because staff is recommending denial of a related General Plan Amendment to SC (Service Commercial) (GPA-13372), staff's recommendation is for denial.

BACKGROUND INFORMATION

- | | |
|----------|---|
| 01/06/54 | The City Council approved a Special Use Permit (U-70-53) to allow a church on the subject property |
| 08/07/85 | The City Council approved the Community Profiles of the City of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for SC (Service Commercial) land uses. |
| 10/24/91 | The Board of Zoning Adjustment approved a Special Use Permit for a child care facility in conjunction with the church on the subject property (U-261-91). |
| 05/24/94 | The Board of Zoning Adjustment approved a Special Use Permit for a school in conjunction with the church on the subject property (U-108-94). |
| 06/19/02 | The City Council adopted the Rancho Charleston Land Use Study and approved General Plan Amendment GPA-47-01. This amendment designated the subject property for O (Office) land uses. |

- 07/13/06 The Planning Commission voted to hold this item in abeyance to allow the applicant to meet with neighbors.
- 08/10/06 The Planning Commission voted to table this item.
- 10/19/06 The Planning Commission voted to hold this item in abeyance to allow the applicant to meet with neighbors.
- 11/16/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #25/ar).

B) Pre-Application Meeting

- 04/26/06 Staff explained the requirements for a Special Use Permit to the applicant and provided information regarding the required neighborhood meeting.

C) Neighborhood Meetings

A neighborhood meeting was held on Tuesday, June 20, 2006 at 6:00 pm at the First Presbyterian Church, 1515 West Charleston Boulevard. In attendance were: 32 citizens; 3 applicant representatives; Councilwoman Tarkanian and two council liaisons; and Margo Wheeler, Planning and Development Director

The applicant presented the project as five total signs. Three of the signs will be billboards and two of them will be for the church. The applicant indicated the height of signs could increase if the freeway is modified, and that all signs are proposed to include reader board.

DETAILS OF APPLICATION REQUEST

Site Area: 0.93 Net acres

Existing Land Use

| | |
|------------------|----------------------------------|
| Subject Property | Church parking lot |
| North | UNLV Dentistry School/Restaurant |
| South | Single Family Dwellings |
| East | Restaurant |
| West | Offices |

Planned Land Use

| | |
|------------------|-----------------------------|
| Subject Property | O (Office) |
| North | MD-1 (Medical Support) |
| South | L (Low Density Residential) |
| East | SC (Service Commercial) |
| West | O (Office) |

Existing Zoning

Subject Property C-1 (Limited Commercial)
 North PD (Planned Development)
 South R-1 (Single Family Residential)
 East C-1 (Limited Commercial)
 West C-1 (Limited Commercial)

| SPECIAL DISTRICTS/ZONES | Yes | No |
|---------------------------------|------------|-----------|
| Special Area Plan | X | |
| Charleston/Rancho Study Area | X | |
| Special Overlay District | | X |
| Trails | | X |

The subject site is located within the Charleston/Rancho study area. This study designates this site for Office uses.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

The Off-Premise Advertising (Billboard) Sign is subject to a minimum 300-foot separation from other off-premise advertising signs not oriented toward I-15. There are no existing billboards within the separation distance, and the applicant has indicated that this billboard will be at least 300 feet from the billboards that are proposed under Special Use Permits SUP-13362, SUP-13494, and SUP-13495.

In addition, the sign cannot be located less than 300 feet from the nearest property line of a lot in the "R" Zoning District. The nearest "R" zoned property is located approximately 600 feet to the south of the proposed location.

A2) Off-Premise Sign Requirements

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

| Standards | Code Requirement | Proposed | Compliance |
|------------------|--|---|-------------------|
| Location | No off-premise sign may be located within the public right-of-way | Located south of the Charleston 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 east and west faces are each 378 square feet. | Y |
| Height | 40 Feet above grade | 40 Feet above 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 470 feet from the right-of-way line of the intersection of Charleston Boulevard and Desert Lane | 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 panels | 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; no residential uses on site. | Y |

The proposed Off-Premise Advertising (Billboard) Sign meets the provisions of the Title 19 sign code.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial) and is not located within the Off-Premise Sign Exclusionary Zone. An Off-Premise Advertising (Billboard) Sign is a permitted use in this district with the approval of a Special Use Permit. However, the Southeast Sector Map of the General Plan and the Charleston/Rancho land use study both designate this site for O (Office) land uses. The zoning districts recommended for this property by the Office land use designation do not permit billboards.

