

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-20443 - VARIANCE - PUBLIC HEARING - APPLICANT: KALB INDUSTRIES OF NV - OWNER: DURANGO MINI STORAGE, INC. - Request for a Variance TO ALLOW A FOUR FOOT ADDITION TO AN EXISTING 12-FOOT WALL FOR A TOTAL HEIGHT OF 16 FEET WHERE 12 FEET IS THE MAXIMUM HEIGHT ALLOWED on 3.71 acres at 8470 West Charleston Boulevard (APN 138-33-401-028), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

P.C.: FINAL ACTION (Unless appealed with 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – HOLD IN ABEYANCE to 5/10/2007 – UNANIMOUS with DUNNAM abstaining because he has open contracts with SAM MARSHALL'S firm

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning Manager, stated the application does not comply with Title 19 and recommended denial.

SAM MARSHALL, 5670 Wynn Road, appeared on behalf of the applicant and stated that due to vandalism and theft, the applicant requested to increase the height of the existing block wall with an additional four feet of wrought iron in hopes to prohibit and discourage more vandalism. He stated that the height of the wall would not be a tremendous impact as it would be decorative in nature with little impact.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 60 – VAR-20443

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, expressed opposition to the height and suggested monitors be positioned throughout the property as an alternate means of mitigating vandalism.

TOM McGOWAN, Las Vegas resident, supported the request.

MAYORD CANAL, 8000 Garces Avenue, stated that he has a motor coach stored at the facilities that has endured two break ins. He shared pictures of the surrounding area and expressed support of the request.

COMMISSIONER TROWBRIDGE inquired about the adjacent property owner's opinion of the request but MR. MARSHALL stated that he did not make contact with the residents of the adjacent apartment complex.

COMMISSIONER STEINMAN disagreed with the requested height of the wall and stated that increasing the height would not eradicate the problem. MARGO WHEELER, Director of Planning and Development Department, stated that it is customary for staff to notice the greatest degree of variance and that is why it appears as though the entire wall height would be 16 feet tall but in fact there is only a section of the wall that would be that tall.

COMMISSIONER EVANS stated that many mini storage properties had similar issues and the Commission should not allow a fortress to be constructed. He stated that if the proposed height is necessary, there could be other ways to make the wall more attractive with landscaping.

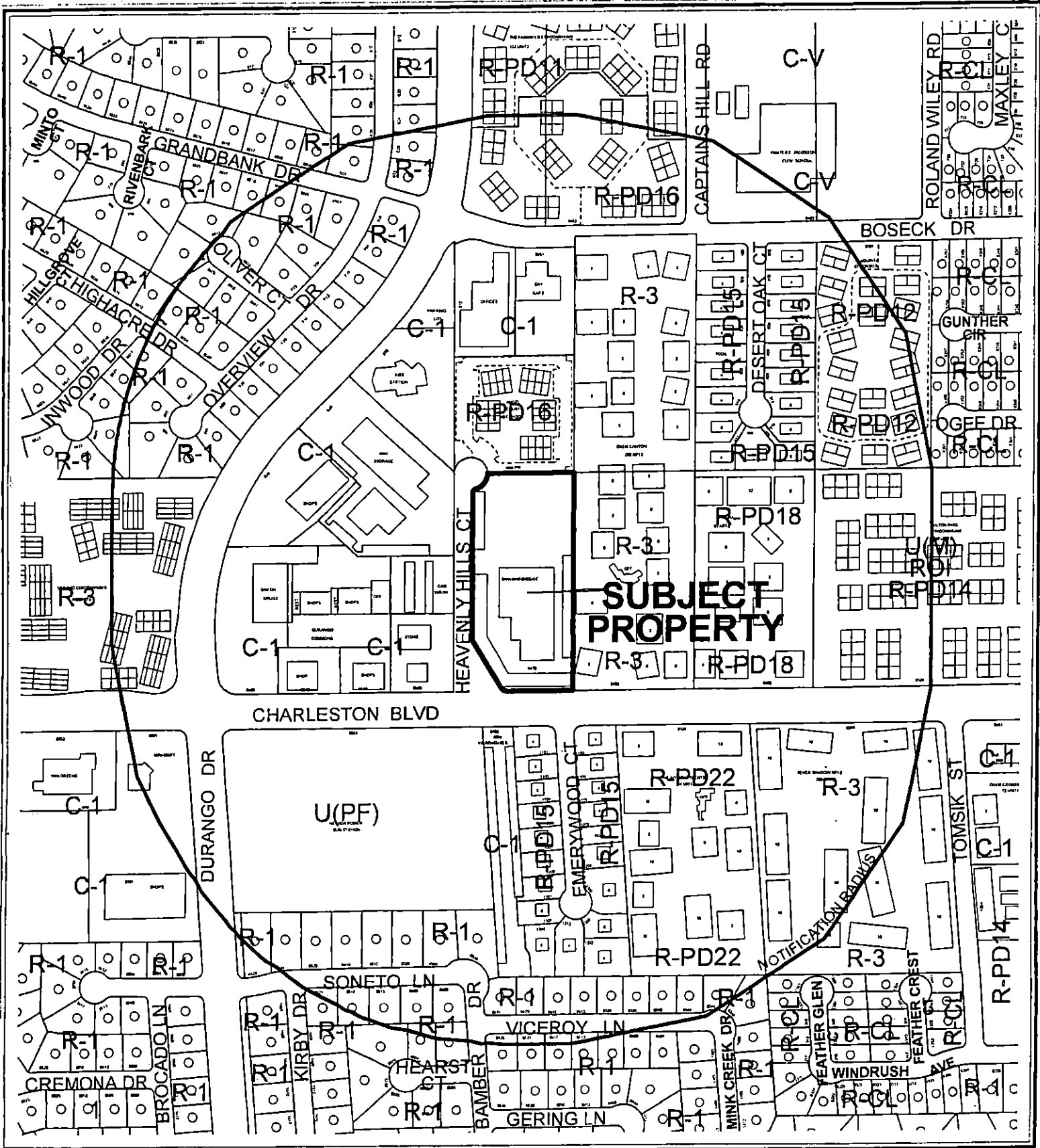
COMMISSIONER TRUESDELL stated that the quality of the neighborhood is affected by such a request since apartment dwellers would be subjected to the sight of an enormous wall. He also disagreed about the decorativeness of the wrought iron addition and stated he would not support the request.

COMMISSIONER GOYNES questioned if the interior lot has been considered for redesign so that the motor homes are not against the wall in question and whether there is an on-site manager. MR. MARSHALL responded that vandals enter the property at different areas of the site and although there is an on-site manager in addition to video monitoring, coverage is limited on the three-acre parcel. MR. MARSHALL suggested holding the matter in abeyance to amend the request and present something more palatable. COMMISSIONER TRUESDELL supported the abeyance request and recommended that the applicant obtain letters of support from immediately affected apartment dwellers.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(10:08 – 10:27)

3-1655



CASE: VAR-20443

RADIUS: 1000 FT

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



CASE: **VAR-20443**

RADIUS: 1000 FT

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

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20443 - APPLICANT: KALB INDUSTRIES OF NV -

OWNER: DURANGO MINI STORAGE, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (Z-7-95) 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.

VAR-20443 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Variance Request for a Variance to allow a four foot addition to an existing 12-foot wall for a total height of 16 feet measured from the lower side of the wall where 12 feet is the maximum allowed and a total height of nine feet where eight feet is the maximum allowed on the higher side of the wall at an existing mini-storage and RV parking facility at 8470 West Charleston Boulevard.

While the existing wall is comprised of concrete block, the extension will be of decorative wrought iron. The applicant has created a self-imposed hardship by proposing to build a wall that stands higher than the maximum allowed by code; therefore, staff recommends denial.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
03/15/95	The City Council approved a request for Rezoning (Z-7-95) from N-U (Non-Urban) to C-1 (Limited Commercial) on the subject site. This application included a site plan for an 86,374 square-foot mini-storage and RV parking facility. The Planning Commission and staff recommended approval.
Related Building Permits/Business Licenses	
05/28/96	Active Business License number W07-0061J-68061 issued for Warehouse or Storage to Charleston West Mini-Storage on the subject site.
05/28/06	Active Business License number M06-21804-68061 issued for Miscellaneous Sales to Durango Mini-Storage on the subject site.
Pre-Application Meeting	
02/22/07	A pre-application meeting was held and the applicant was requested to provide elevations of the proposed walls showing height, material and color drawn to scale. An updated site plan was requested.
Neighborhood Meeting	
A neighborhood meeting was not required for this application, nor was one held.	
Field Check	
03/22/07	A field check was conducted to verify the existing wall heights as depicted on submitted elevations and site plans.
Details of Application Request	
Site Area	
Net Acres	3.71 Acres

RL

VAR-20443 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Mini-Storage, RV Parking	SC (Service Commercial)	C-1 (Limited Commercial)
North	Condominiums	M (Medium Density Residential)	R-PD16 (Residential Planned Development – 16 Units Per Acre)
South	Single Family Residential, Mini-Storage, Electric Substation	M (Medium Density Residential), SC (Service Commercial) and PF (Public Facilities)	R-PD15 (Residential Planned Development – 15 Units Per Acre) U (Undeveloped) – PF (Public Facilities) Land Use Designation C-1 (Limited Commercial)
East	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Service Station Mini Storage	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.12:

Landscaping and Open Space Standards			
Standards	Maximum Height	Provided	Compliance
Wall Height	12-foot high wall measured from the side with the highest wall plane.	16-foot high wall measure from the lower side of the wall.	N*

* Subject of this variance

VAR-20443 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

ANALYSIS

The applicant is proposing a four foot wrought iron addition to existing perimeter walls which serve to secure an existing Mini-Storage and RV Parking facility. The proposed addition would occur at the north and east property lines which separate the subject site from two multi-family residential complexes. The applicant cites safety and security as the reason for this request. The existing walls vary in height from seven feet to 12 feet as measured on the highest wall plane. The proposed wall height would be 16 feet, more than the maximum allowed by Title 19.

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 to build a wall that stands higher than the maximum allowed by code. Alternatively, constructing a wall that meets the security needs while conforming to the height limits imposed 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.

VAR-20443 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

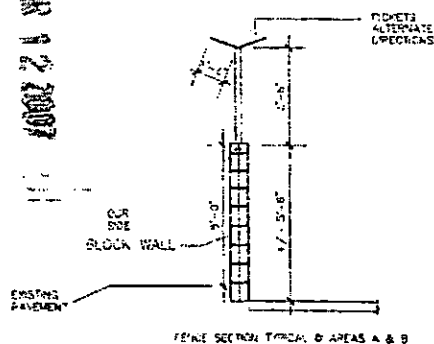
NOTICES MAILED 808 [Mailed with VAR-20464, SUP-20462, and SDR-20461]

APPROVALS 0

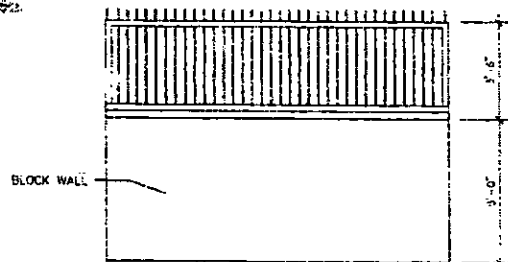
PROTESTS 0



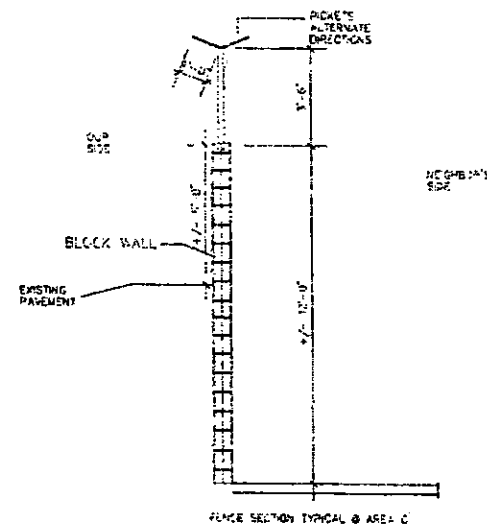
101
MAR 12 2007



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



2: FENCE ELEVATION VIEWED FROM OUR SIDE
SCALE 1/2" = 1'-0"



3: FENCE DETAIL
SCALE 1/2" = 1'-0"

RECEIVED
MAR 12 2007

VAR-20443
04/26/07 PC



DAVID MCKEE
ARCHITECT
4495 W. MAGNOLIA BLVD. #110
LOS ANGELES, CA 90024
CELL: (703) 230-0070
FAX: (703) 308-0004

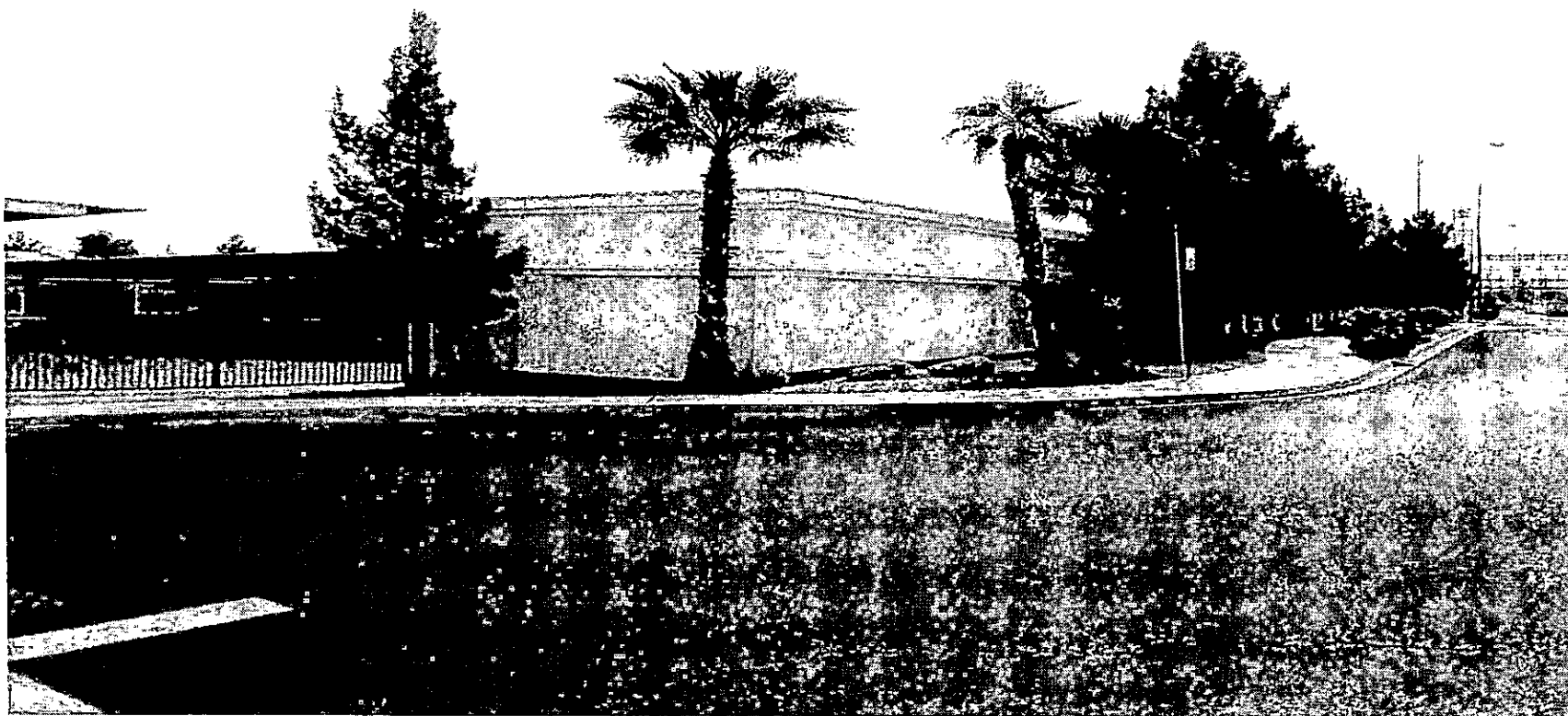
TITLE	FENCE DETAIL
PROJECT	CHARLESTON MINI STORAGE
ADDRESS	8470 WEST CHARLESTON BLVD

DESIGNED
CHECKED
DATE
TYPED
SCALE
AS SHOWN
JOB NO.
SHEET
A-1



VAR-20443 - APPLICANT: KALB INDUSTRIES OF NV - OWNER: DURANGO MINI STORAGE, INC.
8470 WEST CHARLESTON BOULEVARD
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



VAR-20443 - APPLICANT: KALB INDUSTRIES OF NV - OWNER: DURANGO MINI STORAGE, INC.
8470 WEST CHARLESTON BOULEVARD
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



VAR-20443 - APPLICANT: KALB INDUSTRIES OF NV - OWNER: DURANGO MINI STORAGE, INC.
8470 WEST CHARLESTON BOULEVARD
APRIL 26, 2007 PLANNING COMMISSION

03/26/07

CHARLESTON WEST MINI STORAGE
8470 W. Charleston Blvd.
Las Vegas, NV. 89117

February 7, 2007

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

HAND DELIVER

Dear Planning Staff:

We wish to apply for variances of the standards of Title 19 for the following:

- a. Allow a total fence wall height of 16 ft. (on the side of wall with most exposure) where Title 19 allows maximum 12 ft.**
- b. Allow a total fence wall height of 9 ft. (on the side of wall with lease exposure) where Title 19 allows maximum 8ft.**
- c. Allow retaining portion of wall to be 7 ft. (This is an existing condition) where Title 19 allows maximum 6ft. without stepping back the wall.**

Our facility is experiencing regular invasions by thieves and vandals which is damaging our property and property stored here. In the interest of protecting our customer's property, we are compelled to take measures to discourage these crimes by adding to the height of our perimeter fence.

We propose to use wrought iron four (4) feet high with a bend and a tip in alternate directions at each upright point. This would be mounted to the top of our existing block wall and gate. The total length of fence to be augmented is about 550 feet.

On one side, the block is 4 to 5 feet height. On the other side it is 7 to 12 feet high (the existing wall also serves as a retaining wall).

Title 19 calls for a maximum height of 8 ft of screen wall, since our proposal would exceed the eight (8) foot limit, we wish to apply for a variance.

VAR-20443
04/26/07 PC

MAR 12 2007

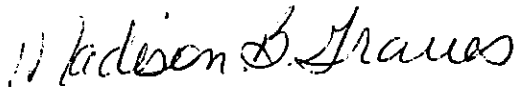
The wall that is to be altered cannot be seen from Charleston Blvd., and the iron would be of decorative appearance.

An additional benefit: Our proposal saves Metro money due to reduced or elimination of burglary calls on this site.

Attached is a site plan and illustration for your reference.

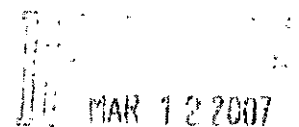
Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Madison B. Graves".

**Madison B. Graves
Owner
Charleston West Mini Storage**

MBG/lf

A faint circular stamp, likely a date stamp, containing the text "MAR 12 2007".

**VAR-20443
04/26/07 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

ROC-20491 - REVIEW OF CONDITION RELATED TO VAR-20489 - PUBLIC HEARING - APPLICANT/OWNER: LONE MOUNTAIN DEVELOPERS, LLC -
Request for a Review of Condition #9 of an approved Site Development Plan Review (SDR-4291) WHICH REQUIRED THAT ANY PROPERTY LINE WALL BE A DECORATIVE BLOCK WALL, WITH AT LEAST 20 PERCENT CONTRASTING MATERIALS at 4850 North Jones Boulevard (APN 125-36-403-007), C-1 (Limited Commercial) Zone, Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. City Council Approval Letter for SDR-4291
6. Submitted at meeting – Martin-Harris Construction letter by Kummer Kaempfer Bonner Renshaw & Ferrario

MOTION:

TROWBRIDGE – HOLD IN ABEYANCE to 5/10/2007 – UNANIMOUS

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning Manager, reported that approved building permit plans indicated a 20 percent contrasting material to be incorporated and wall was built without meeting that condition; therefore, he recommended denial.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 61 – ROC- 20491

MINUTES – Continued:

ATTORNEY STEPHANIE ALLEN, 3800 Howard Hughes Parkway, appeared on behalf of the applicant, briefly described the need for the request and submitted a letter by the applicant to verify their attempt to meet the required 20 percent contrasting material. ATTORNEY ALLEN stated that the wall is consistent with the adjacent and perimeter walls and respectfully requested approval.

FRANK RODRIGUEZ, adjacent neighbor, opposed the height of the wall rather than the material. The wall stands 18 feet tall and now his property is adjacent to an overwhelmingly tall wall. CHAIRMAN DAVENPORT clarified that Item 62 addressed the height of the wall but was stricken from the agenda as the Planning Department approved the height of the wall erroneously.

TODD FARLOW, 240 North 19th Street, agreed with MR. RODRIGUEZ'S concerns and stated that the controversial height of the wall is unfortunately a common situation.

TOM MCGOWAN, Las Vegas resident, urged the Commission to grant the deduction of the wall.

ATTORNEY ALLEN reiterated that the height of the wall is not the subject. The wall was built to the height of 18 feet 6 inches because of fire requirements and the only request is for a review of the condition to have the wall constructed of 20 percent contrasting material.

MR. RANKIN confirmed that the height of the wall was inadvertently approved by Planning staff to be constructed 18 feet 6 inches in height. COMMISSIONER TROWBRIDGE queried if the Commission had an opportunity to correct and address MR. RODRIGUEZ'S compelling issue. COMMISSIONER GOYNES concurred with those desires but DEPUTY CITY ATTORNEY JAMES LEWIS explained that since the City already approved the height, the only action allowable would address the material of the wall.

COMMISSIONER EVANS commented on the developer's knowledge of the Code requiring that 20 percent of the wall should be of contrasting material. ATTORNEY ALLEN referred to the letter submitted indicating that the applicant was not negligent but rather unaware that the split-faced block wall with a cap was not suitably considered contrasting enough to meet the standard. COMMISSIONER DUNNAM spoke in defense of the applicant, confirming that the language of the Code is misleading.

ATTORNEY ALLEN offered to meet with MR. RODRIGUEZ prior to the time the matter is heard before City Council to provide something more aesthetically pleasing. COMMISSIONER EVANS supported that suggestion but MR. RANKIN clarified that action by the Commission would be final and would not be heard by City Council.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 61 – ROC- 20491

MINUTES – Continued:

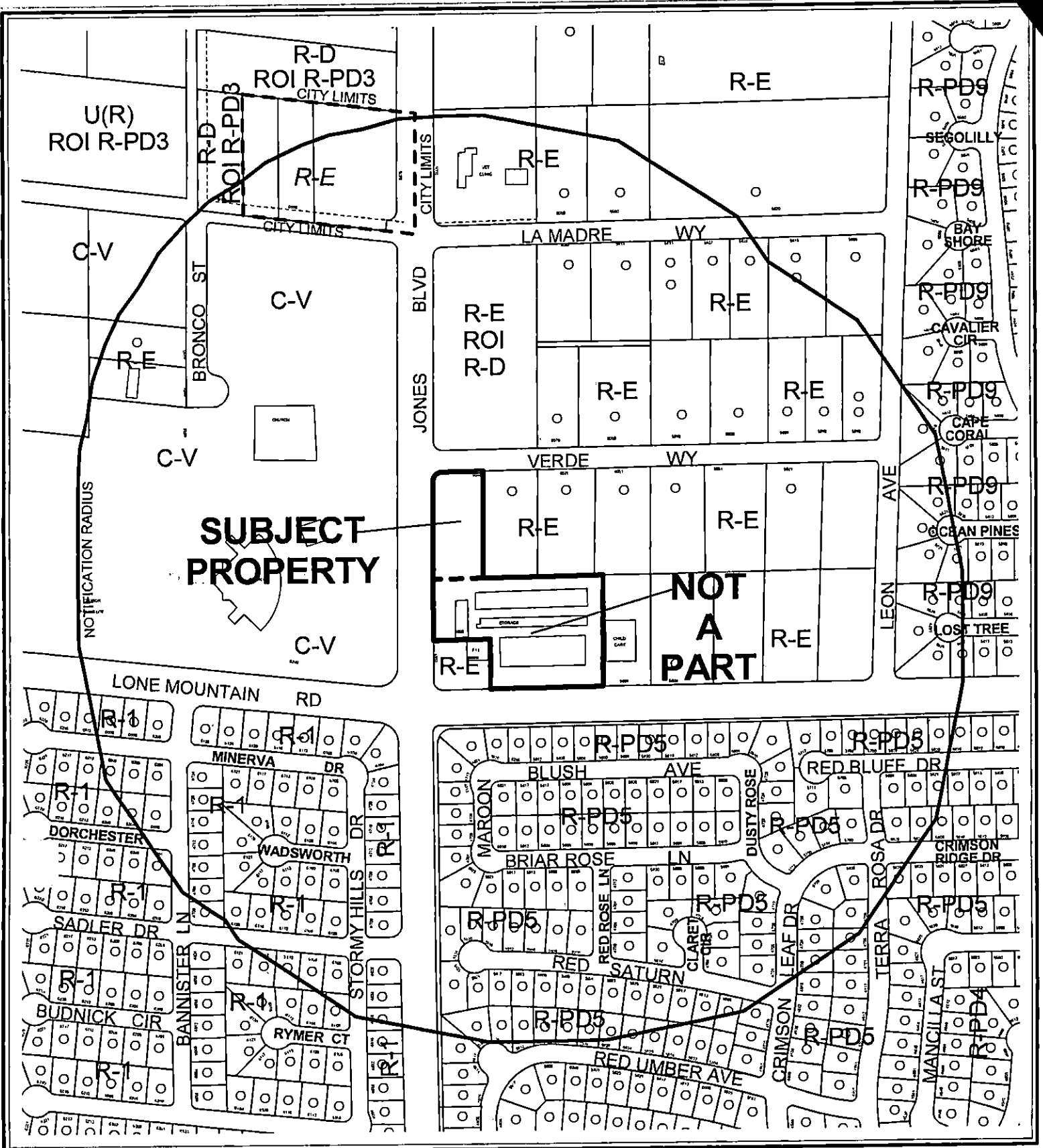
COMMISSIONER STEINMAN stated that MR. RODRIGUEZ should be relieved of the situation even though reconstruction of the wall would be costly.

CHAIRMAN DAVENPORT recommended abeying the matter to allow time for ATTORNEY ALLEN and MR. RODRIGUEZ to meet and find some resolution. ATTORNEY ALLEN agreed.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(10:27 – 10:58)

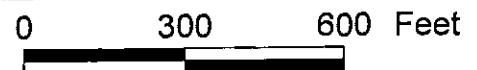
3-2473

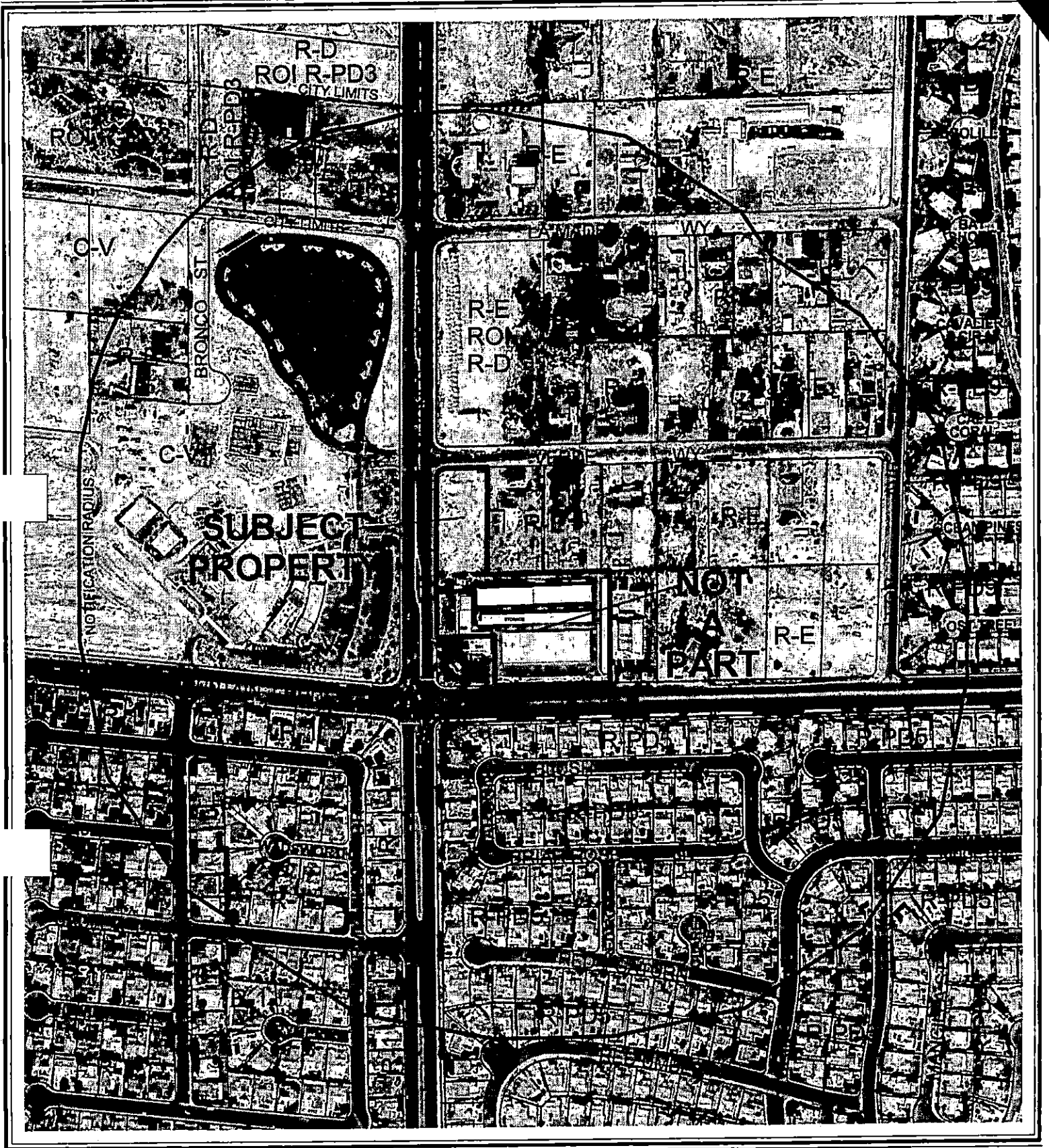


CASE: ROC-20491

RADIUS: 1000 FT

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





CASE: ROC-20491

RADIUS: 1000 FT

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

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ROC-20491 - APPLICANT/OWNER: LONE MOUNTAIN DEVELOPERS, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Public Works

1. The proposed walls shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The proposed walls shall not be located within existing or proposed public sewer or drainage easements. The City of Las Vegas Traffic Engineering Representative shall have final approval of wall placement to ensure that sight visibility is maintained.

ROC-20491 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Review of Condition #9 of an approved Site Development Plan Review (SDR-4291) which required that any property line wall be a decorative block wall with at least 20 percent contrasting materials at 4850 North Jones Boulevard.

On October 12, 2006, the Planning and Development Department approved a building permit for a wall to be constructed along the east property line. The approved plans of that building permit indicated that the wall was to consist of at least 20 % contrasting material. The existing split face CMU block wall that has been constructed does not provide any variation in block design or color. Staff's recommendation is for denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
1964	This property was annexed into the City of Las Vegas (A-63-64).
06/24/2004	The City Council approved a Site Development Plan Review (SDR-4291), Rezoning (ZON-4288), and Special Use Permit (SUP-4289) to allow for a proposed 52-space Recreational Vehicle and Boat Storage facility on 0.97 acres located at the southeast corner of Jones Boulevard and Verde Way. Planning Commission recommended approval on all requests. Staff recommended denial on all requests.
<i>Related Building Permits/Business Licenses</i>	
09/16/2002	A Building Permit (2016726) was issued for construction of a new mini-storage facility located at 4850 North Jones Boulevard.
06/02/2004	A Business License (M06-2800-5-116096) was issued for operation of a miscellaneous sales establishment and remains active.
06/16/2004	A Business Licenses (W07-00088-C-116096) was issued for operation of a commercial mini-storage warehouse facility and remains active.
06/05/2006	A Building Permit (6003907) was issued for construction of a Recreation Vehicle Carport located at 4850 North Jones Boulevard.
<i>Related Planning Approvals - Plan Check</i>	
10/12/2006	The Planning Department approved engineering drawings for a CMU block wall that noted the structure would be a decorative block wall with 20 percent contrasting material and cap.
<i>Pre-Application Meeting</i>	
02/28/2007	A Pre-Application meeting was held where Planning staff advised the applicant of the requirements for a Review of Condition request.
<i>Neighborhood Meeting</i>	
A Neighborhood Meeting is not required for this type of application nor was one held.	

ROC-20491 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Field Check	
03/20/07	A site visit was conducted and the existing screen wall was identified along the residential property line to the east.

Details of Application Request	
Site Area	
Net Acres	0.97 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Recreational Vehicle Storage	SC (Service Commercial)	C-1 (Limited Commercial)
North		R (Rural Density Residential)	R-E (Residence Estates)
South	Mini-Storage Facility	SC (Service Commercial)	R-E (Residence Estates)
East	Single Family Residence	SC (Service Commercial)	R-E (Residence Estates)
West	Church	PF (Public Facilities)	C-V (Civic)

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

Rural Preservation Neighborhood:

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone, as well as within a 330-foot buffer zone of an existing roadway that is more than 99 feet wide (Jones Boulevard, a 100 Primary Arterial). The Rural Preservation Neighborhood designated parcels are approximately 150 feet to the east of the subject site and are located within the City of Las Vegas and Clark County.

ROC-20491 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

ANALYSIS

- **Planning**

Condition No. 9 of Site Development Plan Review (SDR-4291) requires the following:

“ 9. Any property line wall shall be a decorative block wall with at least 20 percent contrasting materials.”

The existing block wall along the perimeter of the project site is designed as a monolithic structure comprised of split faced CMU block. The screen wall contains no variation in design, color, or construction and as such does not substantially conform to Condition No. 9.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 240 [Mailed with VAR-20489]

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Representative: DAN CONDRON

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

Yes _____ X No _____

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: [Signature]

Print Name: FRANK MARTIN

Subscribed and sworn before me

This 12 day of March, 2007

Ronna Nagel
Notary Public in and for said County and State





New Wall

StorageOne

BRISTING WALL

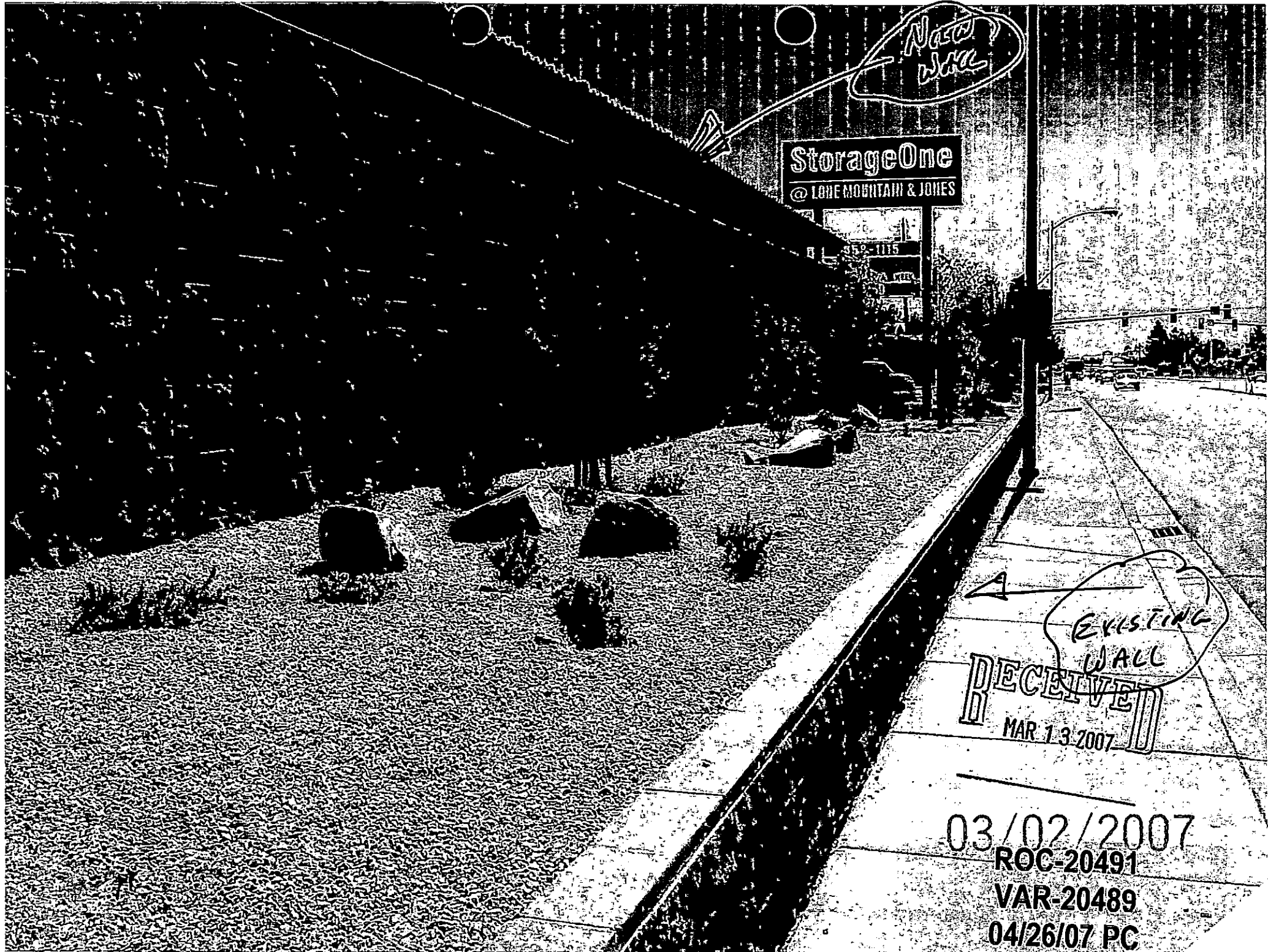
RECEIVED
MAR 13 2007

03/02/2007

ROC-20491

VAR-20489

04/26/07 PC



StorageOne
@ LOBE MOUNTAIN & JONES

BL 352-1115

New Wall

EXISTING WALL
RECEIVED
MAR 13 2007

03/02/2007
ROC-20491
VAR-20489
04/26/07 PC



RECEIVED
MAR 13 2007

03/02/2007

ROC-20491
VAR-20489
04/26/07 PC

(New PB' Hci REC)

RECEIVED
MAR 13 2007

03/13/2007
ROC-20491
VAR-20489
0426/07 PC

New
18' Drift
Wall

RECEIVED
MAR 13 2007

03/02/2007
ROC 2049
VAR 2049
04/26/07 PC



March 9, 2007

FAX ONLY
Fax: 385-7268

Attn: Steve Gebeke
CITY OF LAS VEGAS
731 S. 4th Street
Las Vegas, NV 89101

Re: LONE MTN RV STORAGE - SPE06076
Request for Variance on Site Walls

Dear Mr. Gebeke:

In reference to the City's Correction Notice and in follow up to our discussion regarding the site walls for the subject project we offer the following to support our request for a variance on the subject project.

Request #1 - Review of condition for Decorative block wall, with at least 20% contrasting material.
As discussed MHC had previously forwarded our attached June 1, 2006 letter by Brian Sharp outlining our response to the back check comments where in we noted "Item #1 - per our discussion regarding condition #9 of the site Development Plan Review, SDR-4291 stating that any property line wall shall be decorative block wall, with at least 20% contrasting material, to match the adjoining sister project, we have attached pictures showing the existing project wall on the north side of Lone Mountain. This wall is constructed with split-face block which is a decorative block and has a cap block, as discussed we feel this meets or exceeds the current planning request"

Additionally there is an existing 2' high wall around the perimeter of the site previously constructed with decorative split face block and a smooth cap block that we are matching.

Subsequent to this letter the wall permit was issued by City of Las Vegas where we assumed that all had been approved. Now after the wall has been inspected and constructed the City has now issued the attached correction notice.

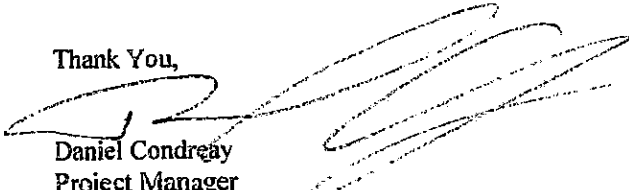
We here by request the site wall be approved as constructed with brown split-face block which is a decorative block and has a cap block and outlined above.

Request #2 - Height of east property line wall to be 18' eighteen feet high where SDR approved 13'.
Additionally the east property line wall was constructed 18' off the highest inside finish surface in order to accommodate the request by City building department to have a fire separation wall between the RV storage top of canopy and the adjacent residential property. Pursuant to section 704.11.1 of the IBC the wall must be 30" higher than the RV storage canopy. We here by request the site wall be approved as constructed at 18' high per the IBC 704.11.1 and outlined above.

Please accept this letter as MHC formal request for a variance on the above noted items.

Should you have any questions or comments please contact us at your earliest opportunity.

Thank You,


Daniel Condrey
Project Manager
Martin Harris Construction

RECEIVED
MAR 13 2007

cc: Martin Harris Construction, File

MARTIN-HARRIS CONSTRUCTION
3030 S. HIGHLAND DRIVE, LAS VEGAS, NEVADA 89103
Main Phone (702) 385-5257 / Fax (702) 385-2033

ROC-20491
04/26/07 PC

MARTIN HARRIS

C O N S T R U C T I O N

1 June 2006

City of Las Vegas
Planning & Development Department – Current Planning Division
Attn: Mr. Thomas Burkart
731 S. Fourth Street
Las Vegas, Nevada 89101-6918

RE: Lone Mountain R V Storage Back Check Comments
CLV Project # L-3172-06

Dear Mr. Burkart:

In response to your plan review comments from your letter dated March 30th, 2006 (attached), Martin-Harris Construction has prepared the following response, per your letters item numbering listed below:

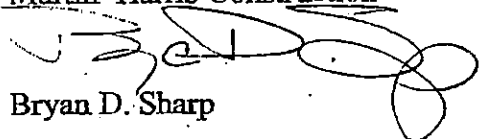
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Item #2 (a-c) – The landscape plans have been revised to meet all of the departments requests. They will be resubmitted with this letter.

Item #3 – Martin-Harris Construction has provided a third “Planning Set”, which will be submitted with this letter.

Thank you for your assistance in this matter. If you require any further information please do not hesitate to contact me at 466-2525.

Respectfully,
Martin-Harris Construction


Bryan D. Sharp

Cc: Frank Martin / Martin-Harris Construction

ROC-20491
04/26/07 PC



CITY OF LAS VEGAS

Planning & Development Department - Current Planning Division
731 South Fourth Street
Las Vegas, NV 89101
Thomas Burkart
Voice - (702) 229-6708
Fax - (702) 474-0352

Today's Date: 05/30/06

To: **Martin Harris Construction**

Fax Number: 616-2508

Phone Number: 466-2525

CLV Project Number: L-3172-06

Description: Lone Mountain RV Storage

I reviewed the above referenced project for *Planning only*. The following comments and/or corrections must be addressed to complete the plans review. Please submit a written response to each of the items listed below and *three sets of revised drawings*. Please be advised that there may be additional comments from other plans examiners or agencies that could affect the project. Additionally, your response may trigger more comments from me or other plans examiners. Should you have any questions, please feel free to contact me.

General Notes

1. Per condition #9 of Site Development Plan Review, SDR-4291 (attached), any property line wall shall be a decorative block wall, with at least 20-percent contrasting materials. The Civil Improvement plans note this condition; however, a wall elevation was not included on any of the plans. Please include a wall elevation drawing depicting the color and block materials for each course (including cap, pilasters etc...) to verify the proposed design meets the decorative with 20-percent contrasting materials requirement.

Landscape Plan

2. Per condition #3 of SDR-4291, the landscape planter along Jones and Verde Way shall consist of 24-inch box trees a minimum of 20 feet on center with a minimum of four five-gallon and four one-gallon shrubs for each tree. To satisfy this condition please revise the landscape plan as follows:
 - a. According to the notes listed on the landscape plan this site contains 425 linear feet along Jones and Verde. 22 trees are required where 20 are provided. Revise accordingly.
 - b. If the clustering option as currently depicted is to be used, it must conform with the Commercial Design Standards as noted in the conditions of approval. Clustering, per the Commercial Design Standards, is allowed if the total number of trees exceeds the minimum requirement by at least one tree; the spacing between any two trees does exceed 35 feet; and at least three trees are located within a 35-foot radius. Revise accordingly or revise design to standard 20-foot on-center spacing (see attached 'Tree Spacing Alternatives').

ROC-20491
04/26/07 PC

c. Please include the quantity for each plant type in the provided legend.

3. Since this project contains new construction, please include a third "Planning Set." At minimum, the Planning Set must contain the Site Plan (A-1.0, A-2.0), Elevation Plan (A-3.0) and Landscaping Plan (1 of 2 and 2 of 2).

END.

ROC-20491
04/26/07 PC



July 23, 2004

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
RENCE WEEKLY
MICHAEL MACK
JET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Mr. Guy Martin
West Edna Association, Limited Profit Sharing
& the 1981 Martin Family Trust
3030 South Highland Drive
Las Vegas, Nevada 89109

RE: SDR-4291 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF JULY 21, 2004
Related to ZON-4288 and SUP-4289

Dear Mr. Martin:

The City Council at a regular meeting held July 21, 2004 APPROVED the request for a Site Development Plan Review and WAIVERS OF THE LANDSCAPING AND COMMERCIAL REQUIREMENTS FOR A RECREATIONAL VEHICLE AND BOAT STORAGE FACILITY on 0.97 acres adjacent to the southeast corner of Jones Boulevard and Verde Way (APN: 125-36-402-011), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)]. The Notice of Final Action was filed with the Las Vegas City Clerk on July 22, 2004. This approval is subject to:

Planning and Development

1. A Rezoning (ZON-4288) to a C-1 (Limited Commercial) Zoning District and a Special Use Permit (SUP-4289) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The landscape planter along Jones Boulevard shall consist of 24-inch box trees a minimum of 20 feet on center and the landscape planter along Verde Way shall consist of 24-inch box trees a minimum of 20 feet on center both with a minimum of four five-gallon and four one-gallon shrubs for each tree within the provided planters as required by the Commercial Design Standards.
4. All development shall be in conformance with the site plan and building elevations, date stamped July 7, 2004, except as amended by conditions herein.

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

VOICE 702.229.6011
TDD 702.388.9108
www.lasvegasnevada.gov

ROC-20491
04/26/07 PC

Mr. Guy Martin
SDR-4291 - Page Two
July 23, 2004

5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]
6. All mechanical equipment, air conditioners and trash areas shall be fully screened from the abutting streets.
7. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the south prior to the issuance of any permits.
12. Site development to comply with all applicable conditions of approval for ZON-4288 and all other subsequent site-related actions.

Sincerely,

Stacey Campbell

Stacey Campbell
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

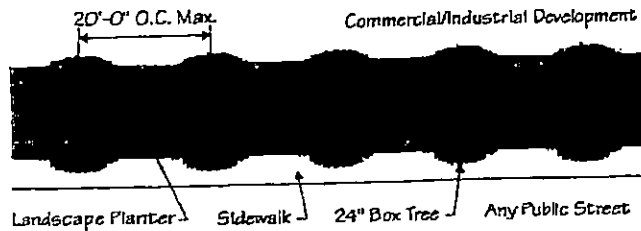
Ms. Elena Arellano
GC Wallace, Inc.
1555 South Rainbow Boulevard
Las Vegas, Nevada 89146

ROC-20491
04/26/07 PC

Tree spacing alternatives:

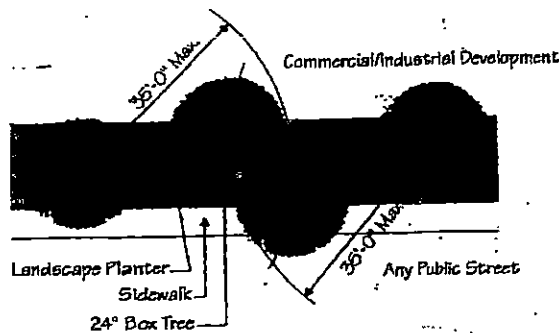
Alternative 1:

Spacing of trees shall not exceed twenty (20) feet on center.



Alternative 2:

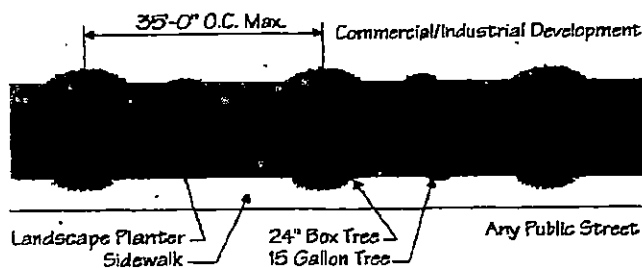
Clustering of trees is allowed if: the total number of trees exceeds the minimum requirements by at least one (1) tree; the spacing between any two (2) trees does not exceed thirty-five (35) feet; and at least three (3) trees are located within a thirty-five (35) foot radius.



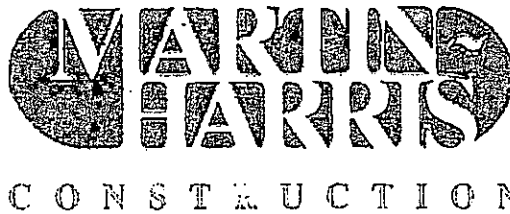
Alternative 3:

The minimum number of trees required is one (1) 24 inch box deciduous or evergreen tree for every forty (40) linear feet of planter plus one (1) extra 24 inch box tree. In addition, two (2) 15 gallon deciduous or evergreen trees shall be required for every forty (40) linear feet of planter, and will be located between every 24 inch tree.

The spacing of the 24 inch trees shall not exceed thirty-five (35) feet on center. The 15 gallon trees can be either regularly spaced or grouped in between the 24 inch trees.



ROC-20491
04/26/07 PC



FILE COPY

1 June 2006

City of Las Vegas
Planning & Development Department – Current Planning Division
Attn: Mr. Thomas Burkart
731 S. Fourth Street
Las Vegas, Nevada 89101-6918

RE: Lone Mountain R V Storage Back Check Comments
CLV Project # L-3172-06

*File
cc Est file*

Dear Mr. Burkart:

In response to your plan review comments from your letter dated March 30th, 2006 (attached), Martin-Harris Construction has prepared the following response, per your letters item numbering listed below:

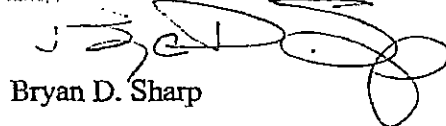
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Item #2 (a – c) – The landscape plans have been revised to meet all of the departments requests. They will be resubmitted with this letter.

Item #3 – Martin-Harris Construction has provided a third “Planning Set”, which will be submitted with this letter.

Thank you for your assistance in this matter. If you require any further information please do not hesitate to contact me at 466-2525.

Respectfully,
Martin-Harris Construction


Bryan D. Sharp

Cc: Frank Martin / Martin-Harris Construction

PLANNING &
DEVELOPMENT



CITY OF LAS VEGAS

Planning & Development Department - Current Planning Division

731 South Fourth Street

Las Vegas, NV 89101

Thomas Burkart

Voice - (702) 229-6708

Fax - (702) 474-0352

Today's Date: 05/30/06

To: **Martin Harris Construction**

Fax Number: 616-2508

Phone Number: 466-2525

CLV Project Number: L-3172-06

Description: Lone Mountain RV Storage

I reviewed the above referenced project for *Planning only*. The following comments and/or corrections must be addressed to complete the plans review. Please submit a written response to each of the items listed below and *three sets of revised drawings*. Please be advised that there may be additional comments from other plans examiners or agencies that could affect the project. Additionally, your response may trigger more comments from me or other plans examiners. Should you have any questions, please feel free to contact me.

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c. Please include the quantity for each plant type in the provided legend.

3. Since this project contains new construction, please include a third "Planning Set." At minimum, the Planning Set must contain the Site Plan (A-1.0, A-2.0), Elevation Plan (A-3.0) and Landscaping Plan (1 of 2 and 2 of 2).