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."**

Per Title 19.14 (B)(2), in determining whether to approve or deny a Special Use Permit under this Section, the Planning Commission and City Council may consider the aesthetic impact of the sign on the area and all other aspects of the sign's compatibility with the surrounding area, including the existence or nonexistence of other signage in the area. This proposed use would be located in the O (Office) General Plan designation. This area is characteristic of office development, and is not compatible with this proposed billboard.

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

There are no physical constraints to the location of the use on the subject site.

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

There are no requirements for access to a property containing an Off-Premise Advertising (Billboard) Sign.

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

In 2002, the City of Las Vegas approved a land use study of properties located in the vicinity of Charleston Boulevard, Rancho Drive and Martin L. King Boulevard in an effort to resolve land use conflicts in the study area. The Charleston/Rancho study redesignated all properties along the south side of Charleston Boulevard between Rancho Drive and Desert Lane for O (Office) land uses. This action provides a consistent land use buffer between the very intense uses of the Las Vegas Medical District and the residential neighborhoods south of the subject properties. The proposed Off-Premise Advertising (Billboard) Sign would result in the incompatibility of land uses that the Charleston/Rancho study sought to resolve.

PLANNING COMMISSION ACTION

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 105 by City Clerk

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-13490** APN: 162-04-510-004, 005, 006, 007

Name of Property Owner: First Presbyterian Church Las Vegas Nevada

Name of Applicant: First Presbyterian Church Las Vegas Nevada

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: Wayne Petersen

Print Name: Wayne Petersen, President

Subscribed and sworn before me

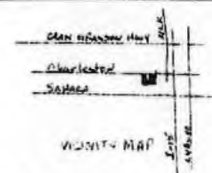
This 2nd day of May, 2006

Shelly Webb
Notary Public in and for said County and State

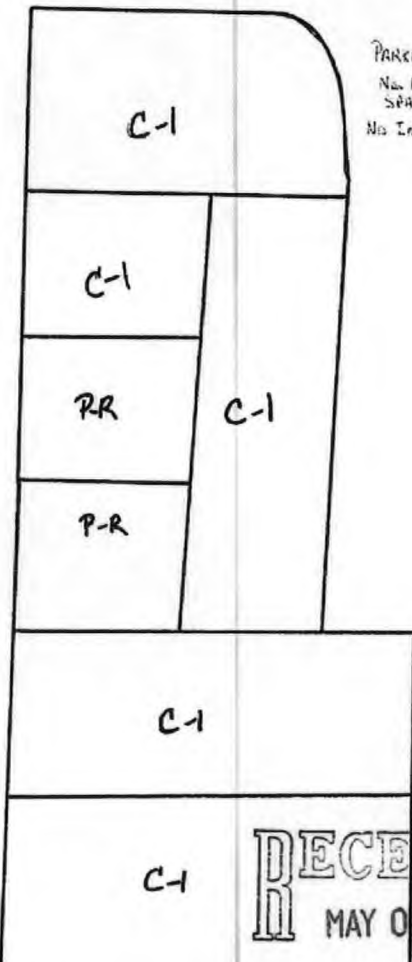
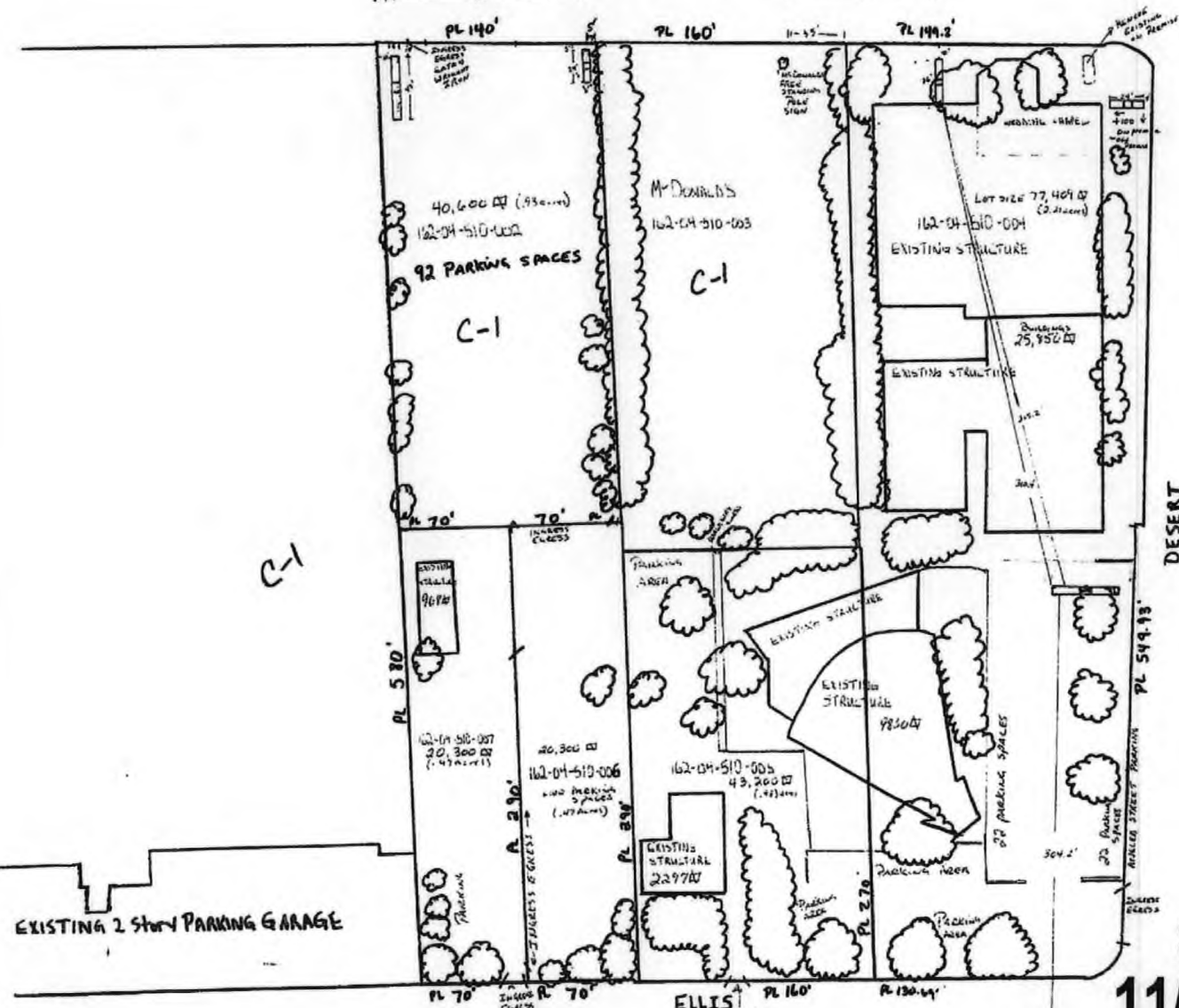


CHARLESTON BLVD

351'



PARKING ANALYSIS
NO ADDITIONAL
SPACES REQUIRED
NO IMPACT ON PEAK PERIODS



RECEIVED
MAY 08 2006

SUP-13490
11/16/06 PC

| | |
|---|--------------------------|
| FIRST PRESBYTERIAN CHURCH L.V., NV | |
| DATE: 11/16/06 | APPROVED BY: [Signature] |
| PROJECT: 112-04-510-003, 004, 005, 006, 007 | REVISION: 5.0 |