END.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-20489 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: LONE MOUNTAIN DEVELOPERS, LLC - Request for a Variance TO ALLOW AN EXISTING 18-FOOT HIGH PERIMETER WALL WHERE 8 FEET IS THE MAXIMUM HEIGHT ALLOWED FOR AN APPROVED RV STORAGE LOT on 3.87 acres at 4850 North Jones Boulevard (APN 125-36-403-007), C-1 (Limited Commercial) Zone, Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends this item be **STRICKEN** from the agenda.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application - Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

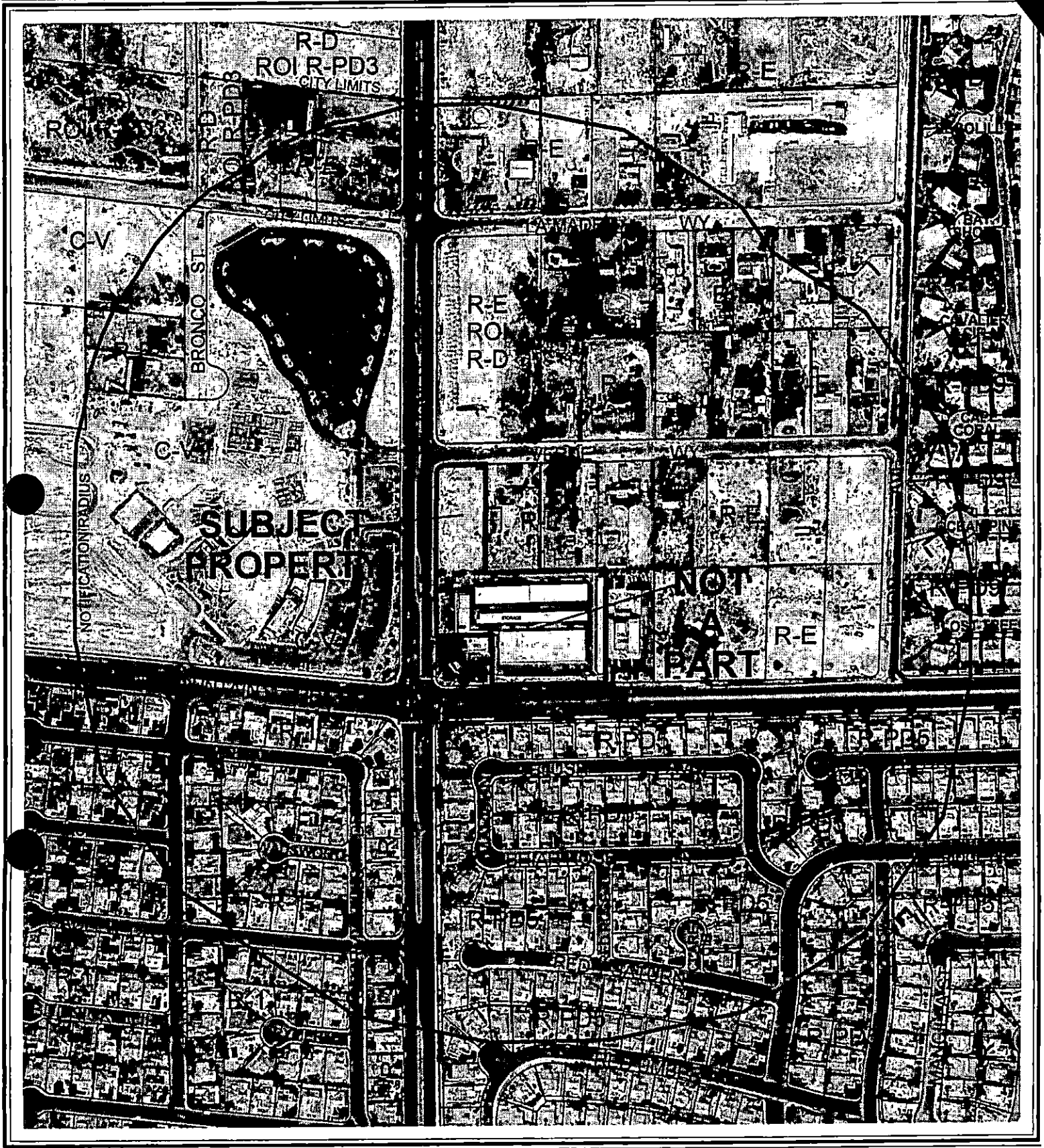
GOYNES – STRIKE Item 62; WITHDRAW WITHOUT PREJUDICE Item 79; TABLE Items 26-29; HOLD IN ABEYANCE Item 6–8, 31–34, 40–42, 63–67, 76-78 and 80 to 5/10/2007; Items 19–21, 35-39 and 83-84 to 5/24/2007 – UNANIMOUS

MINUTES:

Item 62 was requested to be stricken by staff since the application is not necessary.

(6:02 – 6:08)

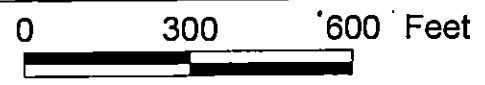




CASE: VAR-20489

RADIUS: 1000 FT

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20489 - APPLICANT/OWNER: LONE MOUNTAIN
DEVELOPERS, LLC

***STAFF REQUESTS THIS ITEM BE STRICKEN
FROM THE AGENDA AS IT HAS BEEN
DETERMINED THAT THE REQUEST IS NOT
NEEDED***



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20489** APN: 125-36-403-007
Name of Property Owner: LONE MTN DEVELOPERS, LLC
Name of Applicant: LONE MTN DEVELOPERS, LLC
Name of Representative: DAN CONDREAY

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

 Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

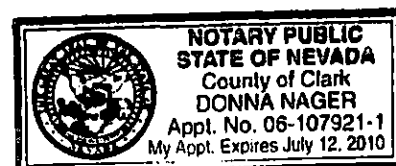
Print Name: FRANK MARTIN

Subscribed and sworn before me

This 13 day of March, 2007

Donna Nager

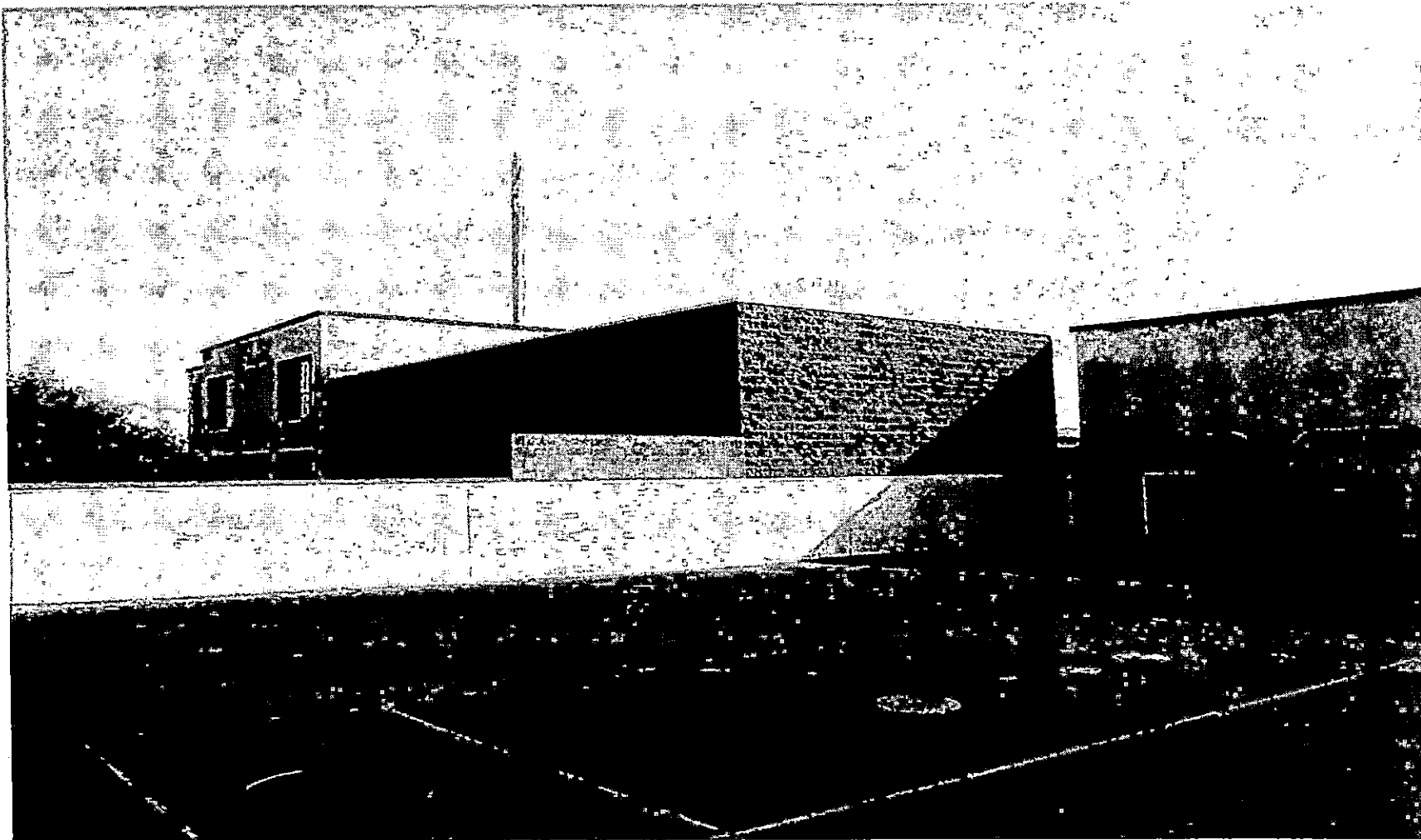
Notary Public in and for said County and State





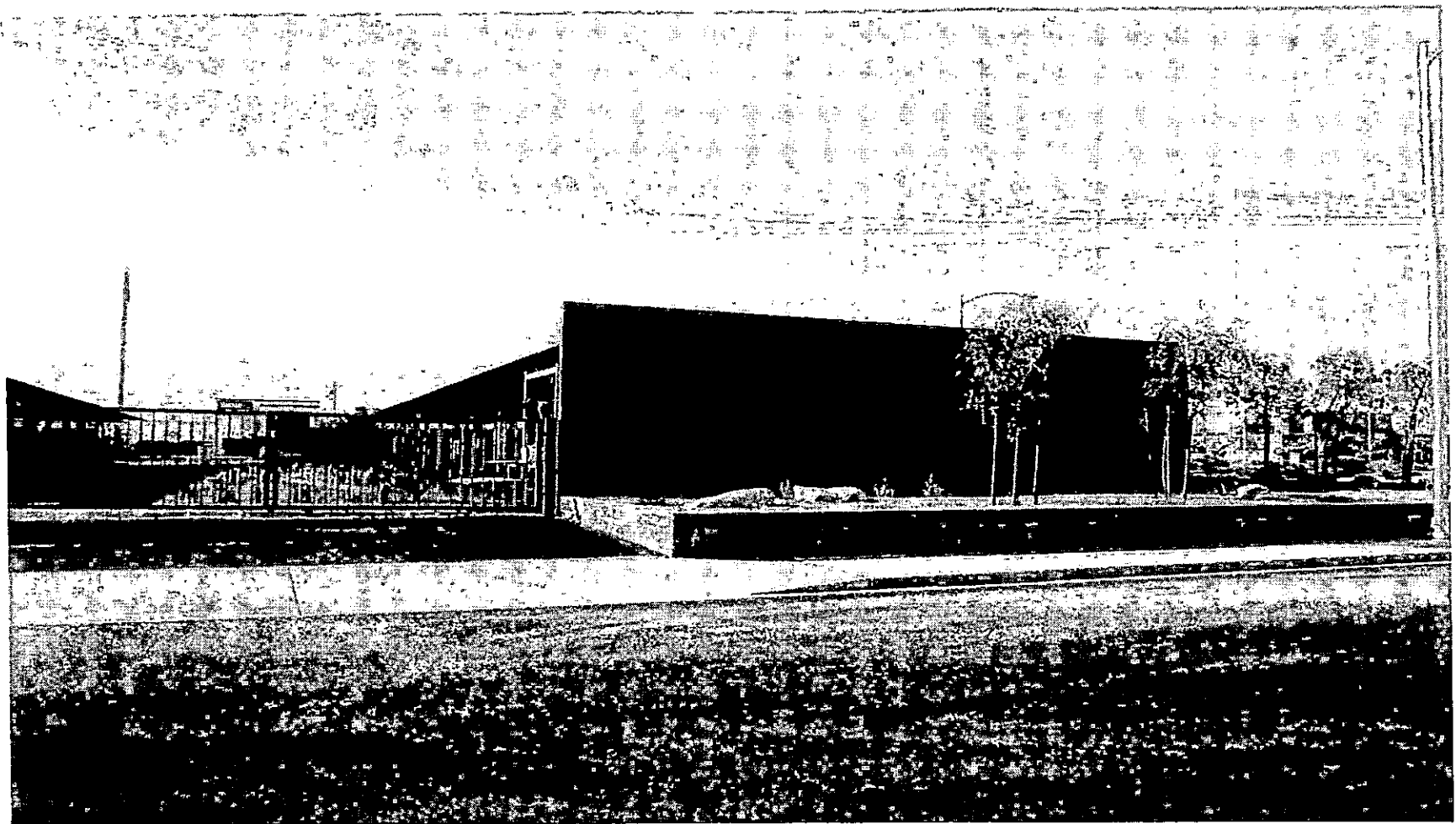
VAR-20489 & ROC-20491 - APPLICANT/OWNER: LONE MOUNTAIN DEVELOPERS, LLC
4850 NORTH JONES BOULEVARD
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



VAR-20489 & ROC-20491 - APPLICANT/OWNER: LONE MOUNTAIN DEVELOPERS, LLC
4850 NORTH JONES BOULEVARD
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



VAR-20489 & ROC-20491 - APPLICANT/OWNER: LONE MOUNTAIN DEVELOPERS, LLC
4850 NORTH JONES BOULEVARD
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



March 9, 2007

FAX ONLY
Fax: 385-7268

Attn: Steve Gebeke
CITY OF LAS VEGAS
731 S. 4th Street
Las Vegas, NV 89101

Re: LONE MTN RV STORAGE - SPE06076
Request for Variance on Site Walls

Dear Mr. Gebeke:

In reference to the City's Correction Notice and in follow up to our discussion regarding the site walls for the subject project we offer the following to support our request for a variance on the subject project.

Request #1 – Review of condition for Decorative block wall, with at least 20% contrasting material.

As discussed MHC had previously forwarded our attached June 1, 2006 letter by Brian Sharp outlining our response to the back check comments where in we noted "Item #1 – per our discussion regarding condition #9 of the site Development Plan Review, SDR-4291 stating that any property line wall shall be decorative block wall, with at least 20% contrasting material, to match the adjoining sister project, we have attached pictures showing the existing project wall on the north side of Lone Mountain. This wall is constructed with split-face block which is a decorative block and has a cap block, as discussed we feel this meets or exceeds the current planning request"

Additionally there is an existing 2' high wall around the perimeter of the site previously constructed with decorative split face block and a smooth cap block that we are matching.

Subsequent to this letter the wall permit was issued by City of Las Vegas where we assumed that all had been approved. Now after the wall has been inspected and constructed the City has now issued the attached correction notice.

We here by request the site wall be approved as constructed with brown split-face block which is a decorative block and has a cap block and outlined above.

Request #2 - Height of east property line wall to be 18' eighteen feet high where SDR approved 13'.

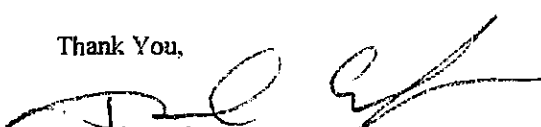
Additionally the east property line wall was constructed 18' off the highest inside finish surface in order to accommodate the request by City building department to have a fire separation wall between the RV storage top of canopy and the adjacent residential property. Pursuant to section 704.11.1 of the IBC the wall must be 30" higher than the RV storage canopy.

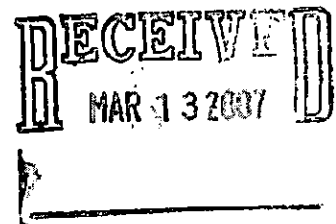
We here by request the site wall be approved as constructed at 18' high per the IBC 704.11.1 and outlined above.

Please accept this letter as MHC formal request for a variance on the above noted items.

Should you have any questions or comments please contact us at your earliest opportunity.

Thank You,


Daniel Condreay
Project Manager
Martin Harris Construction



cc: Martin Harris Construction, File

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-20494 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: GREATER CARVER MISSIONARY BAPTIST CHURCH - Request for a Variance TO ALLOW 51 PARKING SPACES WHERE 54 SPACES IS THE MINIMUM REQUIRED IN CONJUNCTION WITH AN ADDITION TO AN EXISTING CHURCH/HOUSE OF WORSHIP on 0.96 acres at 1221 "J" Street (APN 139-28-603-006), R-1 (Single-Family Residential) Zone, Ward 5 (Williams).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – Abeyance request by Melvin Green Architect, Limited for Items 63-65

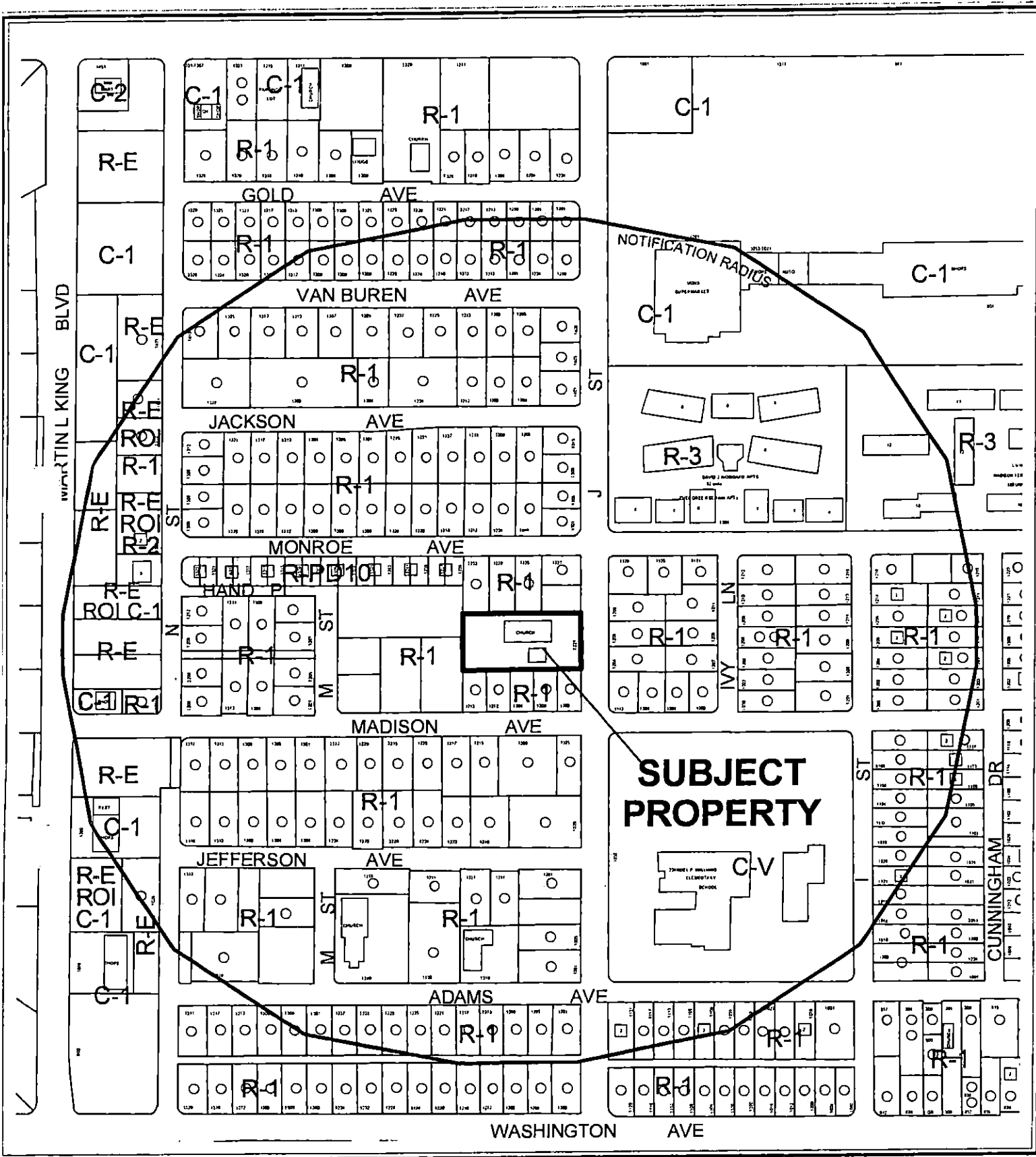
MOTION:

GOYNES – STRIKE Item 62; WITHDRAW WITHOUT PREJUDICE Item 79; TABLE Items 26-29; HOLD IN ABEYANCE Item 6–8, 31–34, 40–42, 63–67, 76-78 and 80 to 5/10/2007; Items 19–21, 35-39 and 83-84 to 5/24/2007 – UNANIMOUS

MINUTES:

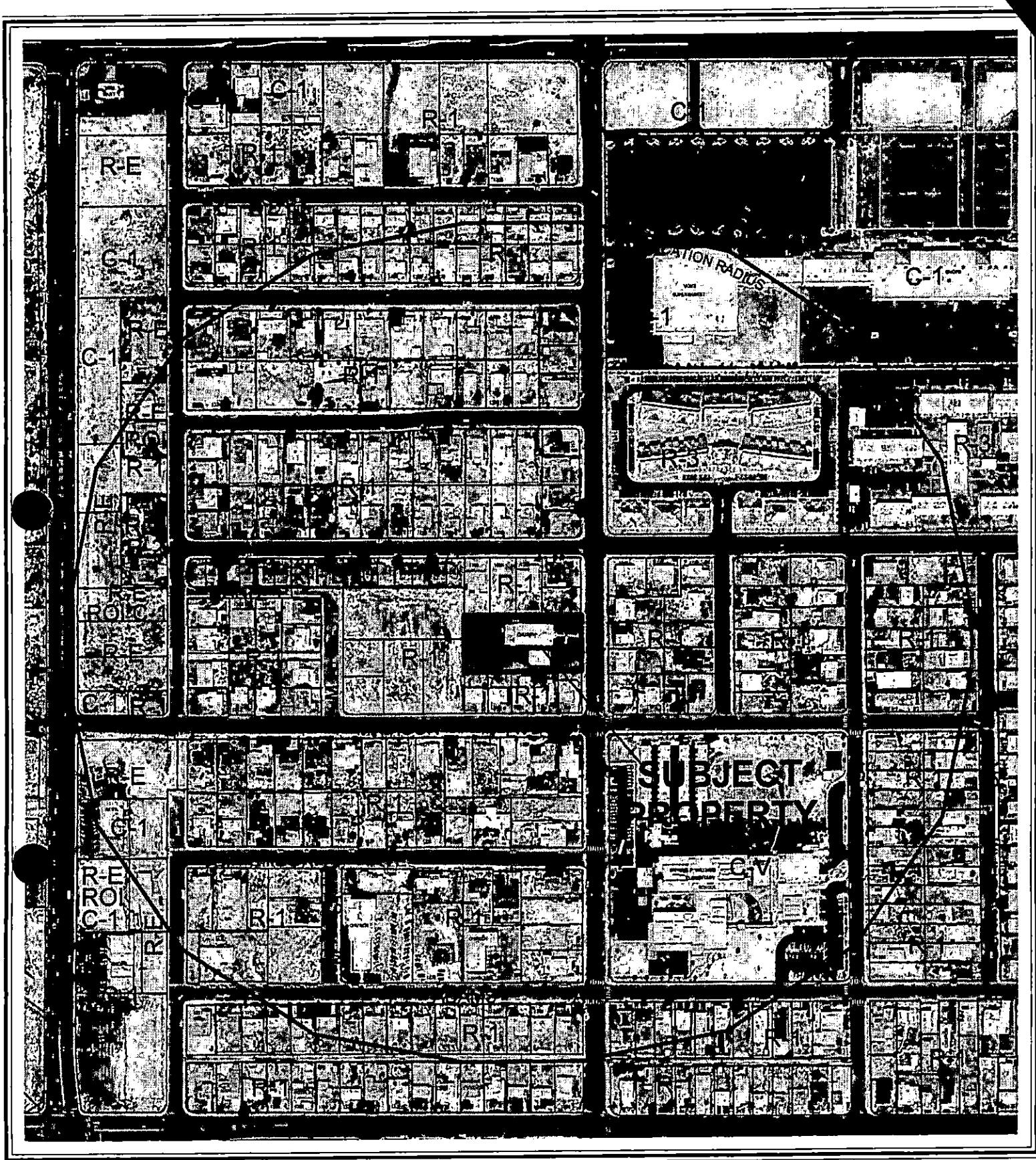
Items 6-8, 40-42, 63-65 and 80 were requested by the applicant to be held in abeyance to May 10, 2007 as revised plans were submitted.

(6:02 – 6:08)



CASE: **VAR-20494**
 RADIUS: 1000 FT
 ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

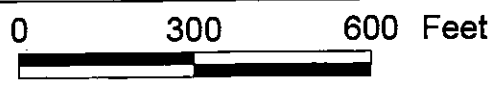




CASE: VAR-20494

RADIUS: 1000 FT

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-20494 - APPLICANT/OWNER: GREATER CARVER
MISSIONARY BAPTIST CHURCH**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-20501) and Site Development Plan Review (SDR-20506) 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.

VAR-20494 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Variance to allow 51 parking spaces where 54 spaces is the minimum required for a Church/House of Worship on a 0.96 acre site located at 1221 "J" Street. The project is related to the proposed expansion (SDR-20506) of an existing church on the site and is located within a designated revitalization area of the West Las Vegas Plan. The site and surrounding community is comprised of single-family residences which may experience adverse effects from the church expansion and associated parking deficiency. No physical site constraints preventing the applicant from adhering to the parking code exist on the property. Staff considers the request a self imposed hardship and as such recommends denial.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
NA	
Related Building Permits/Business Licenses	
NA	
Pre-Application Meeting	
02/23/07	A Pre-application meeting was held and Planning staff advised the applicant of the Title 19 requirements with respect to the proposed expansion.
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application or was one held.	

Field Check	
3/20/07	The project site is developed with a church and community center/parish hall, and parking. Single family residences are located south, north, and east of the project site. An undeveloped/vacant single family residential lot borders the west property line. Chain link fencing runs along the entire perimeter of the site.

Details of Application Request	
Site Area	
Net Acres	0.96 acres

VAR-20494 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church	L (Low Density Residential)	R-1 (Single-family Residential)
North	Single-family residential	L (Low Density Residential)	R-1 (Single-family Residential)
South	Single-family residential	L (Low Density Residential)	R-1 (Single-family Residential)
East	Single-family residential	L (Low Density Residential)	R-1 (Single-family Residential)
West	Undeveloped Single-family residential	L (Low Density Residential)	R-1 (Single-family Residential)

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

DEVELOPMENT STANDARDS

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

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Church/House of Worship	11,834 square feet	1 space for every 20 linear inches of pew seating space	54	3	51	3	N
SubTotal			54		51		
TOTAL			54		51		N

VAR-20494 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

Loading Spaces			NA		NA		Y
Percent Deviation					6%		

ANALYSIS

As designed, the project will provide 51 parking spaces where 54 is the minimum required by Title 19.04 and 19.10. The project site and immediate vicinity is a single family residential community that may experience adverse effects generated by the proposed expansion project and associated parking deficiency. Staff considers the request a self imposed hardship as no topographical constraints preclude the applicant from sufficiently addressing the parking demand. Staff recommendation is for denial.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship with the proposed church expansion. An alternative design that is less in square footage and/or proposes less seating (pew space) would allow conformance to 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.

VAR-20494 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

19

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 253 [Mailed with SUP-20501 and SDR-20506]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20494** APN: 139-28-603-006

Name of Property Owner: Greater Carver Missionary Baptist Church

Name of Applicant: Greater Carver Missionary Baptist Church

Name of Representative: Melvin Green Architect, Ltd.

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: _____

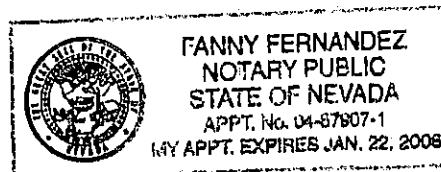
Signature of Property Owner: Albert Richard Sr.

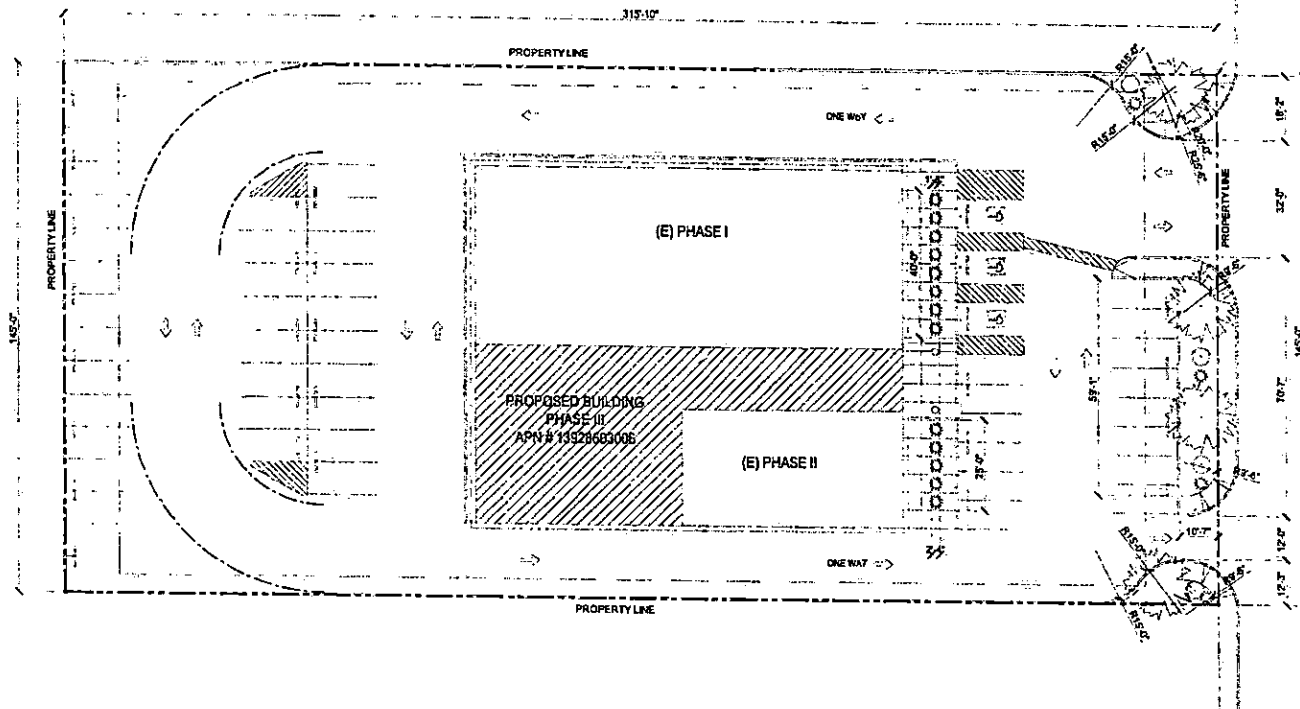
Print Name: ALBERT RICHARD SR.

Subscribed and sworn before me

This 12 day of MARCH, 2007

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





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

VAR 18 2007

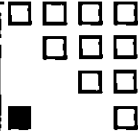
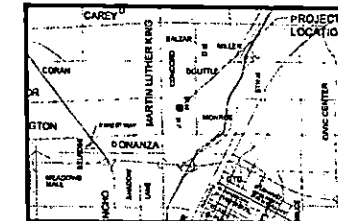
RECEIVED

LANDSCAPE LEGEND			
SYMBOL	BOTANICAL NAME/ COMMON NAME	QUANTITY	SIZE
	PINUS ELDERICA/ MODEL PINE	4	24" BOX
	DASYLIRION ARCOTRICHAE/GREEN DESERT SPOON	17	5 GALLON
	HESPERALOE PARVIFLORA/RED RED HESPERALOE	4	5 GALLON

GENERAL NOTES

- LANDSCAPE ISLANDS SHALL INCLUDE A MINIMUM OF A FIVE GALLON SHRUB FOR EVERY REQUIRED TREE.
- GROUND COVERS SHALL BE INSTALLED IN ALL LANDSCAPED AREAS AND ISLANDS. NON-VEGETATIVE GROUND COVERS SHALL INCLUDE, WITHOUT LIMITATION, ROCKS AND SMALL STONE, CRUSHED ROCK AND SAND, INSTALLED TO A MINIMUM DEPTH OF TWO INCHES IN ALL AREAS.
- THE SPRINKLER SYSTEM DESIGN WILL BE BASED ON THE MINIMUM OPERATING PRESSURE AND THE MAXIMUM FLOW DEMAND SHOWN ON THE SHOP DRAWINGS AT EACH POINT OF CONNECTION. THE IRRIGATION CONTRACTOR SHALL VERIFY HOSE PRESSURE PRIOR TO CONSTRUCTION. REPORT ANY DIFFERENCES BETWEEN THE WATER PRESSURE INDICATED ON THE SHOP DRAWINGS AND THE ACTUAL PRESSURE READING AT THE CONNECTION POINT OF CONNECTION TO THE CONTRACTOR. IN THE EVENT DIFFERENCES ARE NOT REPORTED PRIOR TO START OF CONSTRUCTION, THE IRRIGATION CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY REVISIONS NECESSARY.
- THIS SHOP DRAWING DESIGN WILL BE DIAGRAMMATIC. ALL PIPING, VALVES, ETC. SHOWN WITHIN PAVED AREAS IS FOR DESIGN CLARITY ONLY AND SHALL BE INSTALLED IN PLANTING AREAS. AVOID ANY CONNECTIONS BETWEEN THE SPRINKLER SYSTEM PLANTING AND ARCHITECTURAL FEATURES.
- IF THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO FAMILIARIZE HIMSELF WITH ANY GRADE DIFFERENCES, LOCATION OF WALLS AND RETAINING WALLS.
- THE IRRIGATION CONTRACTOR SHALL FLUSH AND ADJUST ALL SPRINKLER HEADS FOR OPTIMUM PERFORMANCE AND TO PREVENT OVERWATERING ONTO WALKS, ROADWAYS AND/OR BUILDING AS MUCH AS POSSIBLE.
- ALL POP-UP SPRINKLERS SHALL BE INSTALLED SO THAT UPON RETRACTION OF THE RUBBER PISTON NO DEBRIS OR SOIL OF ANY KIND WILL BE BACK WASHED INTO THE SPRINKLER CAUSING THE RUBBER PISTON TO STICK IN THE UP POSITION.
- ALL SPRINKLER HEADS SHALL BE SET PERPENDICULAR TO FINISH GRADE OF THE AREA TO BE IRRIGATED UNLESS SITE CONDITIONS REQUIRE DIFFERENT ADJUSTMENTS TO BE MADE.
- ALL UTILITY BOIES AND ABOVE GROUND UTILITY INSTALLATIONS, OTHER THAN UTILITY POLES, THAT ARE IN EXCESS OF TWENTY SEVEN CUBIC FEET IN SIZE (SIX INCHES DIA. AND CONCRETE COLLARS) SHALL BE SET BACK A SUFFICIENT DISTANCE SO THAT A MINIMUM OF THREE FEET OF LANDSCAPING SEPARATES THE UTILITY STRUCTURES FROM THE PUBLIC STREET RIGHT-OF-WAY OR SIDEWALK, WHICHEVER IS NEARER TO THE STRUCTURES. THE LANDSCAPING MUST INCLUDE TALL ORNAMENTAL SHRUBS AND A NATURALITY WALL PROVIDING ADEQUATE SCREENING OF THE UTILITY STRUCTURES. IN ADDITION, ALL UTILITY BOIES SHALL BE PLACED SO THAT THE ACCESS DOORS ARE PARALLEL TO THE STREET CORNER AND ARE ACCESSIBLE WITHOUT THE NEED TO CUT DOWN OR REDUCE THE EFFECTIVENESS OF THE LANDSCAPING SCREENING.

VICINITY MAP



NOT FOR CONSTRUCTION

REVISIONS

DATE

BY

DATE

BY

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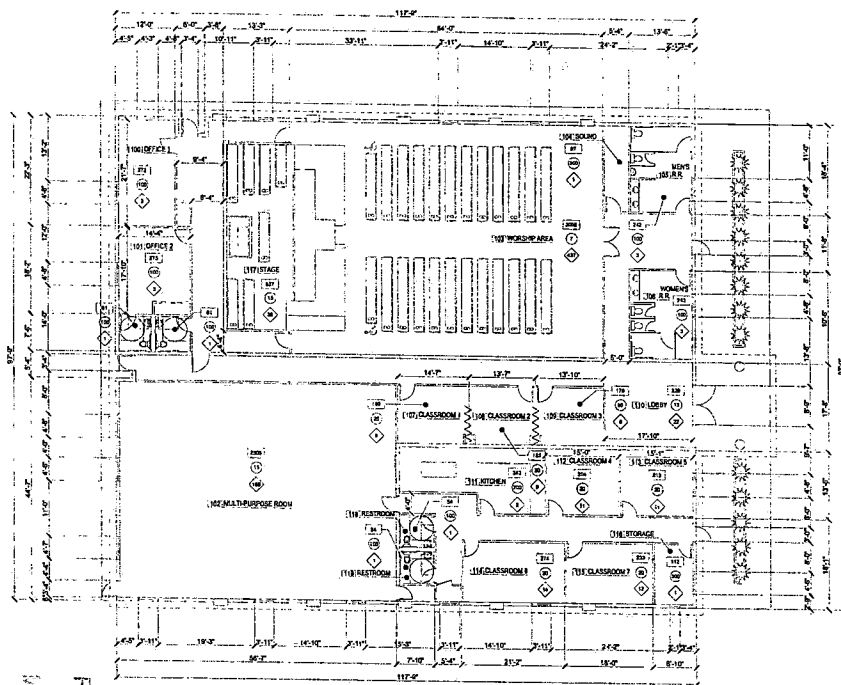
BY

VAR-20494
04/26/07 PC

DATE: 04/26/07
SCALE: AS INDICATED
DRAWN: SP/PS
JOB NO: 00-000
SHEET: LS1.01
OF: SHEETS

PROJECT: GREATER CARVER MISSIONARY BAPTIST CHURCH
1221 NORTH "J" STREET
LAS VEGAS, NV 89106

LANDSCAPE PLAN



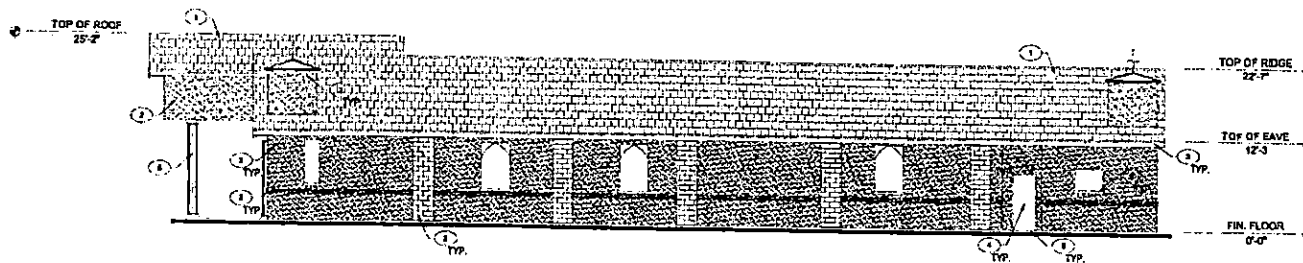
RECEIVED
MAR 10 2007
FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



LEGEND
1000 AREA
DOORWAY LIND
FLOOR
NUMBER OF
DOORWAYS

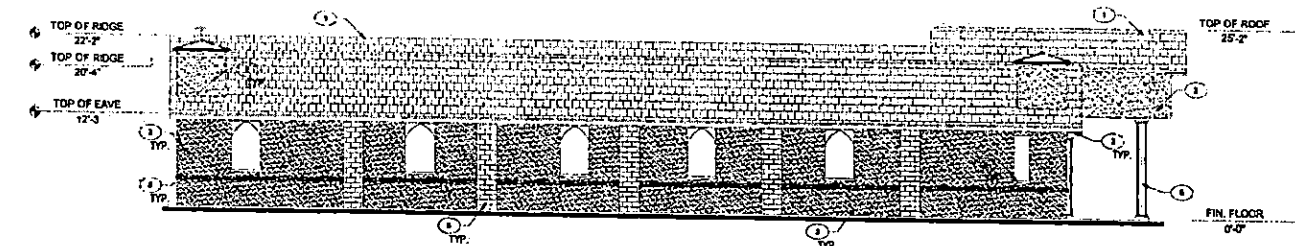
VAR-20494
04/26/07 PC

MGA MAGUIR & GILBERT ARCHITECTS, INC. 1000 S. RAYMOND AVE., SUITE 100 LAS VEGAS, NV 89106	
PROJECT: GREAT CALVARY MISSIONARY BAPTIST CHURCH 1000 S. RAYMOND AVE., SUITE 100 LAS VEGAS, NV 89106	
SHEET: 1000 S. RAYMOND AVE., SUITE 100 FIRST FLOOR PLAN	
TOTAL OCCUPANTS IN SEATING CAPACITY 244	
A1.01 OF SHEETS	



NORTH ELEVATION

SCALE: 1/8" = 1'



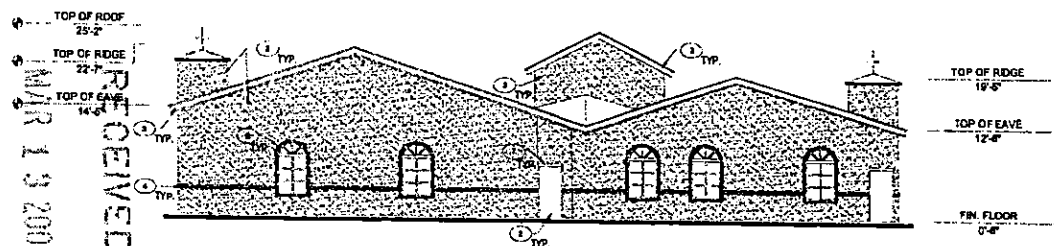
SOUTH ELEVATION

SCALE: 1/8" = 1'



EAST ELEVATION

SCALE: 1/8" = 1'



WEST ELEVATION

SCALE: 1/8" = 1'

KEYNOTES	
1	SLATE TILE, CHARCOAL COLOR
2	STUCCO, PAINTED W/ EXTERIOR GRADE WHITE LATEX PAINT
3	WOOD TRIM, PAINTED W/ EXTERIOR GRADE RED LATEX PAINT
4	DOOR, PAINTED W/ EXTERIOR GRADE WHITE LATEX PAINT
5	FIBERGLASS COLUMNS, PAINTED W/ EXTERIOR GRADE WHITE LATEX PAINT
6	CHURCH COLUMNS, PAINTED W/ EXTERIOR GRADE RED LATEX PAINT
7	DOOR FRAME, PAINTED W/ EXTERIOR GRADE WHITE LATEX PAINT
8	2" POP-OUT, PAINTED W/ EXTERIOR GRADE RED LATEX PAINT
9	CONCRETE STEPS, UNCOATED



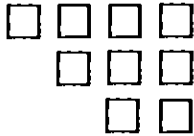
MGA
Martin Green Architect, Ltd.
1221 NORTH J STREET
LAS VEGAS, NV 89106
TEL: 702.333.3333
FAX: 702.333.3333
WWW.MGA-ARCHITECT.COM

PROJECT: GREATER CARVER MISSIONARY BAPTIST CHURCH
1221 NORTH J STREET
LAS VEGAS, NV 89106
DRAWN: J. B. BROWN
DATE: 04/26/07
SHEET: A6.01

DATE: 04/26/07
SCALE: AS INDICATED
DRAWN: J. B. BROWN
JOB NO: 04-010

SHEET
A6.01
OF SHEETS

VAR-20494
04/26/07 PC



MELVIN GREEN ARCHITECT, LIMITED

March 12, 2007

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

RE: Justification Letter for APN 139-28-603-006
Variance for Parking, Special Use Permit, Design Review for Proposed Church

To Whom It May Concern:

Melvin Green Architect, Ltd., acting as authorized agent for the applicant/property owners, are please to submit this Justification Letter in support of our request for Special Use Permit and Design Review approval for the above referenced project in an R-1 Zoning designation. There is an existing church on the project location; Greater Carver Missionary Baptist Church at 1221 J Street.

We are requesting a waiver of interior landscape islands due to existing conditions and the ability to provide for fire access around the building. We are also requesting a variance for parking to provide 51 spaces, where 71 are required, due to existing conditions and the size of the lot.

The proposed project consists of a single-storey 11,505 square foot church, fully described in the Architectural exhibits that are part of this Special Use application package.

The project building area, coverage, setbacks, and parking as depicted on Architectural exhibits are in full compliance with Title 19A Standards.

The proposed church expansion will be compatible with the surrounding area. The main building entrance will be located adjacent to J Street. Landscaping compliments the building exterior façade. Additional landscaping will be added to screen the proposed parking lot.

We respectfully request approval from The City of Las Vegas Current Planning for our Special Use Permit and Design Review.

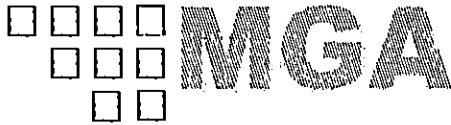
If you have any questions or comments regarding this matter, please feel free to contact our office.

Thank you.

Melvin D. Green, NCARB, AIA
Owner
Melvin Green Architect, Ltd.

RECEIVED
MAR 13 2007

VAR-20494
04/26/07 PC



MELVIN GREEN ARCHITECT, LIMITED

April 24, 2007

Clark County Comprehensive Planning
500 S. Grand Central Parkway
P.O. Box 551744
Las Vegas, NV 89155-1744

RE: Abeyance request for APN 139-28-603-006 138-11-408-014
for Special Use Permit and Design Review for Proposed Church

To Whom It May Concern:

On behalf of the applicant, Greater Carver Baptist Church, we are requesting an abeyance of items VAR-2049 Special Use Permit SUP-20501 and Site Development SDR-20506 from the April 26, 2007 Planning Commission meeting to the May 10, 2007 Planning Commission meeting. This request is to allow our clients to address the staff parking deficiency concern. We are providing revised plans to reduce the square footage of the building to allow for 3 additional parking spaces, as required by Title 19. With the additional parking spaces, we will have a total of 54 spaces, per staff recommendation.

If you have any questions or comments regarding this matter, please feel free to contact our office.

Thank you.

Melvin D. Green, NCARB, AIA
Owner
Melvin Green Architect, Ltd.

3305 WEST SPRING MOUNTAIN ROAD, SUITE 92 LAS VEGAS, NEVADA 89102
PHONE: 702.362.8974 FAX: 702.364.9406 email: mgreen@mgci.com

Submitted after final agenda

Date 4/26/07 Item # 63-65

13-61

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-20501 - SPECIAL USE PERMIT RELATED TO VAR-20494 - PUBLIC HEARING -

APPLICANT/OWNER: GREATER CARVER MISSIONARY BAPTIST CHURCH -

Request for a Special Use Permit FOR AN ADDITION TO AN EXISTING CHURCH/HOUSE OF WORSHIP at 1221 "J" Street (APN 139-28-603-006), R-1 (Single-Family Residential) Zone, Ward 5 (Williams).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

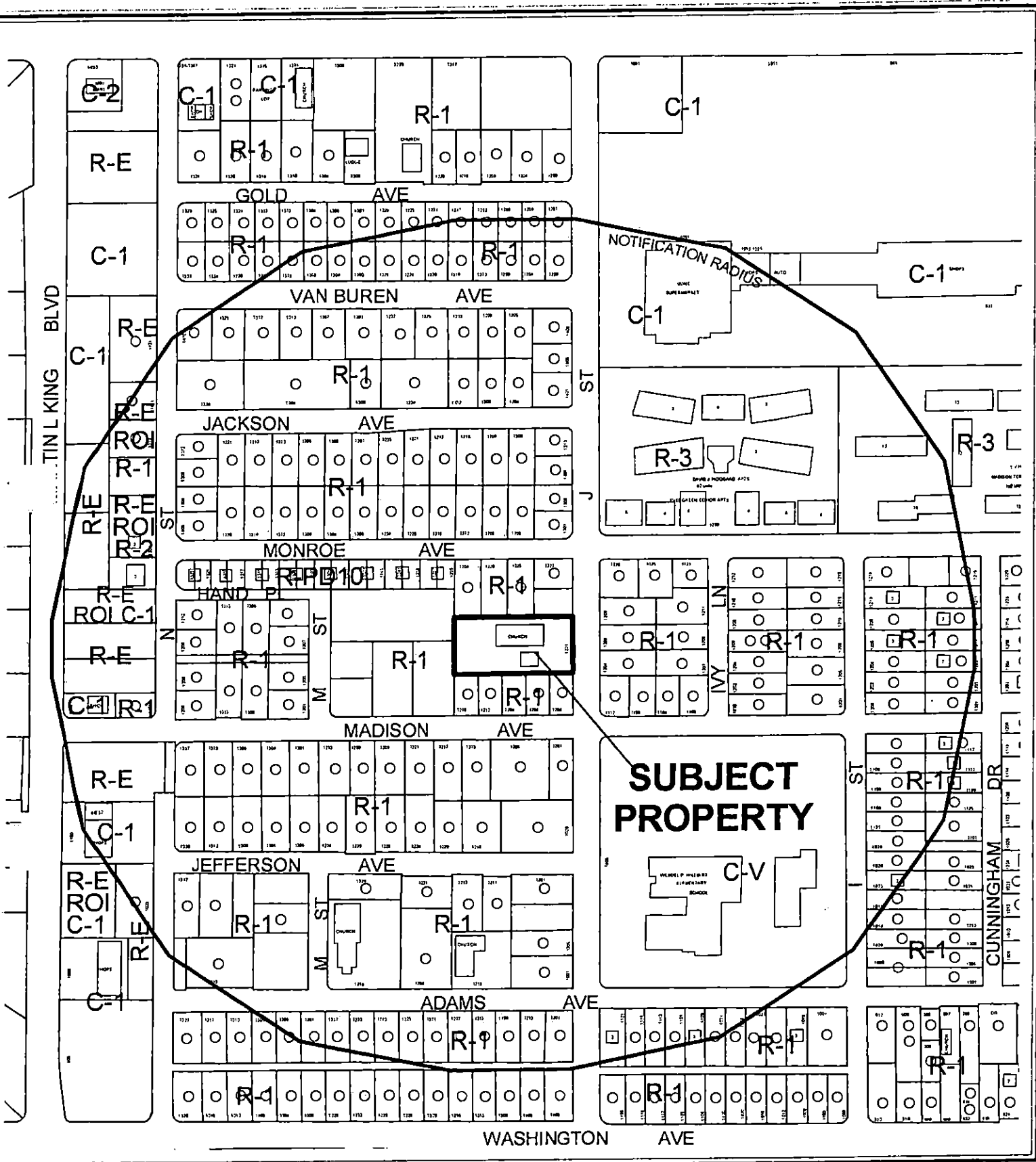
GOYNES – STRIKE Item 62; WITHDRAW WITHOUT PREJUDICE Item 79; TABLE Items 26-29; HOLD IN ABEYANCE Item 6-8, 31-34, 40-42, 63-67, 76-78 and 80 to 5/10/2007; Items 19-21, 35-39 and 83-84 to 5/24/2007 – UNANIMOUS

MINUTES:

Items 6-8, 40-42, 63-65 and 80 were requested by the applicant to be held in abeyance to May 10, 2007 as revised plans were submitted.

(6:02 – 6:08)

1-70



CASE: SUP-20501

RADIUS: 1000 FT

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-20501 - APPLICANT/OWNER: GREATER CARVER
MISSIONARY BAPTIST CHURCH**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions of Site Development Plan Review (SDR-20506), and Variance (VAR-20494) if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-20501 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for a Church/House of Worship located at 1221 "J" Street. The project will allow for the expansion and operation of an existing church and associated worship facilities.

BACKGROUND INFORMATION

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Church/House of Worship	11,834 square feet	1 space for every 20 linear inches of pew seating space	54	3	51	3	N
SubTotal			54		51		
TOTAL			54		51		N
Loading Spaces			NA		NA		Y
Percent Deviation					6%		

Field Check	
3/20/07	The project site is developed with an existing church sanctuary with a related parish hall and parking lot.

Details of Application Request	
Site Area	
Net Acres	0.96 acres

SUP-20501 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church	L (Low Density Residential)	R-1 (Single-family Residential)
North	Single-family residential	L (Low Density Residential)	R-1 (Single-family Residential)
South	Single-family residential	L (Low Density Residential)	R-1 (Single-family Residential)
East	Single-family residential	L (Low Density Residential)	R-1 (Single-family Residential)
West	Undeveloped Single-family residential	L (Low Density Residential)	R-1 (Single-family Residential)

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

DEVELOPMENT STANDARDS

The following parking requirements to the project in accordance with Title 19.04:

Parking Requirement							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required Parking</i>		<i>Provided Parking</i>		<i>Compliance</i>
			Regular	Handi-capped	Regular	Handi-capped	
Church/House of Worship	11,834 square feet	1 space for every 20 linear inches of pew seating space	54	3	51	3	N
SubTotal			54		51		
TOTAL			54		51		N

SUP-20501 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

Loading Spaces			NA		NA		Y
Percent Deviation					6%		

ANALYSIS

The project is required to conform to Title 19.04 – Special Use Requirements for Church/House of Worship. As designed the proposed expansion provides parking less than what is required by code. The project is located within a single family residential district and as designed the potential for the proposal to generate adverse parking impacts to the neighboring community exists. The parking deficiency is considered unacceptable by staff and therefore denial of the request is recommended.

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.”**

Due to the parking shortage the project cannot be implemented to blend with the surrounding single-family residential community.

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

The project site is capable of accommodating the proposed expansion.

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.”**

Vehicular access is available and adequate.

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 church expansion has the potential to negatively effect the single family residential community if traffic generation exceeds the parking capacity proposed.

SUP-20501 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

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

The project does not conform to the special use conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

19

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 253 [Mailed with VAR-20494 and SDR-20506]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-20501** APN: 139-28-603-006

Name of Property Owner: Greater Carver Missionary Baptist Church

Name of Applicant: Greater Carver Missionary Baptist Church

Name of Representative: Melvin Green Architect, Ltd.