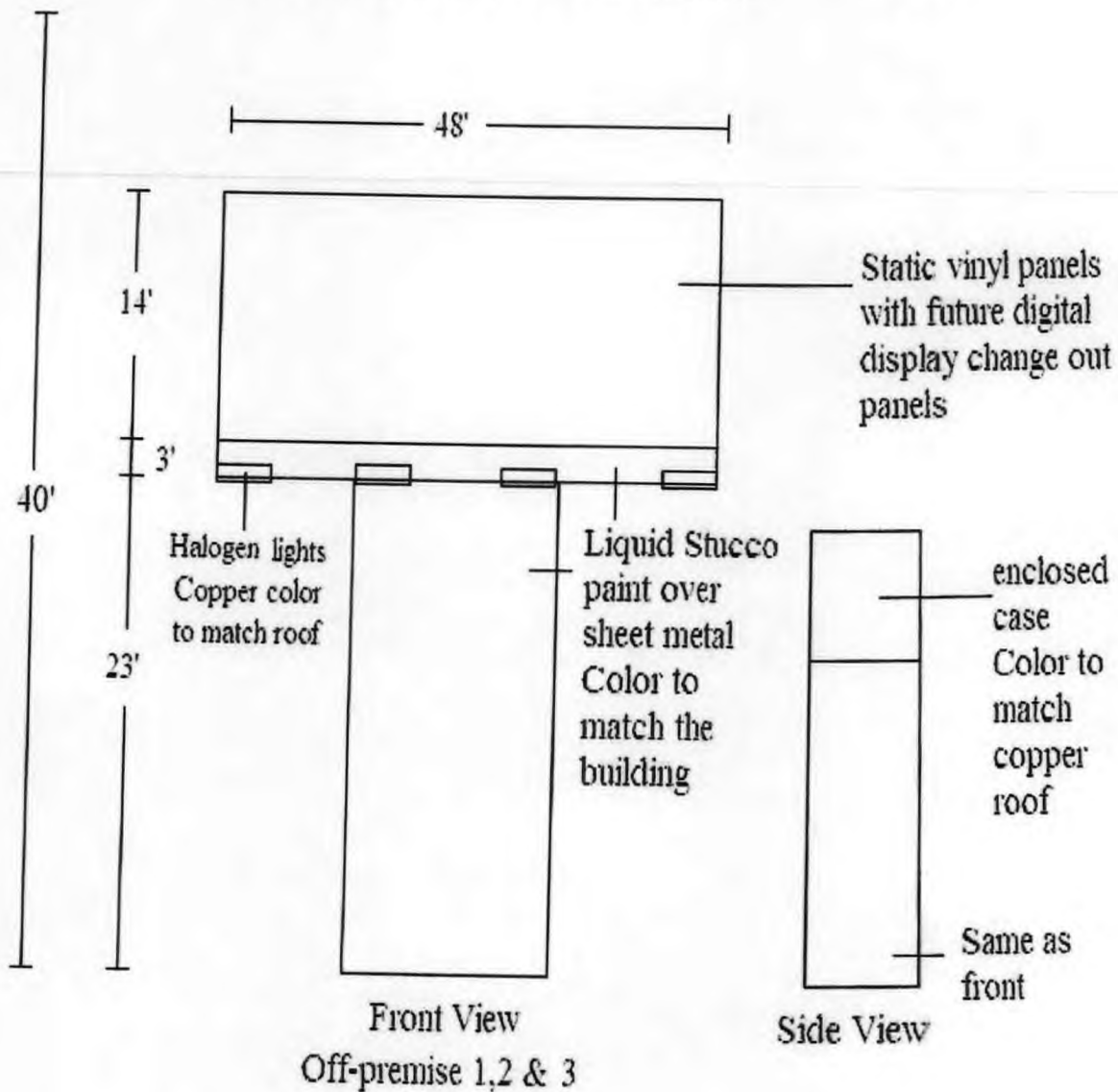
ELEVATION & MATERIALS

FIRST PRESBYTERIAN CHURCH

COLOR, DESIGN AND TEXTURE TO MATCH
BUILDING AND ROOF OF THE CHURCH

162-04-510-00 2

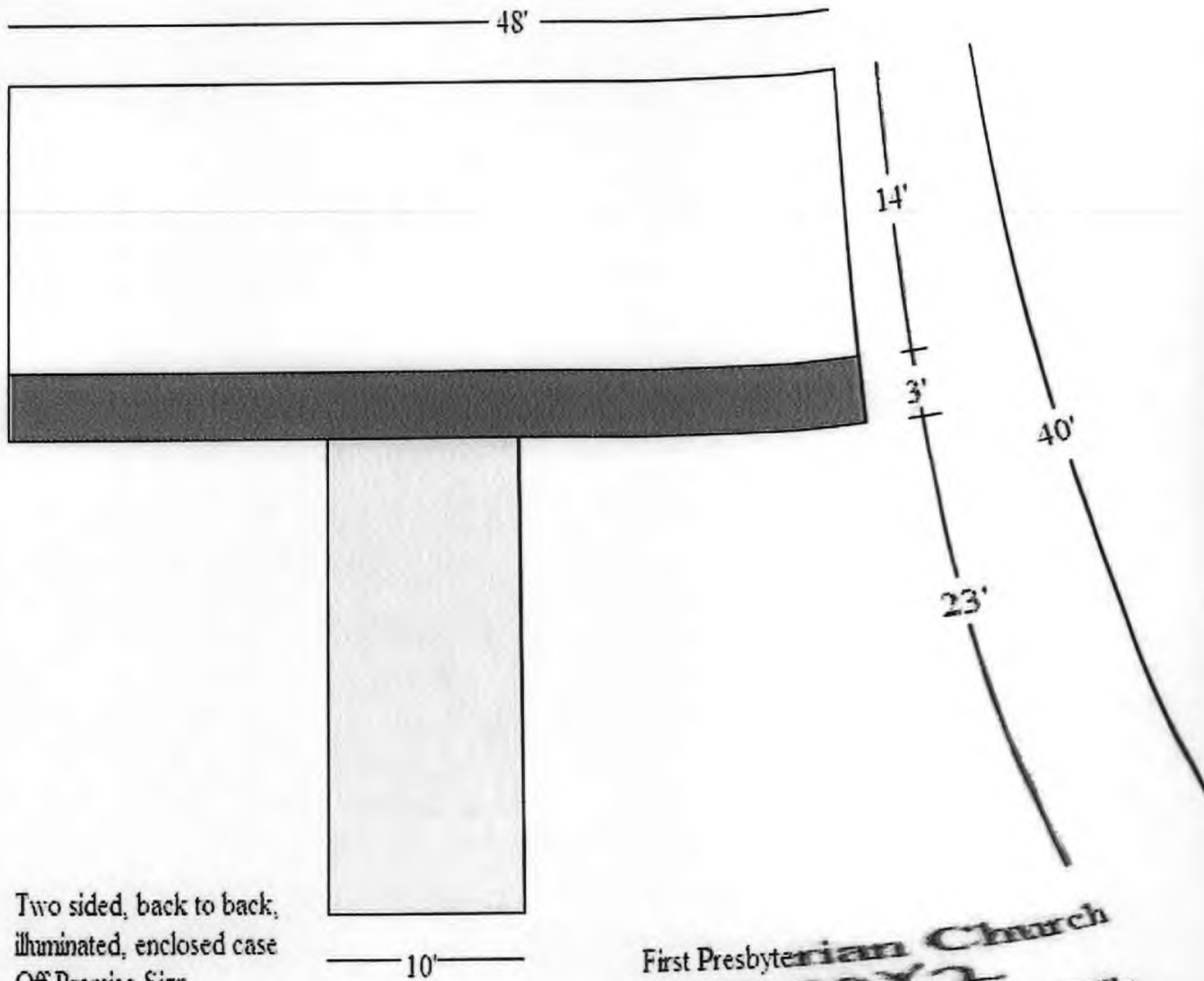
NO SCALE



SUP-13490
11/16/06 PC

RECEIVED
MAY 08 2006

Scale 1:10
Elevation



SUP
11'



SUP-13490 - APPLICANT/OWNER: FIRST PRESBYTERIAN CHURCH OF LV NV
1619 WEST CHARLESTON BOULEVARD
NOVEMBER 16, 2006 PLANNING COMMISSION

06/20/06

Justification Letter required by Doug Rankin ...

June 23, 2006

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

RE: First Presbyterian Church, 1515 W. Charleston, 162-04-510-002, & 004

Dear Mr. Rankin:

I would like to clarify the off-premise billboards in terms of orientation to particular streets

- The proposed Sign on 162-04-510-002 and is oriented only to traffic traveling east and west on Charleston. This sign is not oriented to nor can it be reasonably seen from the Interstate 15.
- The northern most Sign on 162-04-510-004 is oriented only to traffic traveling east and west on Charleston. This sign is not oriented to nor can it be reasonably seen from the Interstate 15.
- The southern most Sign on 162-04-510-004 is oriented only to traffic traveling north and south on Desert, this Sign is not intended to be seen nor can it be reasonably seen from Interstate 15. There is a proposed Sign to the east of this location that is oriented to the Interstate 15 and is significantly taller.