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:

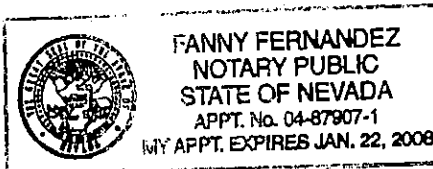
Print Name:

ALBERT RICHARDS

Subscribed and sworn before me

This 12 day of MARCH 2007

Notary Public in and for said County and State

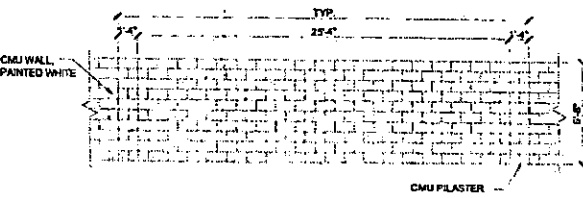
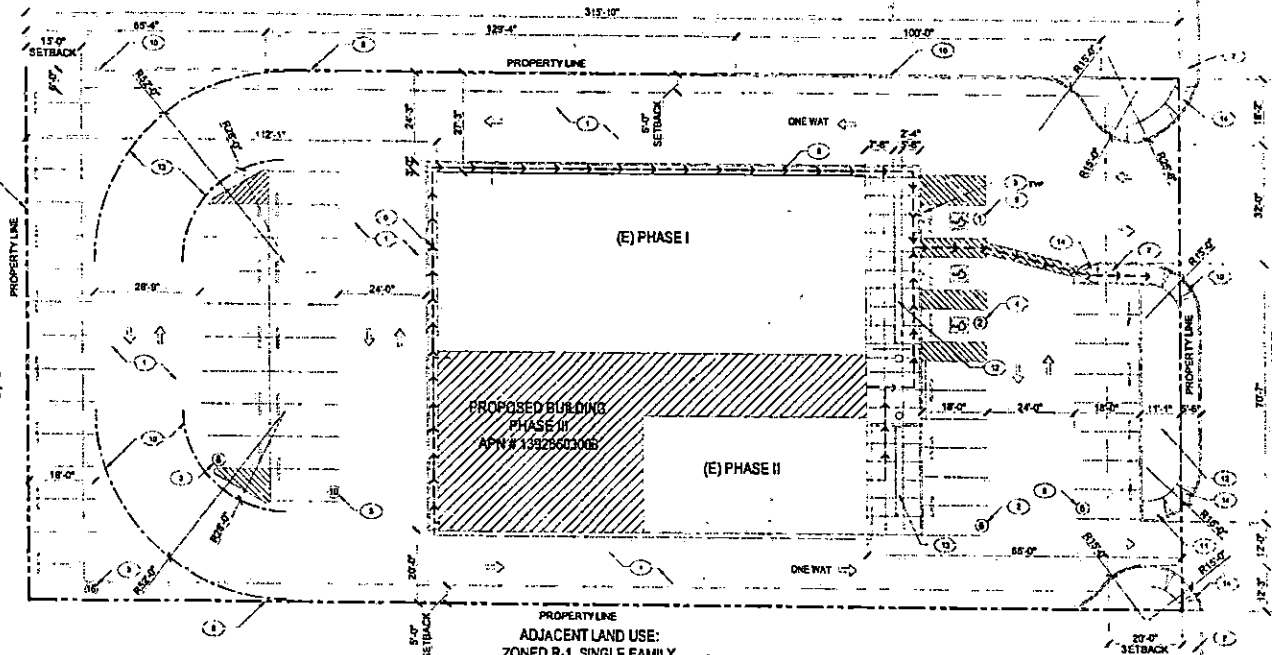


ADJACENT LAND USE: ZONED R-1, SINGLE FAMILY RESIDENT DISTRICT

ADJACENT LAND USE:
ZONED R-1, SINGLE FAMILY
RESIDENT DISTRICT

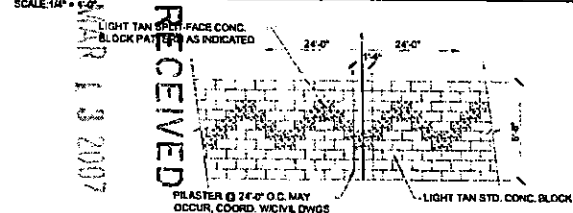
ADJACENT LAND USE: ZONED
R-1, SINGLE FAMILY RESIDENT
DISTRICT

SITE PLAN
SCALE: 1/16" = 1'-0"



NEW CMU PERIMETER WALL TO MATCH
EXISTING CONSTRUCTION

EXISTING PERIMETER WALL DETAIL
SCALE: 1/4" = 1'-0"



PROPOSED PERIMETER WALL DETAIL
SCALE: 1/4" = 1'-0"

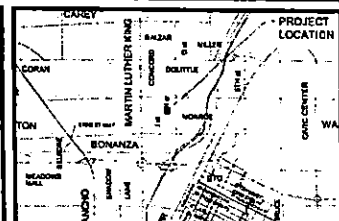
KEYNOTES

- 1 DRIVEWAY
- 2 8'x11' COMPACT PARKING STALL
- 3 8'x11' REGULAR PARKING STALL
- 4 8'x11' HANDICAPPED PARKING STALL
- 5 8'x11' VAN ACCESSIBLE PARKING STALL
- 6 HANDICAPPED SIGNAGE
- 7 4" CONCRETE SIDEWALK
- 8 3" CONCRETE SIDEWALK
- 9 8" C.M.U. WALL TO MATCH EXISTING
- 10 16" 8" C.M.U. WALL
- 11 "DO NOT ENTER" SIGN
- 12 LANDSCAPING
- 13 FIRE TRUCK TURNING RADIUS
- 14 HANDICAP ACCESSIBLE CURB

PROJECT SITE ANALYSIS

SITE	
SITE AREA	41,818 SQ. FT.
EXISTING STRUCTURE	7,881 SQ. FT.
PROPOSED ADDITION	3,824 SQ. FT.
PORCHES	329.2 SQ. FT.
TOTAL BUILDING AREA	11,834.8 SQ. FT.
SITE COVERAGE	28.3%
OCCUPANCY GROUP	A-2, B, E AND M
TYPE OF CONSTRUCTION	V-B, SPRINKLERED
MAX SEATING CAPACITY	214 OCCS
PROPERTY LAND USE	R-1

VICINITY MAP



PARKING REQUIRED

CHURCH ASSEMBLY	1 SPACE @ 4 FIXED SEATS = 64 SPACES
CLASSROOM	2 SPACES FOR EACH CLASSROOM 7 CLASSROOMS x 2 = 14 SPACES
HANDICAPPED PARKING	STANDARD HANDICAPPED SPACES = 2 SPACES VAN ACCESSIBLE SPACES = 1 SPACE
TOTAL PARKING REQUIRED	= 28 SPACES*

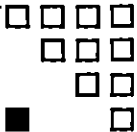
PARKING PROVIDED

STANDARD SPACES 8'x18'	= 34 SPACES
COMPACT SPACES 8'x11'	= 14 SPACES
STANDARD HANDICAPPED SPACES	= 2 SPACES
VAN ACCESSIBLE SPACES	= 1 SPACE
TOTAL PARKING PROVIDED	= 51 SPACES

* 71 PARKING SPACE BASED ON ALL AREA BE OCCUPIED
AT THE SAME TIME.
BASED ON LAS VEGAS ZONING CODE TITLE 19A.

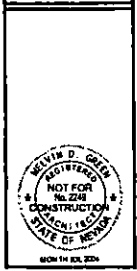
SUP-20501

04/26/07 PC



© Marvin Green Architect, Ltd. 2004

REVISED
DATE
BY



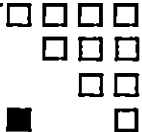
MGA Marvin Green Architect, Ltd.
1221 NORTH "J" STREET
LAS VEGAS, NV 89106
TEL: 702.735.1111 FAX: 702.735.1112
WWW.MGA-ARCHITECT.COM

PROJECT: GREATER CARVER MISSIONARY BAPTIST CHURCH
1221 NORTH "J" STREET
LAS VEGAS, NV 89106
SHEET TITLE: **SITE PLAN**

DATE: 04/26/07
SCALE: AS INDICATED
DRAWN: BPF
JOB NO: 06419

DATE: 04/26/07
SCALE: AS INDICATED
DRAWN: BPF
JOB NO: 06419

OF SHEETS

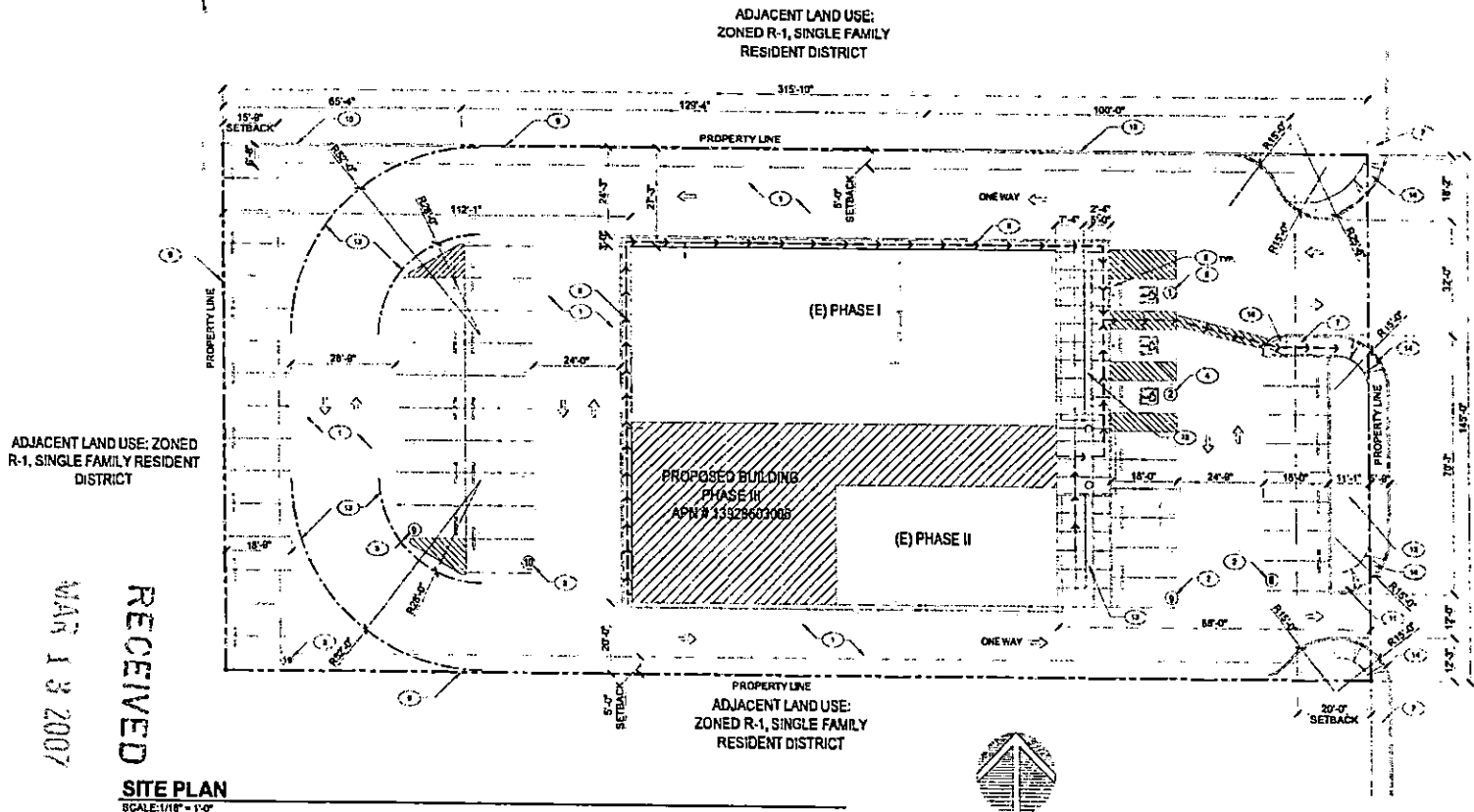


Revised: 04/26/07



MGA
Kevin D. Green Architect, Ltd.
2225 S. Maryland Avenue, Suite 100, Las Vegas, NV 89102
(702) 735-0000
www.mgaarchitect.com

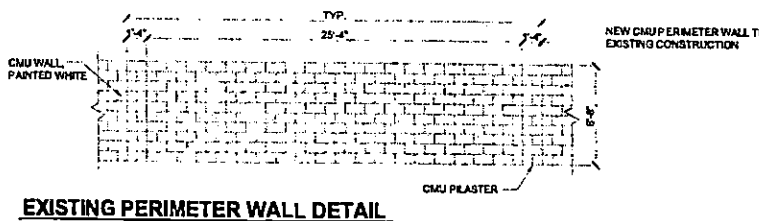
SITE PLAN
PROJECT: GREATER CARVER MISSIONARY BAPTIST CHURCH
1224 NORTH "J" STREET
LAS VEGAS, NV 89106
DATE: 04/26/07
SCALE: 1/8" = 1'-0"
DRAWN: LFG
JOB NO: 06-013
SHEET: 1 OF 1
AS1.01



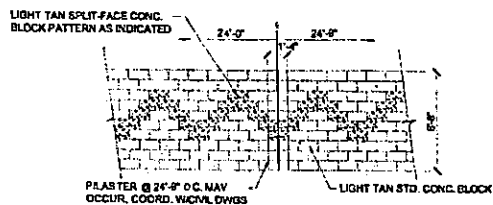
ADJACENT LAND USE: ZONED R-1, SINGLE FAMILY RESIDENT DISTRICT

ADJACENT LAND USE: ZONED R-1, SINGLE FAMILY RESIDENT DISTRICT

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



EXISTING PERIMETER WALL DETAIL
SCALE: 1/4" = 1'-0"



PROPOSED PERIMETER WALL DETAIL
SCALE: 1/4" = 1'-0"

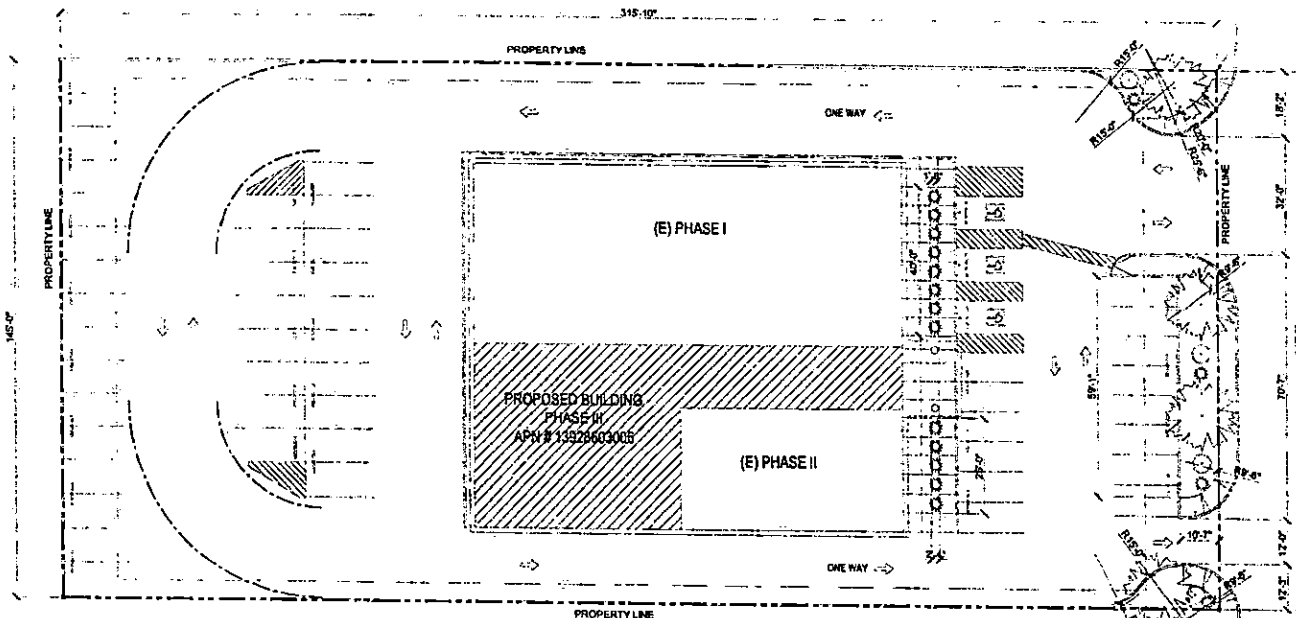
KEYNOTES	
1	DRIVEWAY
2	8'x18' COMPACT PARKING STALL
3	8'x18' REGULAR PARKING STALL
4	18'x18' HANDICAPPED PARKING STALL
5	18'x18' VAN ACCESSIBLE PARKING STALL
6	HANDICAPPED SIGNAGE
7	5'-0" CONCRETE SIDEWALK
8	3'-0" CONCRETE SIDEWALK
9	8" C.M.U. WALL TO MATCH EXISTING
10	10' C.M.U. WALL
11	"DO NOT ENTER" SIGN
12	LANDSCAPING
13	FIRE TRUCK TURNING RADIUS
14	HANDICAP ACCESSIBLE @ CURB

PROJECT SITE ANALYSIS	
SITE	
SITE AREA	41,819 SQ. FT.
EXISTING STRUCTURE	7,681 SQ. FT.
PROPOSED ADDITION	3,824 SQ. FT.
PORCHES	329.2 SQ. FT.
TOTAL BUILDING AREA	11,834.8 SQ. FT.
SITE COVERAGE	28.3 %
OCCUPANCY GROUP	A-2, B, E AND M
TYPE OF CONSTRUCTION	V-A, SPRINKLERED
MAX SEATING CAPACITY	219 OCCS.
PROPERTY LAND USE	R-1
PARKING REQUIRED	
CHURCH ASSEMBLY:	1 SPACE @ 4 FIXED SEATS = 54 SPACES
CLASSROOM:	2 SPACES FOR EACH CLASSROOM 7 CLASSROOMS = 14 SPACES
HANDICAPPED PARKING	STANDARD HANDICAPPED SPACES = 3 SPACES VAN ACCESSIBLE SPACES = 1 SPACE
TOTAL PARKING REQUIRED	= 71 SPACES *
* 21 PARKING SPACE BASED ON ALL AREA BE OCCUPIED AT THE SAME TIME.	
BASES ON LAS VEGAS ZONING CODE TITLE 18A.	

VICINITY MAP	
PARKING PROVIDED	
STANDARD SPACES 8'x18'	= 34 SPACES
COMPACT SPACES 5'x8'	= 16 SPACES
STANDARD HANDICAPPED SPACES	= 2 SPACES
VAN ACCESSIBLE SPACES	= 1 SPACE
TOTAL PARKING PROVIDED	= 53 SPACES

SUP-20501

04/26/07 PC



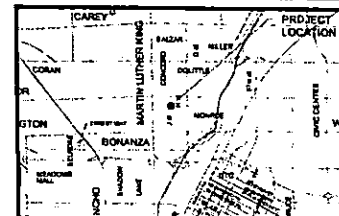
LANDSCAPE LEGEND

SYMBOL	NOTES (NAME / COMMON NAME)	QUANTITY	SIZE
	PINUS ELAEAGNUS MONDEL PINE	4	24" BOX
	DASYLIRION ARCOTRICHES/GREEN DESERT SPOON	17	5 GALLON
	HEPERALOE PARVIFLOR REDRED HEPERALOE	4	5 GALLON

GENERAL NOTES

- LANDSCAPE ISLANDS SHALL INCLUDE A MINIMUM OF FIVE GALLON SHRUBS FOR EVERY REQUIRED TREE.
- GROUND COVERS SHALL BE INSTALLED IN ALL LANDSCAPED AREAS AND ISLANDS. NON-ROOTING COVERS SHALL INCLUDE, WITHOUT LIMITATION, ROCKS AND SMALL STONES, CRUSHED ROCK AND BARK, INSTALLED TO A MINIMUM DEPTH OF TWO INCHES IN ALL AREAS.
- THE SPRINKLER SYSTEM DESIGN WILL BE BASED ON THE MINIMUM OPERATING PRESSURE AND THE MAXIMUM FLOW DEMAND SHOWN ON THE SHOP DRAWINGS AT EACH POINT OF CONNECTION. THE IRRIGATION CONTRACTOR SHALL VERIFY THE PRESSURE PRIOR TO CONSTRUCTION. REPORT ANY DIFFERENCE BETWEEN THE WATER PRESSURE INDICATED IN THE SHOP DRAWINGS AND THE ACTUAL PRESSURE READING AT THE IRRIGATION POINT OF CONNECTION TO THE CONTRACTOR IN THE EVENT PNEUMATIC DIFFERENCES ARE NOT REPORTED PRIOR TO START OF CONSTRUCTION. THE IRRIGATION CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY NECESSARY REVISIONS.
- THE SHOP DRAWING DESIGN WILL BE DIAGRAMMATIC. ALL PIPING, VALVES, ETC. SHOWN WITHIN PAVED AREAS IS FOR DESIGN CLARITY ONLY AND SHALL BE INSTALLED IN PLANTING AREAS. AVOID ANY CONFLICTS BETWEEN THE SPRINKLER SYSTEM PLANTING AND ARCHITECTURAL FEATURES.
- IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO FURNISH AND MAINTAIN ALL WATER GRADE DIFFERENCES, LOCATION OF WALLS AND RETAINING WALLS.
- THE IRRIGATION CONTRACTOR SHALL FLUSH AND ADJUST ALL SPRINKLER HEADS FOR OPTIMUM PERFORMANCE AND TO PREVENT OVERSPRAY ONTO WALLS, ROADWAYS AND/OR BUILDING AS MUCH AS POSSIBLE.
- ALL POP-UP SPRINKLERS SHALL BE INSTALLED SO THAT UPON RETRACTION OF THE REEF PISTON, NO DEBRIS OR SOIL OF ANY KIND WILL BE BACKWASHED INTO THE SPRINKLER CAUSING THE REEF PISTON TO STICK IN THE UP POSITION.
- ALL SPRINKLER HEADS SHALL BE SET PERPENDICULAR TO FINISH GRADE OF THE AREA TO BE IRRIGATED UNLESS OTHERWISE SPECIFIED. DIFFERENT ADJUSTMENTS TO BE MADE.
- ALL UTILITY BOXES AND ABOVE GROUND UTILITY INSTALLATIONS, OTHER THAN UTILITY POLES, THAT ARE IN EXCESS OF TWENTY SEVEN (27) FEET IN SIZE INCLUDING FILL AND CONCRETE COLLARS SHALL BE SET BACK A SUFFICIENT DISTANCE SO THAT A MINIMUM OF THREE FEET OF LANDSCAPED SEPARATES THE UTILITY STRUCTURE FROM THE PUBLIC STREET FRONTS OF WATER SIDEWALKS, WHICHEVER IS NEARER TO THE STRUCTURE. THE LANDSCAPED MUST INCLUDE TALL GRASSES AND SHRUBS NEXT TO EACH UTILITY STRUCTURE. PROVIDE ADEQUATE BACKSTOPPING OF THE UTILITY STRUCTURES. IN ADDITION, ALL UTILITY BOXES SHALL BE PLACED SO THAT THE ACCESS DOORS OPEN PARALLEL TO THE STREET CORRIDOR AND ARE ACCESSIBLE WITHOUT THE NEED TO CUT DOWN OR REDUCE THE EFFECTIVENESS OF THE LANDSCAPED SCREENING.

VICINITY MAP



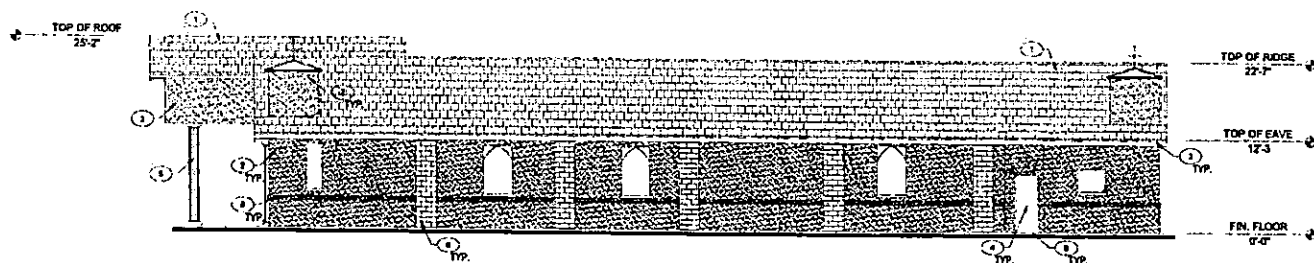
PROJECT: GREATER CARVER MISSIONARY BAPTIST CHURCH
1221 NORTH J STREET
LAS VEGAS, NV 89106

DATE: 06-06-06
SCALE: AS INDICATED
DRAWN: BFP
JOB NO: 06-06

SHEET: LS1.01

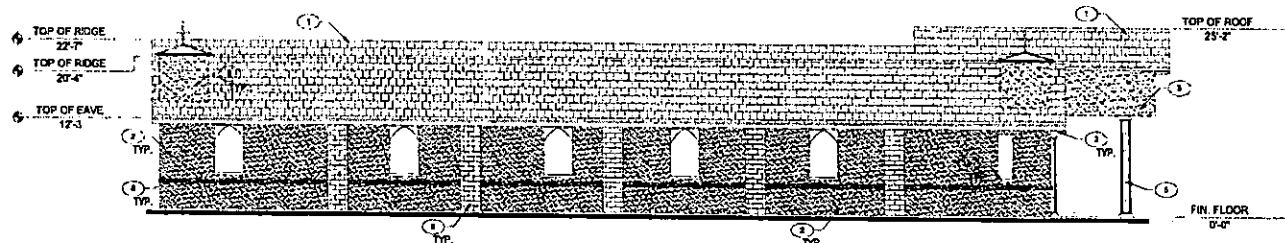
OF 1-1175

SUP-20501
04/26/07 PC



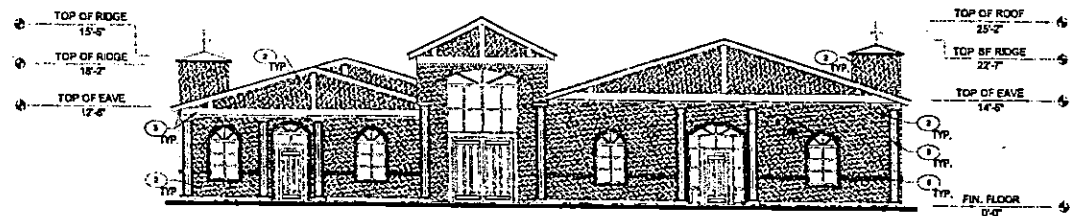
NORTH ELEVATION

SCALE: 1/8" = 1"



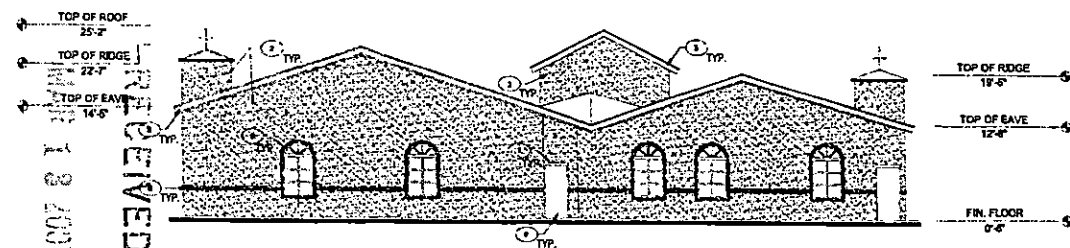
SOUTH ELEVATION

SCALE: 1/8" = 1"



EAST ELEVATION

SCALE: 1/8" = 1"

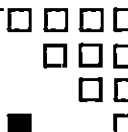


WEST ELEVATION

SCALE: 1/8" = 1"

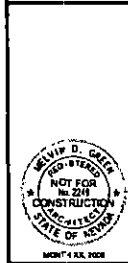
KEYNOTES

- 1 SLATE TILE, CHARCOAL COLOR
- 2 STUCCO, PAINTED W/ EXTERIOR GRADE WHITE LATEX PAINT
- 3 WOOD TRIM, PAINTED W/ EXTERIOR GRADE RED LATEX PAINT
- 4 DOOR, PAINTED W/ EXTERIOR GRADE WHITE LATEX PAINT
- 5 FIBERGLASS COLUMNS, PAINTED W/ EXTERIOR GRADE WHITE LATEX PAINT
- 6 DOOR FRAME, PAINTED W/ EXTERIOR GRADE RED LATEX PAINT
- 7 2" POP-OUT, PAINTED W/ EXTERIOR GRADE RED LATEX PAINT
- 8 CONCRETE STEPS, UNCOATED



NOT FOR CONSTRUCTION

REVISIONS



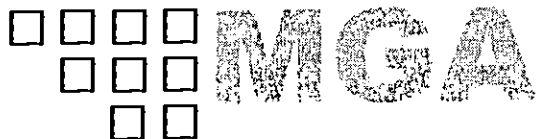
MGA Mark Green Architect, Ltd.
1221 NORTH J STREET
LAS VEGAS, NV 89106
(702) 251-1111
FAX (702) 251-1112
www.mgaarchitect.com

PROJECT: GREATER CARVER MISSIONARY BAPTIST CHURCH
1221 NORTH J STREET
LAS VEGAS, NV 89106
SHEET TITLE: EXTERIOR ELEVATIONS

DATE: 03/01/07
SCALE: AS INDICATED
DRAWN: MGS/SLW
JOB NO.: 06010

SHEET: A6.01
OF SHEETS

SUP-20501
04/26/07 PC



☐ MELVIN GREEN ARCHITECT, LIMITED

March 12, 2007

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

RE: Justification Letter for APN 139-28-603-006
Variance for Parking, Special Use Permit, Design Review for Proposed Church

To Whom It May Concern:

Melvin Green Architect, Ltd., acting as authorized agent for the applicant/property owners, are please to submit this Justification Letter in support of our request for Special Use Permit and Design Review approval for the above referenced project in an R-1 Zoning designation. There is an existing church on the project location; Greater Carver Missionary Baptist Church at 1221 J Street.

We are requesting a waiver of interior landscape islands due to existing conditions and the ability to provide for fire access around the building. We are also requesting a variance for parking to provide 51 spaces, where 71 are required, due to existing conditions and the size of the lot.

The proposed project consists of a single-storey 11,505 square foot church, fully described in the Architectural exhibits that are part of this Special Use application package.

The project building area, coverage, setbacks, and parking as depicted on Architectural exhibits are in full compliance with Title 19A Standards.

The proposed church expansion will be compatible with the surrounding area. The main building entrance will be located adjacent to J Street. Landscaping compliments the building exterior façade. Additional landscaping will be added to screen the proposed parking lot.

We respectfully request approval from The City of Las Vegas Current Planning for our Special Use Permit and Design Review.

If you have any questions or comments regarding this matter, please feel free to contact our office.

Thank you.

Melvin D. Green, NCARB, AIA
Owner
Melvin Green Architect, Ltd.

RECEIVED
MAR 13 2007

SUP-20501
04/26/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-20506 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-20494 AND SUP-20501- PUBLIC HEARING - APPLICANT/OWNER: GREATER CARVER MISSIONARY BAPTIST CHURCH - Request for a Site Development Plan Review FOR A 4,154-SQUARE FOOT ADDITION TO AN EXISTING 7,681 SQUARE FOOT CHURCH on 0.96 acres at 1221 "J" Street (APN 139-28-603-006), R-1 (Single-Family Residential) Zone, Ward 5 (Williams).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

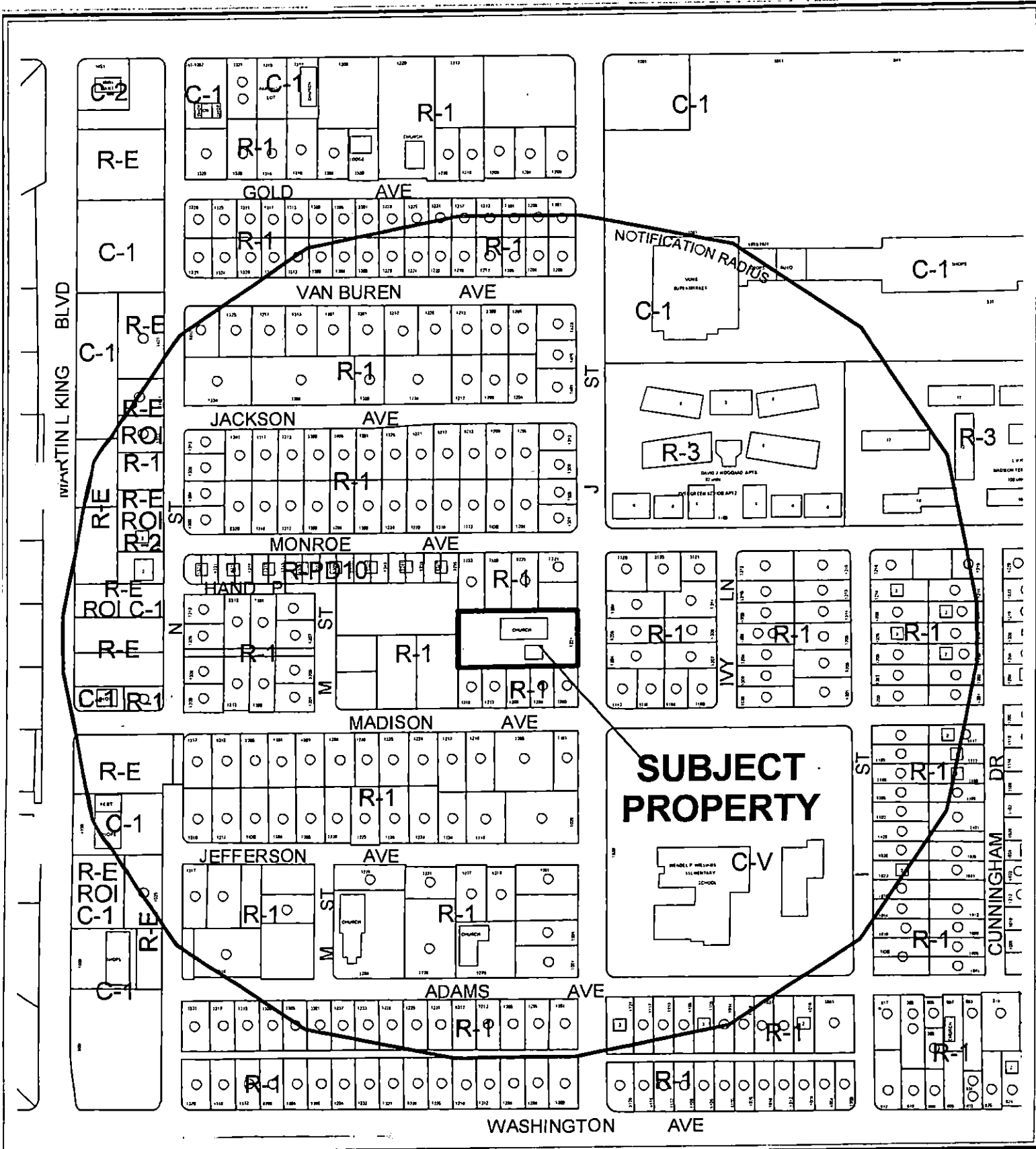
MOTION:

GOYNES – STRIKE Item 62; WITHDRAW WITHOUT PREJUDICE Item 79; TABLE Items 26-29; HOLD IN ABEYANCE Item 6-8, 31-34, 40-42, 63-67, 76-78 and 80 to 5/10/2007; Items 19-21, 35-39 and 83-84 to 5/24/2007 – UNANIMOUS

MINUTES:

Items 6-8, 40-42, 63-65 and 80 were requested by the applicant to be held in abeyance to May 10, 2007 as revised plans were submitted.

(6:02 – 6:08)



CASE: **SDR-20506**

RADIUS: 1000 FT

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

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 26, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-20506 - APPLICANT/OWNER: GREATER CARVER
MISSIONARY BAPTIST CHURCH**

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

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-20494), and Special Use Permit (SUP-20501) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/13/07, except as amended by conditions herein.
4. 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.
5. 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.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

SDR-20506 - Conditions Page Two
April 26, 2007 - Planning Commission Meeting

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
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 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.
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. A Waiver is hereby granted to allow no parking lot finger islands and associated trees within the parking lot.
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. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from "J" Street.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
16. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site.

SDR-20506 - Conditions Page Three
April 26, 2007 - Planning Commission Meeting

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

SDR-20506 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Site Development Plan Review for a 4,154 square foot addition to an existing 7,681 square foot church with associated hardscape and landscape improvements on a 0.96 acre site located at 1221 "J" Street. A companion request for a Variance (VAR-20494), and a Special Use Permit (SUP-20501) shall be considered concurrently with this proposal. The project will not provide the minimum parking required per Title 19.04 for a Church/House of Worship use. The proposed expansion has the potential to result in spill-over parking which may adversely impact the surrounding single-family residential community. Staff recommendation is for denial.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
NA	
Related Building Permits/Business Licenses	
NA	
Pre-Application Meeting	
02/23/07	A Pre-application meeting was held and Planning staff advised the applicant of the Title 19 requirements with respect to the proposed expansion.
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application or was one held.	

Field Check	
3/20/07	The project site is developed with a church and community center/parish hall, and parking. Single family residences are located south, north, and east of the project site. An undeveloped/vacant single family residential lot borders the west property line. Chain link fencing runs along the entire perimeter of the site.

Details of Application Request	
Site Area	
Net Acres	0.96 acres

SDR-20506 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church	L (Low Density Residential)	R-1 (Single-family Residential)
North	Single-family residential	L (Low Density Residential)	R-1 (Single-family Residential)
South	Single-family residential	L (Low Density Residential)	R-1 (Single-family Residential)
East	Single-family residential	L (Low Density Residential)	R-1 (Single-family Residential)
West	Undeveloped Single-family residential	L (Low Density Residential)	R-1 (Single-family Residential)

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

DEVELOPMENT STANDARDS

The following development standards pursuant to Title 19.08 apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 square feet	41,818 square feet	Y
Min. Lot Width	65 feet	145 feet	Y
Min. Setbacks			
• Front	20	86	Y
• Side	5	20, 24	Y
• Corner	-	-	Y
• Rear	15	112	Y
Min. Distance Between Buildings	NA	NA	Y
Max. Lot Coverage	50%	28%	Y
Max. Building Height	2 stories or 35 feet; the lessor of the two	25 feet	Y
Trash Enclosure	No	No	N/A
Mech. Equipment	Screened	Screened	Y

JA

SDR-20506 - Staff Report Page Three
 April 26, 2007 - Planning Commission Meeting

The following landscape standards apply pursuant to Title 19.12:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Trees/6 Spaces	8 Trees	0 Trees	N
Buffer: Min. Trees	1 tree per 30 linear feet	4 Trees	4	Y
TOTAL		4	4	
Min. Zone Width	6 Feet along Right-of-way 0 Feet along interior lot lines		11 feet (ROW) 0 feet	Y
Wall Height	8 Feet (optional)		6 foot Chain link fence	Y

The following parking standards apply pursuant to Title 19.04:

The following parking standards apply pursuant to Rule 19.04.							
Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Church/House of Worship	11,834 square feet	1 space for every 20 linear inches of pew seating space	54	3	51	3	N
SubTotal			54		51		
TOTAL			54		51		N
Loading Spaces			NA		NA		Y
Percent Deviation					6%		

SDR-20506 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

ANALYSIS

- **General Plan and Zoning**

The project site has a land use designation of L (Low Density Residential) and the underlying zone is R-1 (Single Family Residential) and are consistent with the General Plan. The proposal is a permitted use within the R-1 zoning district with a Special Use Permit.

- **Site Plan**

The site plan indicates the expansion of an existing church with associated hardscape and landscape improvements. The subject parcel is surrounded by existing single-family residential along the north, south, and east. West of the project site is an undeveloped land.

- **Plan Elevations**

The project was reviewed for conformance with Title 19.08 Residential Adjacency Standards (RAS). The standards allow for a one-story structure no greater than 15 feet in height to be built at the setback line for the underlying zone. The project cross sections depict a building with a high point of 25-feet and a low point 12-feet along the southern and northern edges which conform to the RAS standards. The required side setback is 5-feet and the project will result in a 20-foot and 27-foot setback along the south and north property lines respectively. Church steeples are also located at these points and are exempt from the height provisions.

- **Parking Plan**

Project parking will be deficient and will be addressed concurrently under a companion Variance (VAR-20494) request.

- **Landscape Plan**

The proposal is subject to the perimeter landscaping requirements per Title 19.12 for single family residential districts and the parking landscaping regulations of Title 19.10. This district requires buffer improvements along the street frontage however do not require landscaping along the interior lot lines. The project provides the required 6 foot buffer with an 11 foot buffer along the Right-of-way along with four 24-inch box trees per code. No landscaping will be provided along interior lot lines. The applicants requests a Waiver of parking lot landscaping as the project does not provide the required 8 finger islands and trees within the parking area.

SDR-20506 - Staff Report Page Five
April 26, 2007 - Planning Commission Meeting

FINDINGS

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

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

The project expansion is not considered compatible with surrounding single family residential uses due to the lack of required parking.

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

The project is inconsistent with the required parking per Title 19.10 and as such inconsistent with the General Plan.

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

Site access is adequate however vehicular circulation within the surrounding neighborhood may experience adverse effects resulting from the parking deficiency.

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

The building design and use of landscape materials will improve the aesthetics in the immediate vicinity.

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 architectural design will result in an upgrade to the existing church and provide a up-to-date appearance to the residential community.

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

It is not anticipated that the proposal will result in significantly adverse effects to public safety.

SDR-20506 - Staff Report Page Six
April 26, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 253 [Mailed with VAR-20494 and SUP-20501]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-20506** APN: 139-28-603-006

Name of Property Owner: Greater Carver Missionary Baptist Church

Name of Applicant: Greater Carver Missionary Baptist Church

Name of Representative: Melvin Green Architect, Ltd.

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:

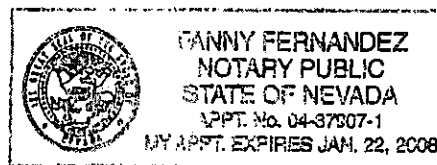
Albert Richards Sr

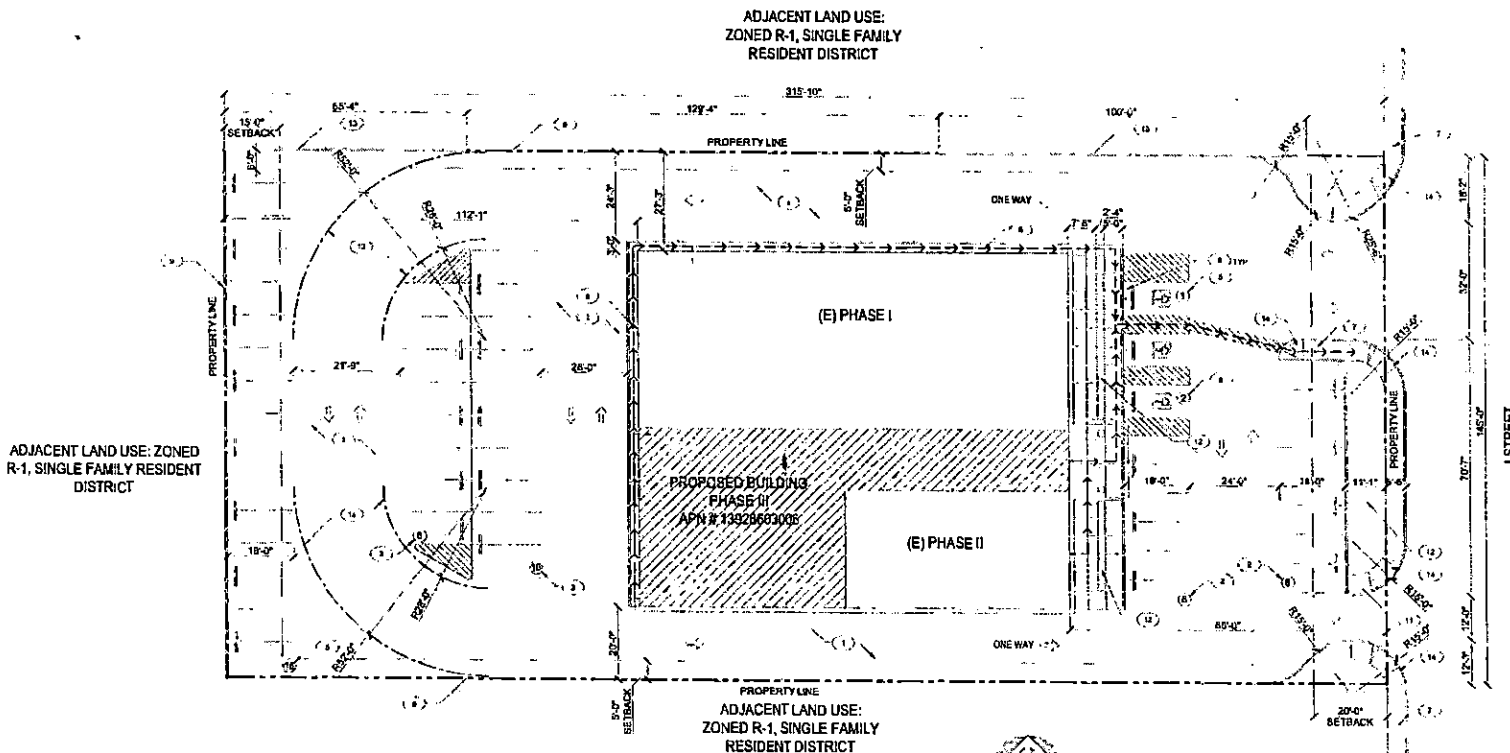
Print Name: ALBERT RICHARDS SR

Subscribed and sworn before me

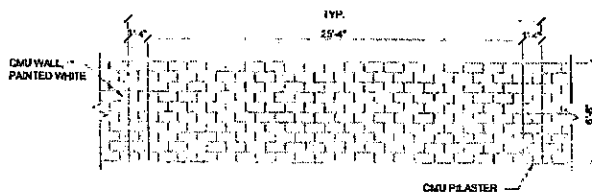
This 12 day of MARCH, 2007

Notary Public in and for said County and State

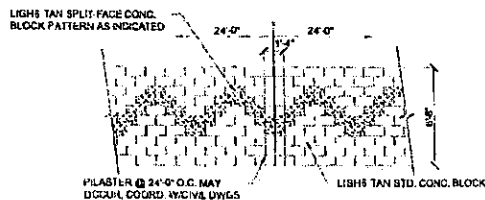




SITE PLAN
SCALE: 1/16" = 1'-0"



EXISTING PERIMETER WALL DETAIL
SCALE: 1/4" = 1'-0"



PROPOSED PERIMETER WALL DETAIL
SCALE: 1/4" = 1'-0"

KEYNOTES

- 1 DRIVEWAY
- 2 4'X18' COMPACT PARKING STALL
- 3 8'X12' REGULAR PARKING STALL
- 4 19'X18' HANDICAPPED PARKING STALL
- 5 19'X18' VAN ACCESSIBLE PARKING STALL
- 6 HANDICAPPED SIGNAGE
- 7 6" CONCRETE SIDEWALK
- 8 3" CONCRETE SIDEWALK
- 9 8" C.M.U. WALL 30 MATCH EXISTING
- 10 1" C.M.U. WALL
- 11 "DO NOT ENTER" SIGN
- 12 LANDSCAPING
- 13 FIRE TRUCK TURNING RADIUS
- 14 HANDICAP ACCESSIBLE CURB

PROJECT SITE ANALYSIS

SITE

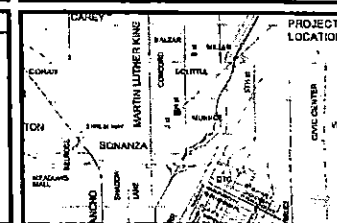
SITE AREA	41,418 SQ. FT.
EXISTING STRUCTURE	7,501 SQ. FT.
PROPOSED ADDITION	3,824 SQ. FT.
PORCHES	3,252 SQ. FT.
TOTAL BUILDING AREA	11,334 SQ. FT.
SITE COVERAGE	28.3%
OCCUPANCY GROUP	A-2, B, E AND M
TYPE OF CONSTRUCTION	V-B, SPRINKLERED
MAX SEATING CAPACITY	215 OCCS
PROPERTY LAND USE	R-1

PARKING REQUIRED

CHURCH ASSEMBLY	1 SPACE @ 4 FIXED SEATS = 64 SPACES
CLASSROOM	2 SPACES FOR EACH CLASSROOM 7 CLASSROOMS X 2 = 14 SPACES
HANDICAPPED PARKING	STANDARD HANDICAPPED SPACES = 2 SPACES VAN ACCESSIBLE SPACES = 1 SPACE
TOTAL PARKING REQUIRED	= 11 SPACES *

* IF PARKING SPACES BASED ON ALL AREA BE OCCUPIED AT THE SAME TIME BASED ON LAS VEGAS ZONING CODE TITLE 19A

VICINITY MAP



PARKING PROVIDED

8 STANDARD SPACES 8' X 18'	= 34 SPACES
COMPACT SPACES 5' X 18'	= 145 SPACES
STANDARD HANDICAPPED SPACES	= 2 SPACES
VAN ACCESSIBLE SPACES	= 1 SPACE
TOTAL PARKING PROVIDED	= 182 SPACES

RECEIVED

MAR 13 2007

SDR-20506

04/26/07 PC

12. Nevada State Architect, L.L. Bell

REVISIONS



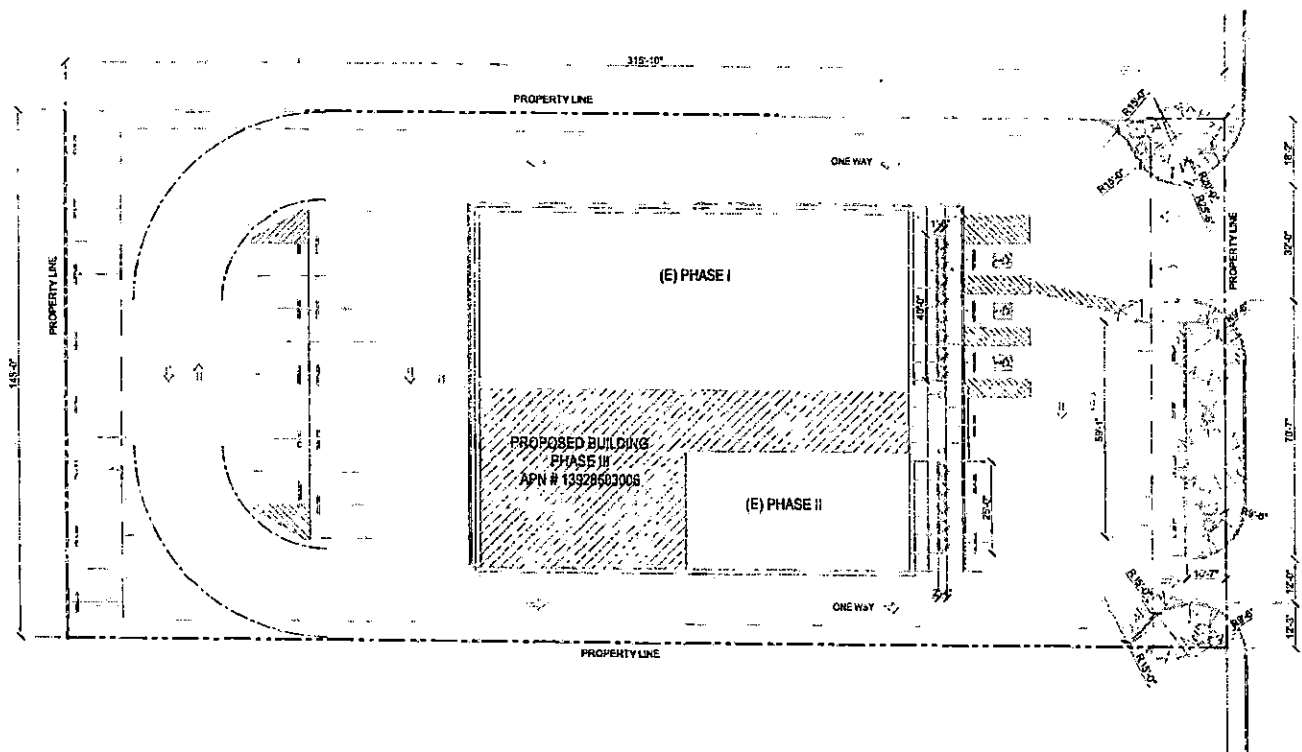
MGA Martin Greer Architect, LLC
1221 North 1st Street, Suite 100
Las Vegas, NV 89105
(702) 251-1001

SITE PLAN
PROJECT: GREATER CARVER MISSIONARY BAPTIST CHURCH
1221 NORTH 1ST STREET
LAS VEGAS, NV 89105

DATE: 03/05/07
DRAWN: SJ/S
JOB NO: 06-016

AS1.01

OF SHEETS

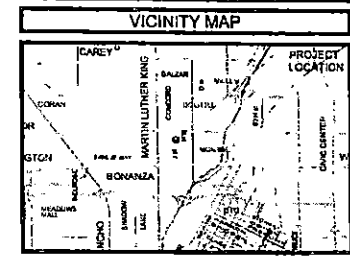


LANDSCAPE PLAN
SCALE 1/8" = 1'-0"



LANDSCAPE LEGEND			
SYMBOL	PLANT NAME, SIZE, QUANTITY	QUANTITY	NOTES
	PINUS ELICERICA/MONDDDEL PINE	4	24" BOX
	DAYLILY/ANCOTRIDGE/GREEN DESERT SHRUB	17	5 GALLON
	HESPERALOE PARVIFLORA/HESPERALOE	3	5 GALLON

- GENERAL NOTES**
- 1) LANDSCAPE PLAN SHALL INCLUDE A MINIMUM OF 4 PER GALLON SIGNATURE FOR EVERY REQUIRED TREE.
 - 2) GROUND COVERS SHALL BE INSTALLED IN ALL LANDSCAPED AREAS AND ISLANDS. NON VEGETATIVE GROUND COVERS SHALL INCLUDE WITHOUT LIMITATION: RUBBLE AND SMALL STONES, COLOURED RUBBLE AND BARK, INSTALLED TO A MINIMUM DEPTH OF TWO INCHES IN ALL AREAS.
 - 3) THE IRRIGATION SYSTEM DESIGN WILL BE BASED ON THE MINIMUM OPERATING PRESSURE AND THE MAXIMUM FLOW DURING 8:00AM ON THE SHIP DRAWING AT EACH POINT OF CONNECTION. THE IRRIGATION CONTRACTOR SHALL VERIFY MAIN PRESSURE PRIOR TO CONSTRUCTION. REPORT ANY DIFFERENCES BETWEEN THE VALUES PRESSURE INDICATED ON THE SHIP DRAWING AND THE ACTUAL PRESSURE READING AT THE INDICATED POINT OF CONNECTION TO THE CONTRACTOR. IN THE EVENT PRESSURE DIFFERENCES ARE NOT REPORTED PRIOR TO START OF CONSTRUCTION THE IRRIGATION CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY IRRIGATION DEFICIENCIES.
 - 4) THE SHIP DRAWING DESIGN WILL BE DIAGRAMMATIC. ALL TYPICAL VALVES, ETC. SHOWN WITHIN PAVED AREAS IS FOR DISSEMINATION ONLY AND SHALL BE INSTALLED IN PLANTING AREAS. AVOID ANY CONFLICTS BETWEEN THE SPRINKLER SYSTEM, PLANTING AND ARCHITECTURAL FEATURES.
 - 5) IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO FURNISH THE IRRIGATION SYSTEM WITH ANY GROUND DIFFERENCES, LOCATIONS OF WALLS AND RETAINING WALLS.
 - 6) THE IRRIGATION CONTRACTOR SHALL FILL IN AND ADJUST ALL SPRINKLER HEADS FOR OPTIMUM PERFORMANCE AND TO PREVENT OVERSPRAY ON TO WALKS, ROADWAYS AND/OR BUILDING ANCHORS AND FINISHES.
 - 7) ALL POP UP SPRINKLERS SHALL BE INSTALLED SO THAT UPON RETRACTION OF THE RISER PISTON, NO DEBRIS OR OIL, OF ANY KIND WILL BE BACK WASHING INTO THE SPRINKLER CAUSING THE RISER PISTON TO STICK IN THE "UP" POSITION.
 - 8) ALL SPRINKLER HEADS SHALL BE SET PERPENDICULAR TO FINISH GRADE OF THE AREA TO BE IRRIGATED UNLESS SITE CONDITIONS REQUIRE DIFFERENT ADJUSTMENTS TO BE MADE.
 - 9) ALL UTILITY COVERS AND ABOVE GROUND UTILITY INSTALLATIONS OTHER THAN UTILITY POLES THAT ARE IN EXCESS OF TWENTY SEVEN (27) FEET IN SIZE EXCLUDING PAID AND CONCRETE COVERS, SHALL BE SET BACK A SUFFICIENT DISTANCE SO THAT A MINIMUM OF THREE FEET OF 1" HOUSING AND REBAR ARE THE UTILITY STRUCTURES FROM THE PUBLIC STREET RIGHTS OF WAY OR SIDEWALK, WHICHEVER IS NEARER TO THE STRUCTURE. THE LANDSCAPING MUST INCLUDE TALL GRASSES AND SHRUBS AT WHICH A MATURE TREE PROVIDE ADEQUATE SCREENING OF THE UTILITY STRUCTURES. IN ADDITION, ALL UTILITY BOARDS SHALL BE PLACED SO THAT THE ACCESS POINTS WHEN NEARBY TO THE PUBLIC CORRIDOR AND ARE ACCESSIBLE WITHOUT THE NEED TO CUT LAWN OR REDUCE THE APPEAL OF THE LANDSCAPED SCAPING.