ADDITIONALLY:

- I agree to a condition that within 30 days of approval of the sign oriented to traffic on Desert that a site plan with a wet stamp for all locations be submitted to prove that the minimum spacing requirements are met.

Thank you in advance for your anticipated time and attention concerning this matter.

Sincerely,

Thalia Dondero

Thalia Dondero
Representative *MD*

SUP-1349

SUP-1349

11/1

RECEIVED
CITY CLERK

PECKMAN

SIGN COMPANY

2006 NOV 27 A 7:58

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

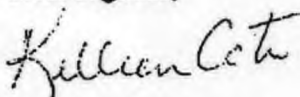
November 22, 2006

Dear City Clerk;

On behalf of The First Presbyterian Church, I hereby appeal item SUP-13490 that was denied by the Planning Commission on November 16, 2006. The Planning Commission stated that they were denying the billboard application because of the time and money the City of Las Vegas has spent on getting the UNLV Dental School across the street. I believe this is an erroneous fact and the UNLV Dental School has in fact been notified at least three times and has not opposed this project and furthermore this is an appropriate place for a billboard.

Thank you in advance for your anticipated time and attention concerning this matter.

Best regards,



Kelleen Cota
Authorized representative

RECEIVED
CITY CLERK

PECKMAN

SIGN COMPANY

2007 APR 16 A 10:41

April 16, 2007

VIA FACSIMILE

Beverly Bridges
City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

RE: SUP 13490

Dear Beverly:

JULY 11, 2007
Let this letter serve as our formal request for a 90-day abeyance on the above mentioned Special Use Permit pending further discussions with Council Members on the current revision of the billboard ordinance 5496. Attached for your reference are two previous letters from Kelleen Cota regarding the matter at hand.

Thank you in advance for your anticipated time and attention concerning this matter.

Sincerely,



Maureen E. Peckman

cc: Carole Combs
Lois Tarkanian

Submitted after final agenda

Date *4-16-07* Item # *113*

4000 FOREST KNOLL LANE • LAS VEGAS, NEVADA 89129 • TEL 702.413.3011 • FAX 702.645.4498

Nov 22 06 07:15p Albert Cota

702-893-0246

p.1

RECEIVED
CITY CLERK**PECKMAN**
SIGN COMPANY

2006 NOV 27 A 7:58

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

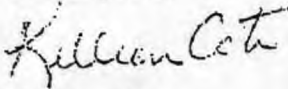
November 22, 2006

Dear City Clerk;

On behalf of The First Presbyterian Church, I hereby appeal item SUP-13490 that was denied by the Planning Commission on November 16, 2006. The Planning Commission stated that they were denying the billboard application because of the time and money the City of Las Vegas has spent on getting the UNLV Dental School across the street. I believe this is an erroneous fact and the UNLV Dental School has in fact been notified at least three times and has not opposed this project and furthermore this is an appropriate place for a billboard.

Thank you in advance for your anticipated time and attention concerning this matter.

Best regards,



Kelleen Cota
Authorized representative

2007 APR 16 A 10:

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4000 FOREST KNOLL LANE • LAS VEGAS, NEVADA 89129 • TEL 702.413.3011 • FAX 702.645.4408

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2007 APR 16 A 10:41

Justification Letter required by Doug Rankin

June 23, 2006

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

RE: First Presbyterian Church, 1515 W. Charleston, 162-04-510-002, & 004

Dear Mr. Rankin:

I would like to clarify the off-premise billboards in terms of orientation to particular streets

- The proposed Sign on 162-04-510-002 and is oriented only to traffic traveling east and west on Charleston. This sign is not oriented to nor can it be reasonably seen from the Interstate 15.
- The northern most Sign on 162-04-510-004 is oriented only to traffic traveling east and west on Charleston. This sign is not oriented to nor can it be reasonably seen from the Interstate 15.
- The southern most Sign on 162-04-510-004 is oriented only to traffic traveling north and south on Desert, this Sign is not intended to be seen nor can it be reasonably seen from Interstate 15. There is a proposed Sign to the east of this location that is oriented to the Interstate 15 and is significantly taller.