VICINITY MAP

DATE: 03/01/07
SCALE: AS SHOWN
DRAWN BY: MGA
CHECKED BY: MGA

REVISIONS

NO.	DESCRIPTION	DATE
1	REVISION	03/01/07

NOT FOR CONSTRUCTION
DATE OF ISSUE: 03/01/07
MGA

PROJECT: GREATER CARVER MISSIONARY BAPTIST CHURCH
1221 NORTH "J" STREET
LAS VEGAS, NV 89106

PROJECT TITLE
LANDSCAPE PLAN

DATE: 03/01/07
SCALE: AS SHOWN
DRAWN BY: MGA
CHECKED BY: MGA

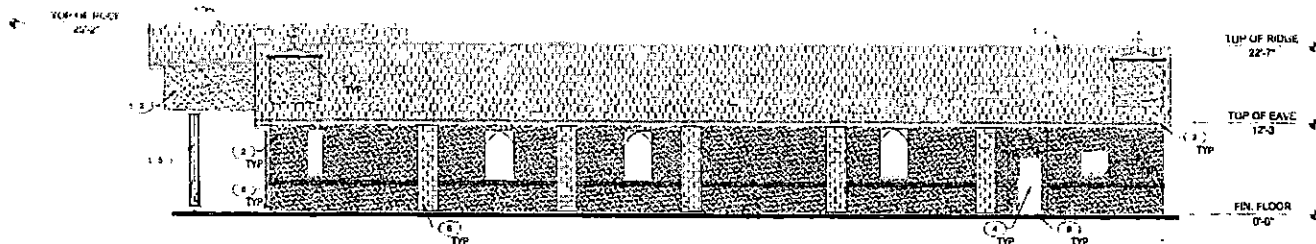
PROJECT: GREATER CARVER MISSIONARY BAPTIST CHURCH
1221 NORTH "J" STREET
LAS VEGAS, NV 89106

PROJECT TITLE
LANDSCAPE PLAN

SDR-20506
04/26/07 PC

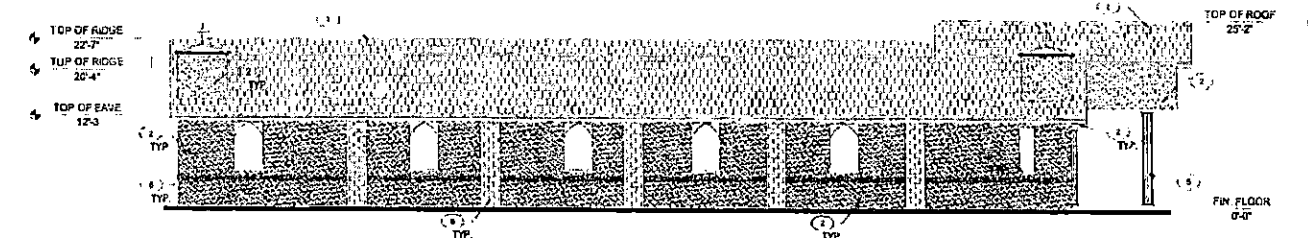
RECEIVED
MAR 13 2007

DATE: 03/01/07
SCALE: AS SHOWN
DRAWN BY: MGA
CHECKED BY: MGA
PROJECT: GREATER CARVER MISSIONARY BAPTIST CHURCH
1221 NORTH "J" STREET
LAS VEGAS, NV 89106
PROJECT TITLE: **LANDSCAPE PLAN**



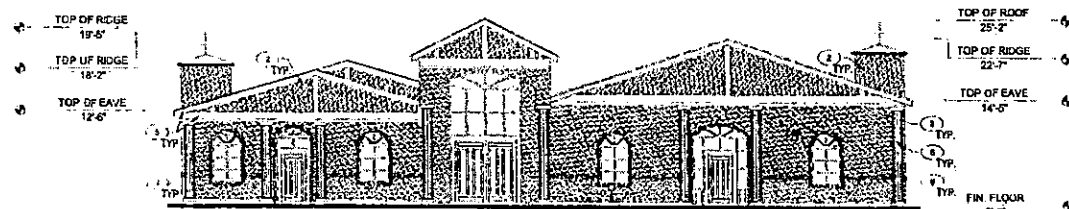
NORTH ELEVATION

SCALE: 1/8" = 1'



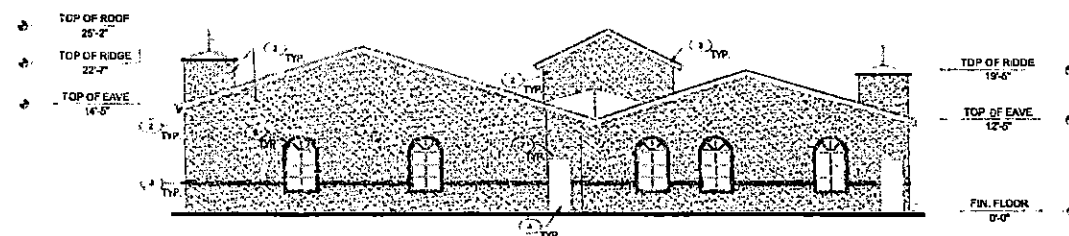
SOUTH ELEVATION

SCALE: 1/8" = 1'



EAST ELEVATION

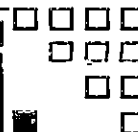
SCALE: 1/8" = 1'



WEST ELEVATION

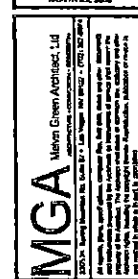
SCALE: 1/8" = 1'

KEYNOTES	
1	INDICATE THE CHANGING CURVE
2	SHOULDER PAINTED W/ EXTERIOR GRADE RED LATEX PAINT
3	WOOD TRIM, PAINTED W/ EXTERIOR GRADE RED LATEX PAINT
4	DOOR, PAINTED W/ EXTERIOR GRADE WHITE LATEX PAINT
5	FIBERGLASS COLUMNS, PAINTED W/ EXTERIOR GRADE WHITE LATEX PAINT
6	DOOR COLUMNS, PAINTED W/ EXTERIOR GRADE RED LATEX PAINT
7	DOOR FRAME, PAINTED W/ EXTERIOR GRADE WHITE LATEX PAINT
8	2" POP-OUT, PAINTED W/ EXTERIOR GRADE RED LATEX PAINT
9	CONCRETE STEPS, UNCOATED



IC-1 NORTH CAROLINA, LLC 2004

REVISIONS



MGA
Mark Green Architects, Ltd.
1221 NORTH J STREET
LAS VEGAS, NV 89106

PROJECT: GREATER CARVER MISSIONARY BAPTIST CHURCH
1221 NORTH J STREET
LAS VEGAS, NV 89106

DATE: 03/20/07
DRAWN: MGA
CHECKED: MGA
DATE: 03/20/07

RECEIVED

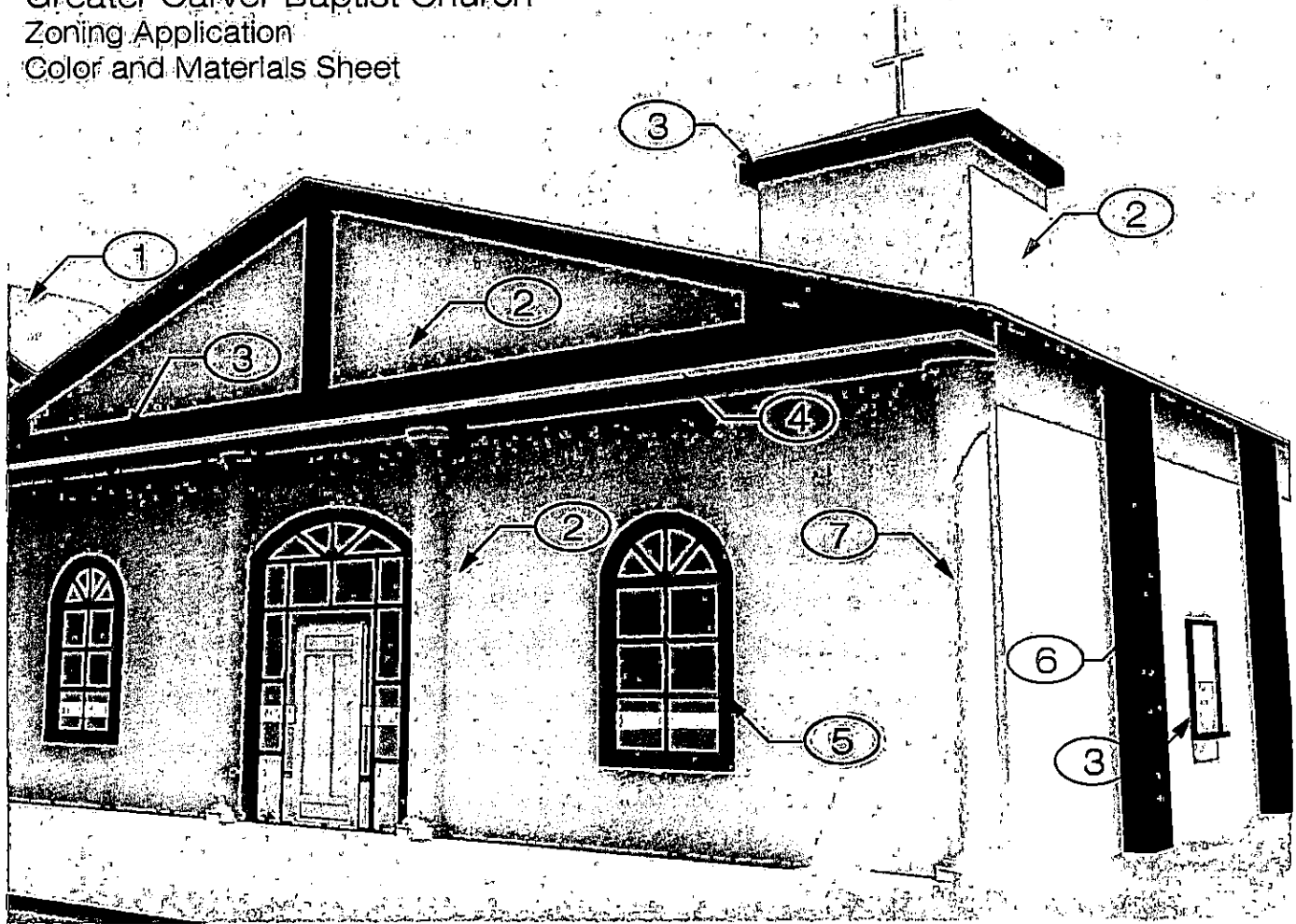
MAR 13 2007

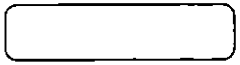
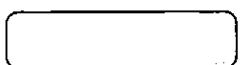
SDR-20506

04/26/07 PC

A6.01

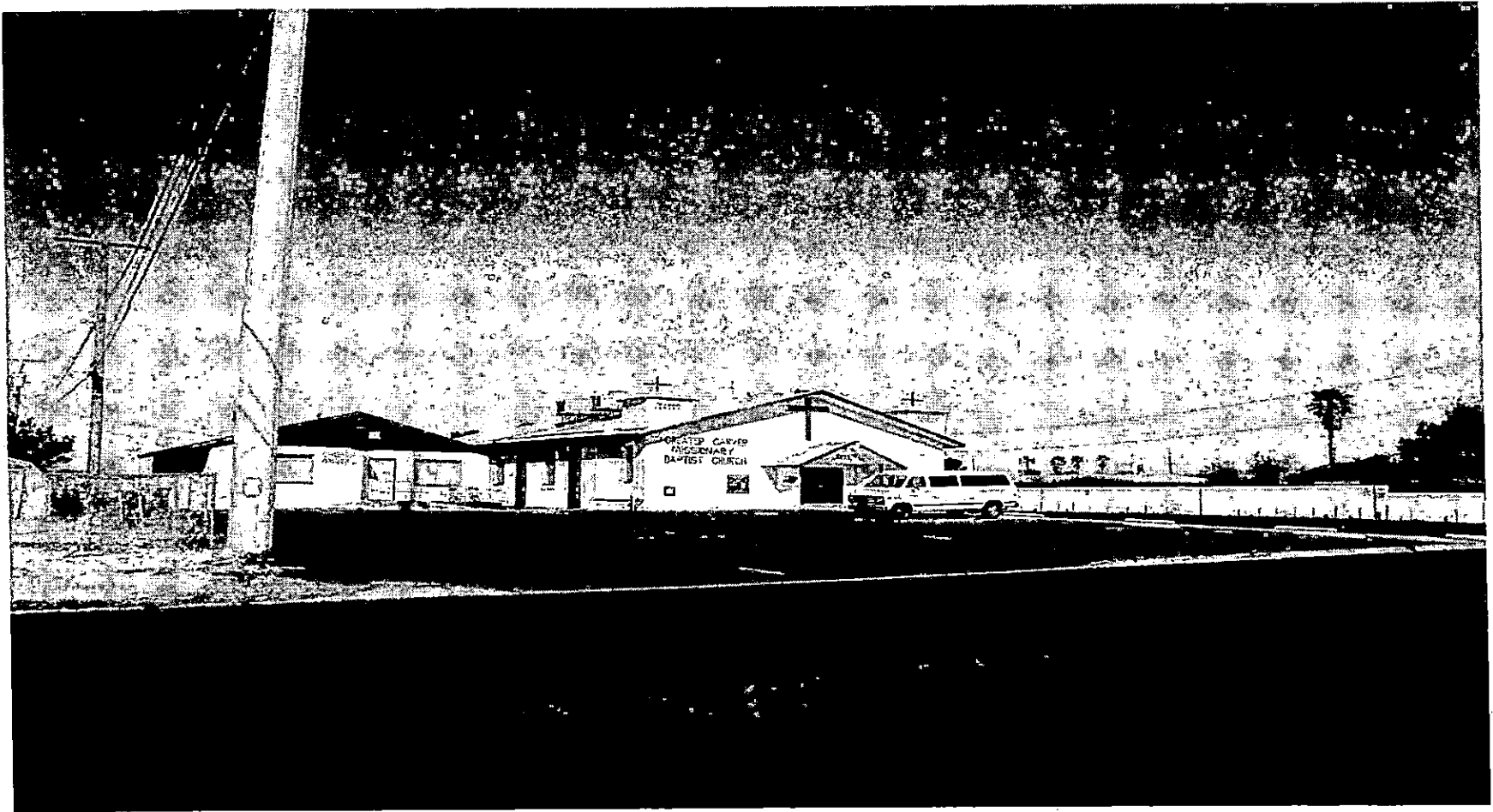
Greater Carver Baptist Church
Zoning Application
Color and Materials Sheet



Keynote	Material	Finish	Color	Manufacturer	Sample
1	Roof Tile	Slate	Stone Mountain Blend	Monier Life Tile	
2	Stucco	Exterior Latex Paint	Creative White 8640W	Frazee	
3	Wood Trim	Exterior Latex Paint	Sizzling Haute AC119R	Frazee	
4	Wood Trim	Exterior Latex Paint	Creative White 8640W	Frazee	
5	Stucco Trim	Exterior Latex Paint	Sizzling Haute AC119R	Frazee	
6	CMU	Exterior Latex Paint	Sizzling Haute AC119R	Frazee	
7	Fiberglass Column	Exterior Latex Paint	Creative White 8640W	Frazee	

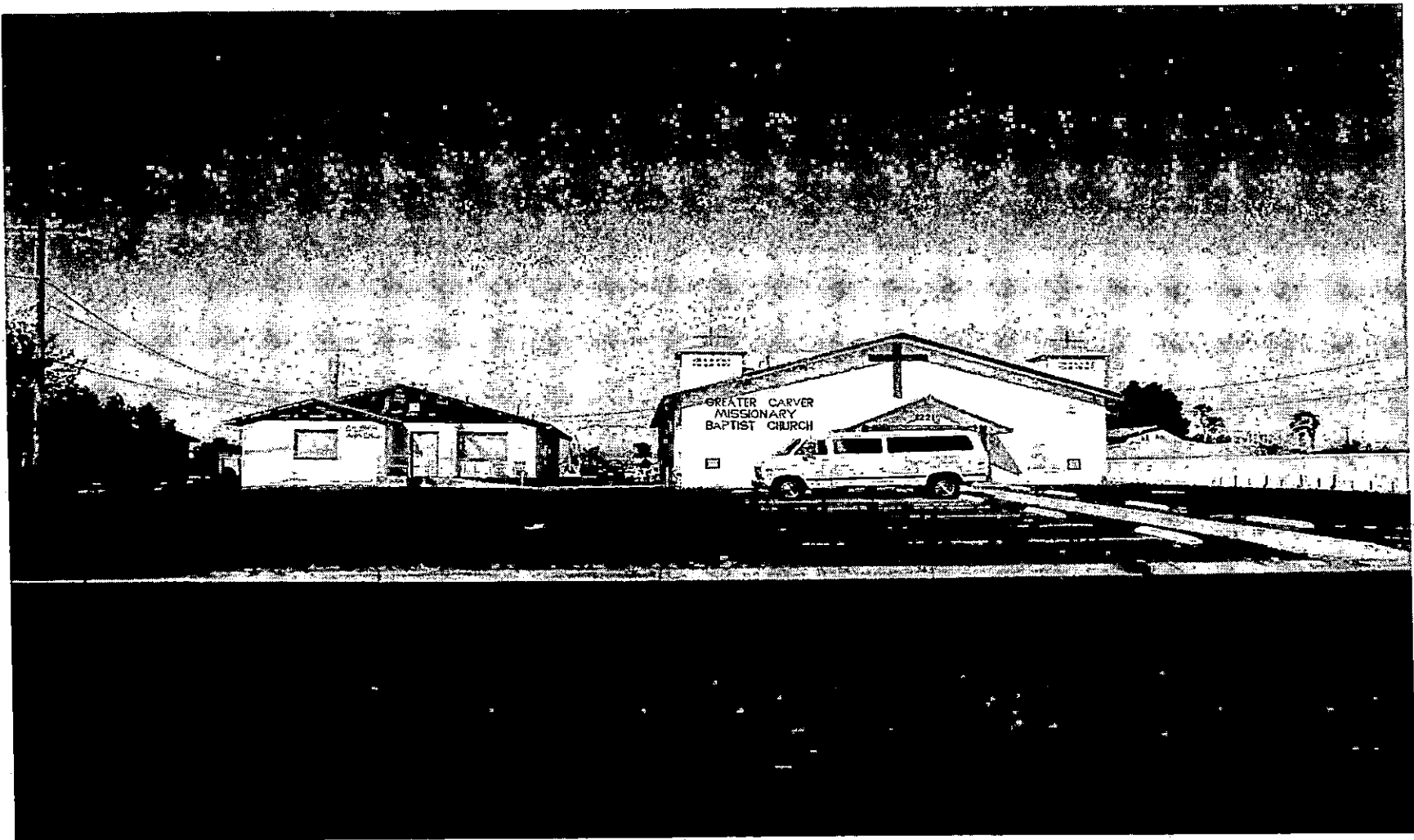
SDR-20506
04/26/07 PC

Melvin Green Architect, Ltd.



VAR-20494, SUP-20501 & SDR-20506 - APPLICANT/OWNER: CARVER MISSIONARY BAPTIST CHURCH
1221 "J" STREET
APRIL 26, 2007 PLANNING COMMISSION

03/28/07



VAR-20494, SUP-20501 & SDR-20506 - APPLICANT/OWNER: CARVER MISSIONARY BAPTIST CHURCH
1221 "J" STREET
APRIL 26, 2007 PLANNING COMMISSION

03/28/07



VAR-20494, SUP-20501 & SDR-20506 - APPLICANT/OWNER: CARVER MISSIONARY BAPTIST CHURCH
1221 "J" STREET
APRIL 26, 2007 PLANNING COMMISSION

03/28/07



3305 WEST SPRING MOUNTAIN ROAD, SUITE 92 ☎ LAS VEGAS, NEVADA 89102
PHONE: 702.362.8974 ☎ FAX: 702.364.9406 ✉ email: mgreen@mgci.com

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-20524 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: K B HOME NEVADA - Request for a Variance TO ALLOW A 5-FOOT REAR YARD SETBACK WHERE 10-FEET IS THE MINIMUM SETBACK REQUIRED FOR A 188-LOT RESIDENTIAL SUBDIVISION on 40.84 acres adjacent to the north side of Dorrell Lane, between Puli Road and Shaumber Road (APN 126-24-110-007), PD (Planned Development) Zone, Ward 6 (Ross).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

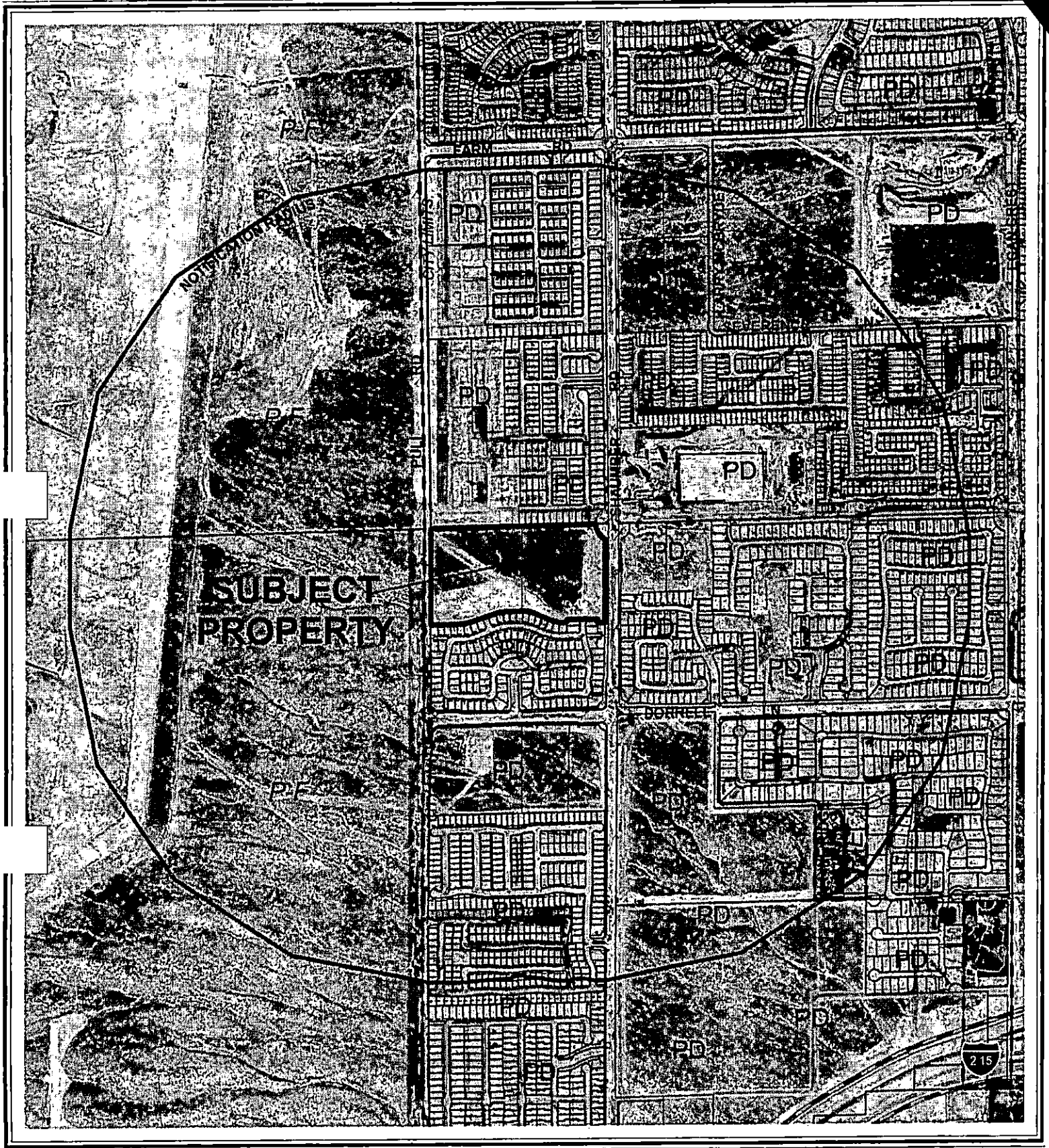
GOYNES – STRIKE Item 62; **WITHDRAW WITHOUT PREJUDICE** Item 79; **TABLE** Items 26-29; **HOLD IN ABEYANCE** Item 6–8, 31–34, 40–42, 63–67, 76-78 and 80 to 5/10/2007; Items 19–21, 35-39 and 83-84 to 5/24/2007 – **UNANIMOUS**

MINUTES:

Items 66 and 67 were requested by staff to be held in abeyance to May 10, 2007, in an effort to renotify the public.