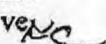
ADDITIONALLY:

- I agree to a condition that within 30 days of approval of the sign oriented to traffic on Desert that a site plan with a wet stamp for all locations be submitted to prove that the minimum spacing requirements are met.

Thank you in advance for your anticipated time and attention concerning this matter.

Sincerely,



Thalia Dondero
Representative 

SUP-1349

SUP-1349

11/7

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

LAW OFFICE OF L. EARL HAWLEY

916 CASINO CENTER BOULEVARD

LAS VEGAS, NEVADA 89101

(702) 382-8910

FAX (702) 382-6675

July 03, 2006

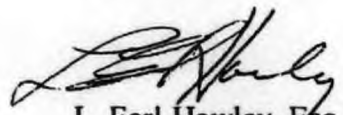
City of Las Vegas
Planning and Development Dept.
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

Re: SUP 13494, 134954, 13372, 13362, 13490
SDR 13820

To Whom It May Concern:

This is to advise you on behalf of the entity I represent, that objection to above permit applications is hereby made. Traffic in the area is a problem now and proposed development in the immediate area is only going to increase financial costs to the public, as well as create hazards that could result in accidents.

Very truly yours,


L. Earl Hawley, Esq.

LEH/sv

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Patricia Ames
1201 Shadow Lane
Las Vegas, NV 89102
Email: patriciaames@hotmail.com

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

July 10, 2006

RE: SUP-13372, 13490, 13491, 13494, 13495

Dear Current Planning Division:

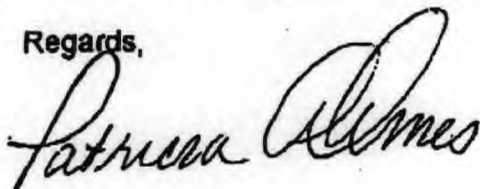
I would like to voice my strong objection to changing the zoning of what now is the First Presbyterian Church to Service Commercial. This is a lovely residential area, and right next to an historic Las Vegas neighborhood. While modern office buildings have in my opinion improved the area around Charleston, changing the zoning to a more commercial application could affect the area negatively and interrupt the residential properties adjacent. In addition, if the new zoning would at all increase traffic flow along Ellis Street, this could have a very negative impact on the residences along Ellis. It is a small side street in a residential area and does not appear to be meant for the heavier traffic associated with commercial activities.

The church has been a nice buffer between the busy C-1 activities on Charleston and the local neighborhood. Any zoning change will definitely impact the local community. A change from R-E to C-1 is quite dramatic. A much easier transition for the people that actually live adjacent would be from R-E to P-R, as is done on Shadow Lane. P-R tends to be quieter with much less traffic.

Also, raising 3 additional billboards in this area is extreme. There is already a proliferation of billboards here (Wendy's, MacDonald's, Carls Jr), and more would really ruin any residential character the area has left. Since I am not sure whether the billboards are only temporary in nature, and what the billboards would say, it is difficult to elaborate further. But, I strongly oppose any permanent billboards on any of the sites listed. There are residences right behind the church and billboards are very unsightly to have in a residential area.

Thank you for taking the time to gather our input!

Regards,



25

Kimberly Reid

From: Judy Norman [dept14ea@co.clark.nv.us]
Sent: Wednesday, November 15, 2006 9:30 AM
To: Lois Tarkanian
Subject: SUP-13362 & SUP-13490

Dear Councilwoman Tarkanian,

I would like to register my opposition to SUP-13362 and SUP-13490. (the Presbyterian Church's application for two billboards) The members of my neighborhood association to which I have spoken agree with me that this is merely an attempt on the part of the applicant to generate a great deal of income at the expense of the residential nature of the area. It seems that here in Las Vegas there is virtually no end to the number of billboards that "spring up".

I would ask for denial of this application. We appreciate the work you are doing for our district.

Sincerely,

Donald Mosley

Submitted at Planning Commission

Date 11/16/06 Item #25