(6:02-6:08)





CASE: VAR-20524

RADIUS: 2500 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 1000 2000 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20524 - APPLICANT/OWNER: K B HOME NEVADA

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. All development shall conform to the Conditions of Approval for Tentative Map (TMP-20518) and the Cliff's Edge Master Development Plan and Design Guidelines, except as amended herein.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-20524 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Variance to allow a 5-foot rear yard setback where 10-feet is the minimum setback required. Since this proposal requires a Variance from the setbacks established in the Cliff's Edge Master Development Plan and Design Guidelines, and because that Variance is needed solely because of a self-imposed hardship, staff finds that the proposed Tentative Map fails to comply with the intent of the PD zoning within this Master Plan.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/06/02	The City Council approved an Annexation (A-0026-01) of 95 acres in the northern portion of the Cliff's Edge Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval on May 10, 2001. The effective date of this annexation was February 15, 2002. Staff had recommended approval of this application.
02/06/02	The City Council approved an Annexation (A-0028-01) of 10 acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval on May 10, 2001. The effective date of this annexation was February 15, 2002. Staff had recommended approval of this application.
06/19/02	The City Council approved an Annexation (A-0027-01) of five acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval on May 10, 2001. The effective date of this annexation was June 28, 2002. Staff had recommended approval of this application.
01/08/03	The City Council approved an Annexation (A-0030-02) of five acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval on October 10, 2002. The effective date of this annexation was January 17, 2003. Staff had recommended approval of this application.
02/05/03	The City Council approved an Annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south. The Planning Commission recommended approval on September 26, 2002. The effective date of this annexation was February 14, 2003. Staff had recommended approval of this application.

VAR-20524 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

04/16/03	The City Council approved a request for a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval on February 13, 2003.
07/16/03	The City Council approved a request for a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved amendments to the approved Cliff's Edge Master Development Plan. The Planning Commission and staff recommended approval on June 12, 2003.
12/04/03	A Minor Modification (MOD-3189) to the Cliff's Edge Master Development Plan and Design Guidelines was administratively approved by the Planning and Development Department, subject to a number of conditions.
12/17/03	The City Council approved an Annexation (ANX-3087) of 27.5 acres of land within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval on October 23, 2003. The effective date of this annexation was December 26, 2003.
02/18/04	The City Council approved a request for a Rezoning (ZON-3241) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 90 acres covering 20 separate parcels in the Cliff's Edge area. The Planning Commission recommended approval on January 8, 2004. Staff recommended approval of this application.
02/18/04	The City Council approved a Development Agreement between the City of Las Vegas and Cliff's Edge, Limited Liability Company, for the Cliff's Edge Master Planned Community. The Planning Commission recommended approval on June 8, 2004. Staff recommended approval of this application.
02/26/04	The Planning Commission recommended approval of an Annexation (ANX-3693) of approximately 2.14 acres of land within the Cliff's Edge Master Development Plan area. The item will be forwarded to the City Council for consideration at its March 17, 2004 meeting. Its effective date, if approved, would be April 30, 2004.
05/05/04	The City Council approved a Major Modification (MOD-3955) to the Cliff's Edge Master Development Plan to change land use designations from Village Commercial to Medium Low Density Residential and Medium Residential; from Medium Residential to Residential Small Lot; and from Medium Low Density Residential to Public Facilities; to modify Section 6.2.3 regarding retaining walls; and to modify Table 1 (Section 2.2) to reflect changes to the land use categories on 40 total acres within the Cliff's Edge Master Development Plan area.

VAR-20524 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

11/16/05	The City Council approved a Major Modification (MOD-9174) to the Cliff's Edge Master Development Plan And Design Guidelines to establish standards for rear loaded residential small lot housing products and to add section 3.2.5b to the design guidelines on 1,156 acres including the subject site. The Planning Commission and staff recommended approval.
06/24/06	The Planning Commission approved a Tentative Map (TMP-4465) for a 286-lot subdivision on 40.84 acres on the subject site. Staff recommended approval. The current application is a major modification of this action.
04/26/07	The Planning Commission will consider concurrently a related application for a Tentative Map (TMP-20518) 188 lot subdivision on the subject site.

Pre-Application Meeting	
03/02/07	A pre-application meeting was held to discuss the specific issues regarding the front yard setbacks for the small lot development at a density of eight units per acre, as well as the Tentative Map requirements in the Cliff's Edge Master Plan.
Neighborhood Meeting	
A neighborhood meeting is not required for this request, nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	40.84

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
North	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
South	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
East	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
West	Undeveloped	Unincorporated Clark County	Unincorporated Clark County

VAR-20524 - Staff Report Page Four
 April 26, 2007 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Cliff's Edge (Providence)	X		N*
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
PD Planned Development District	X		N*
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

* The failure to meet the minimum setback requirements of the PD (Planned Development District) in Cliff's Edge is the subject of this Variance.

- **Cliff's Edge Master Plan**

Future development within the Cliff's Edge master plan area is controlled by the Cliff's Edge Master Development Plan and the Cliff's Edge Design Guidelines. The Master Development Plan was required for the approval of PD (Planned Development) zoning, which was applied to the area concurrently with the approval of the Master Development Plan and the Design Guidelines.

- **PD Planned Development District**

Pursuant to Title 19.06.050, the development standards within a PD (Planned Development) zoning district are established by the Master Development Plan. The development standards for the Cliff's Edge area are established through the approved Cliff's Edge Master Development Plan, and with the approval of proposed modifications to the area's land use categories.

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Approved TMP-4465</i>	<i>Proposed TMP- 20518 18' driveway.</i>	<i>Proposed TMP- 20518 24" private drives</i>
Total Number of Lots	286	324	
Common Lots	7	14	
Open Space	35,357 SF	77,321	
Parking Spaecs	572	648	
Typical Lot Size			
Typical Lot Width	44 Feet	44 Feet	36 Feet

VAR-20524 - Staff Report Page Five
April 26, 2007 - Planning Commission Meeting

Min. Setbacks			
• Front	5 Feet	5 Feet	5 Feet
• Front Garage	18 Feet	18 Feet	5 Feet*
• Side	3 Feet	3 Feet	3 Feet
• Comer	10 Feet	10 Feet	10 Feet
• Rear	10 Feet**	10 Feet**	10 Feet**

* Subject of this Variance

** Pursuant to Cliff's Edge Standards, up to 50% of the rear of the house may be setback 10 feet while the remainder must be setback 15 feet.

	Permitted Density	Units Allowed
Approved TMP-4465	7.00 du/a	286
Proposed TMP-20518	7.93 du/a	324

ANALYSIS

The area covered by the proposed Tentative Map includes properties with the designations of PCD (Planned Community Development) on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Map of the General Plan. All of the parcels on the proposed Tentative Map are zoned PD (Planned Development), with an approved density of 7.0 dwelling units per acre across the entire development. This proposed Tentative Map will increase the density to 7.93 dwelling units per acre, adding a total of 38 additional units, and require a front setback variance on 188 out of the 324 lots that comprise both phases of Windimere and Windimere II. While this zoning district and mean density will be in conformance with the provisions of the PCD (Planned Community Development) land use designation, this proposed modification with the required Variance is not appropriate for this location.

Pursuant to Title 19.06.050, the development standards within a PD (Planned Development) zoning district are established by the Master Development Plan. The development standards for the Cliff's Edge area are established through the approved Cliff's Edge Master Development Plan, and with the approval of proposed modifications to the area's land use categories. However, since this proposal requires a Variance from the setbacks established in the Cliff's Edge Master Development Plan and Design Guidelines, and because that Variance is needed solely because of a self-imposed hardship, staff finds that the proposed Tentative Map fails to comply with the intent of the PD zoning within this Master Plan.

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:

RL

VAR-20524 - Staff Report Page Six
April 26, 2007 - Planning Commission Meeting

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 solely self-imposed hardship requiring a reduced front-yard setback. Alternatively constructing homes as approved by the previous Tentative Map (TMP-4465) would allow conformance to the Title 19 requirements and the Cliff's Edge Master Development Plan and Design Guidelines. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 52 [Mailed with TMP-20518]

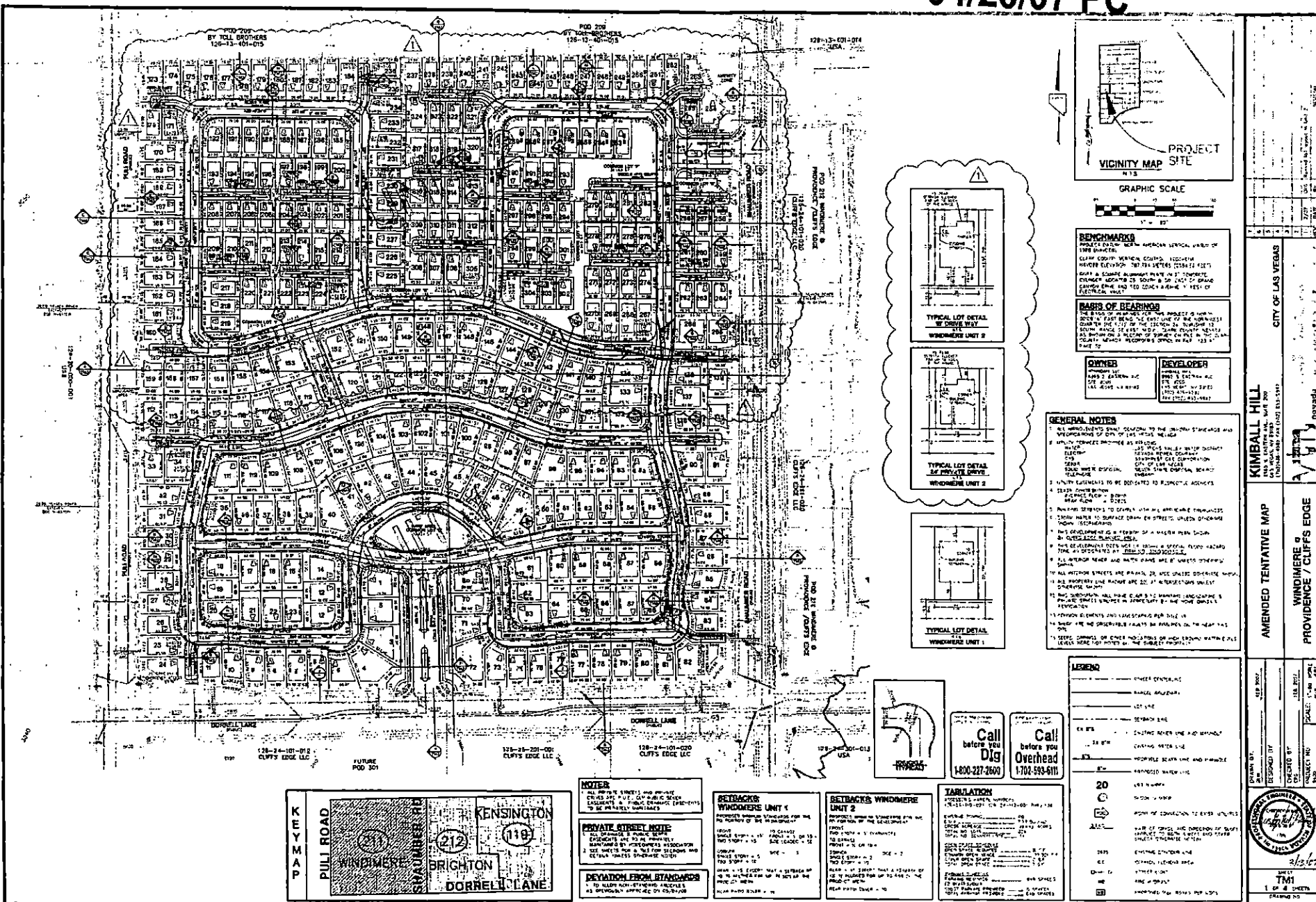
APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

VAR-20524
04/26/07 PC





PROVIDENCE

Master Planned Community

3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129
(702) 242-4949 ~ FAX: 568-2044

March 13, 2007

Chuck Connors
Kimball Hill
8965 Eastern Avenue, Suite 200
Las Vegas, NV 89183

**RE: Cliff's Edge Master Plan Community
Preliminary Project Plan Submittal – POD 211 – Windimere Unit 2
Plan Date: NA**

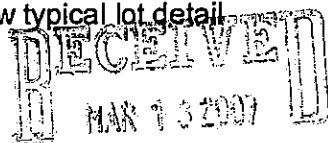
Dear Chuck:

Cliff's Edge Design Review Committee (DRC) is in receipt of your Preliminary Project Plan submittal for POD 211 – Windimere Unit 2. Attached please find a review letter from KTG Y Group, Inc. dated February 9, 2007.

- ◆ Upon review of KTG Y Group Inc.'s comments as stated in the attached letter, the DRC **"approves with conditions"** your Preliminary Project Plan for POD 211 – Unit 2.

Conditions of approval are subject to the following:

- ◆ Floor plan modifications, if any, per style should be indicated.
- ◆ Complete wrap elevations for each style should be submitted.
- ◆ Corner side enhancement should be shown.
- ◆ Visible rear and side elevations should be shown.
- ◆ Roof plans should be provided.
- ◆ Amended Tentative Map received March 8, 2007, does not show typical lot detail adjacent to curvilinear roads.
- ◆ Building footprint and detail for all lots should be submitted.
- ◆ Preliminary design for entry landscape should be submitted.



The following are comments for the preliminary site plan submitted March 8th, 2007. The plans have been reviewed against Section 3.2.1 of the Design Guidelines based on the standards for development of Medium Density Residential neighborhoods within the Providence Master Plan.

Standards	Required	Provided	Compliance
Minimum Setbacks			
Principal Building and Accessory Structures From Adjacent Parcel PL	30' (Principal) 30' (Principal)	N/A VAR-20524	N/A



PROVIDENCE

Unleash the Power of Community

March 13, 2007

Page 2 of 3

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VAR-20524

04/26/07 PC

	20'(Accessory)		
Principal Buildings and Accessory Structures Adjacent to Street ROW at Parcel Perimeter	25'	N/A	N/A
Principal Buildings and Accessory Structures Adjacent to Parks, Open Space, Landscape Areas Adjacent to Perimeter Streets, or Paseo PL	10'	N/A	N/A
Living Area or Porch From Private Street or Parking.	10'	5'	*NO
Garage Face Setback From Private Street	Less than 5' or 18'+	5'	YES
Building Separation			
Balcony to Balcony	30'	N/A	N/A
Balcony to Non-Balcony	20'	N/A	N/A
Non-Balcony to Non-Balcony	15'	15'	YES
Standards	Required		
Between Main Bldg & Acc. Structure	10'	N/A	N/A
Maximum Building Height			
Principal Building and Accessory Structures	50' Subject to setback criteria above	N/A	N/A
Minimum Open Space			
Common Open Space	100 Square Feet / Unit (32, 400 square feet required)	Exceed total square feet required	YES
Parking (Minimum No. of Spaces Required)			
Studio or 1 Bedroom Units	1.25 / Unit (278 Spaces)	Exceeds total spaces required	YES
Two Bedroom Units	1.75 / Unit (388 Spaces)	Exceeds total spaces required	YES
Units with More than 2 Bedrooms	2 / Unit (96 Spaces)	Exceeds total spaces	YES



PROVIDENCE

Neighborhood Community

March 13, 2007

Page 3 of 3

		required	
Visitor Parking	0.2 / Unit (98 Spaces)	Exceeds total spaces required	YES
Senior Housing	1 Covered or Enclosed Space / Unit	Exceeds total spaces required	YES

Based on the above noted comments, we recommend "**Approval with Conditions**" of this Preliminary Project Plan submittal. (*)Although the requested front setback does not meet the standard requirements, it does provide for a front aesthetic that eliminates the typical garage forward design that we wish to avoid. In addition, driveway depths of 5' and 18', which are the preferable depths by both the master developer and the City of Las Vegas must be met. With these characteristics in mind, DRC recommends approval of the Site Plan as requested.

If you have any questions, please do not hesitate to contact our office.

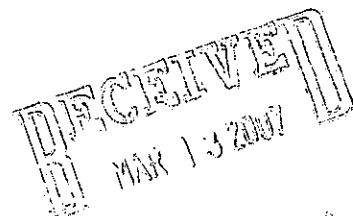
Sincerely,

CLIFF'S EDGE, LLC

Carmen Shukis
Design Review Manager

cc via email Tylere Bross, Amber Abel - Focus

Enclosures (KTTY Group Inc. Letter dated 02/09/07)



VAR-20524
04/26/07 PC

KIMBALL HILL
HOMES*

March 9, 2007
WO# 6864

Design Review Committee
Cliff's Edge LLC
3455 Cliff Shadows Parkway, Ste. 220
Las Vegas, NV

**RE: WINDIMERE @ PROVIDENCE/CLIFFS EDGE - VARIANCE
JUSTIFICATION**

On behalf of Kimball Hill Homes please accept for review and approval this variance request to reduce front yard setbacks in Unit 2 of their Windimere development in Providence. Specifically, we request that the front setback to living area or porch be reduced from 10 feet (10 feet for up to 60% of the wall plane, otherwise 15 feet for two stories) to 5 feet.

Due to the current market demands, Kimball Hill has amended their current marketing strategy to include product that is projected to be appealing and successful addition to the Providence community. The Windimere subdivision was originally approved with 286 lots. These lots conformed to the Cliffs Edge design guidelines for medium low density (up to 8 dua). Unit 1 has recorded with 136 lots. Unit 2 is being amended to be developed with a different housing product and proposes 188 lots, a total of 324 lots for the overall subdivision. The density of the amended tentative map is 7.93 dua. The maximum density permitted is 8 dua. The product proposed resembles a residential small lot (mini lot cluster) type of development. This type of development may be developed in approved areas of Cliffs Edge at a density up to 15 dua. It is neither Kimball Hills' intent nor desire to develop this project to that extent. We wish to still be reviewed under the guidelines approved for this site, medium low density allowing up to 8 dua; however, due to the nature of the product we are requesting an adjustment to the front yard requirements of the medium low density guidelines. Kimball Hill believes this adjustment is vital to the overall appearance and aesthetics of the development.

8965 S. EASTERN AVENUE, SUITE 200 - LAS VEGAS, NEVADA 89183
PH: 702-436-4582 • FX: 702-436-9491 • kimballhillhomes.com

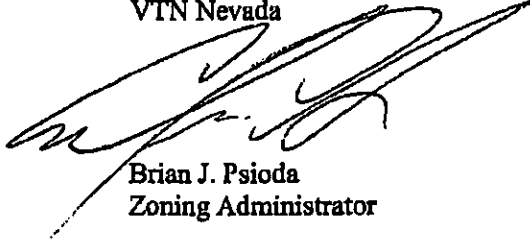
RECEIVED
MAR 19 2007

VAR-20524
04/26/07 PC

Thank you for your consideration in this matter. Should you have any questions please call myself or Chris Grubbs P.E.

Sincerely

VTN Nevada



Brian J. Psioda
Zoning Administrator

Cc: T. Nelson, Land Tech
Gary Kazio, Kimball Hill
Chuck Connors, Kimball Hill
Chris Grubbs, VTN Nevada

RECEIVED
MAR 19 2007

VAR-20524
04/26/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

TMP-20518 - TENTATIVE MAP - PUBLIC HEARING RELATED TO VAR-20524 - WINDIMERE II @ PROVIDENCE/CLIFFS EDGE - APPLICANT: KIMBALL HILL HOMES - OWNER: CLIFFS EDGE, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A 188-LOT SINGLE FAMILY SUBDIVISION on 40.84 acres adjacent to the north side of Dorrell Lane, between Puli Road and Shaumber Road (APN 126-24-110-007), PD (Planned Development) Zone, Ward 6 (Ross).

P.C.: FINAL ACTION (Unless appealed within 7 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – STRIKE Item 62; WITHDRAW WITHOUT PREJUDICE Item 79; TABLE Items 26-29; HOLD IN ABEYANCE Item 6-8, 31-34, 40-42, 63-67, 76-78 and 80 to 5/10/2007; Items 19-21, 35-39 and 83-84 to 5/24/2007 – UNANIMOUS

MINUTES:

Items 66 and 67 were requested by staff to be held in abeyance to May 10, 2007, in an effort to renotify the public.

(6:02-6:08)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TMP-20518 – WINDIMERE II @ PROVIDENCE/CLIFFS EDGE

- APPLICANT: KIMBALL HILL HOMES - OWNER: CLIFFS EDGE, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Variance (VAR-20524) and the Cliff's Edge Master Development Plan and Design Guidelines.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. 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.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

TMP-20518 - Conditions Page Two
April 26, 2007 - Planning Commission Meeting

6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Final Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
8. 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 Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
9. Site development to comply with all applicable conditions of approval for previous zoning actions, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement, the "Sight Distance Along Shaumber Road within Cliff's Edge" design document dated March 4, 2004, the Windimere @ Providence/Cliff's Edge overall Tentative Map, and all other applicable site-related actions.
10. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

TMP-20518 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Major Amendment to an Approved Tentative Map (TMP-4465) for a 188 lot single family subdivision on 40.84 acres adjacent on Dorrell Lane, between Puli Road and Shaumber Road.

A companion request for a Variance from the Cliff's Edge Master Development Plan and Design Guidelines to allow a 5-foot front yard setback where a 10-foot setback is required accompanies this request. This proposal requires a Variance from the setbacks established in the Cliff's Edge Master Development Plan and Design Guidelines, and because that Variance is needed solely because of a self-imposed hardship, staff finds that the proposed Tentative Map fails to comply with the intent of the PD zoning within this Master Plan.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/06/02	The City Council approved an Annexation (A-0026-01) of 95 acres in the northern portion of the Cliff's Edge Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval on May 10, 2001. The effective date of this annexation was February 15, 2002. Staff had recommended approval of this application.
02/06/02	The City Council approved an Annexation (A-0028-01) of 10 acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval on May 10, 2001. The effective date of this annexation was February 15, 2002. Staff had recommended approval of this application.
06/19/02	The City Council approved an Annexation (A-0027-01) of five acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval on May 10, 2001. The effective date of this annexation was June 28, 2002. Staff had recommended approval of this application.
01/08/03	The City Council approved an Annexation (A-0030-02) of five acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval on October 10, 2002. The effective date of this annexation was January 17, 2003. Staff had recommended approval of this application.

TMP-20518 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

02/05/03	The City Council approved an Annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south. The Planning Commission recommended approval on September 26, 2002. The effective date of this annexation was February 14, 2003. Staff had recommended approval of this application.
04/16/03	The City Council approved a request for a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval on February 13, 2003.
07/16/03	The City Council approved a request for a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved amendments to the approved Cliff's Edge Master Development Plan. The Planning Commission and staff recommended approval on June 12, 2003.
12/04/03	A Minor Modification (MOD-3189) to the Cliff's Edge Master Development Plan and Design Guidelines was administratively approved by the Planning and Development Department, subject to a number of conditions.
12/17/03	The City Council approved an Annexation (ANX-3087) of 27.5 acres of land within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval on October 23, 2003. The effective date of this annexation was December 26, 2003.
02/18/04	The City Council approved a request for a Rezoning (ZON-3241) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 90 acres covering 20 separate parcels in the Cliff's Edge area. The Planning Commission recommended approval on January 8, 2004. Staff recommended approval of this application.
02/18/04	The City Council approved a Development Agreement between the City of Las Vegas and Cliff's Edge, Limited Liability Company, for the Cliff's Edge Master Planned Community. The Planning Commission recommended approval on June 8, 2004. Staff recommended approval of this application.
02/26/04	The Planning Commission recommended approval of an Annexation (ANX-3693) of approximately 2.14 acres of land within the Cliff's Edge Master Development Plan area. The item will be forwarded to the City Council for consideration at its March 17, 2004 meeting. Its effective date, if approved, would be April 30, 2004.

TMP-20518 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

05/05/04	The City Council approved a Major Modification (MOD-3955) to the Cliff's Edge Master Development Plan to change land use designations from Village Commercial to Medium Low Density Residential and Medium Residential; from Medium Residential to Residential Small Lot; and from Medium Low Density Residential to Public Facilities; to modify Section 6.2.3 regarding retaining walls; and to modify Table 1 (Section 2.2) to reflect changes to the land use categories on 40 total acres within the Cliff's Edge Master Development Plan area.
11/16/05	The City Council approved a Major Modification (MOD-9174) to the Cliff's Edge Master Development Plan And Design Guidelines to establish standards for rear loaded residential small lot housing products and to add section 3.2.5b to the design guidelines on 1,156 acres including the subject site. The Planning Commission and staff recommended approval.
06/24/06	The Planning Commission approved a Tentative Map (TMP-4465) for a 286-lot subdivision on 40.84 acres on the subject site. Staff recommended approval. The current application is a major modification of this action.
04/26/07	The Planning Commission will consider a companion Variance (VAR-20524) to allow a 5-foot rear yard setback where 10-feet is the minimum setback required on the subject site

Related Building Permits/Business Licenses

10/30/06	Building Permit issued under plan check number L-3359-06 for on-site street lights within the subject site.
01/04/07	Building Permit issued under plan check number L-4006-06 for wall mounted signs at the entry to the subject site.

Pre-Application Meeting

03/02/07	A pre-application meeting was held to discuss the requirements for this Tentative Map in the Cliff's Edge Master Planned Community, and the specifics of the related Variance.

Neighborhood Meeting

A neighborhood meeting is not required for this request, nor was one held.

Details of Application Request

Site Area

Gross Acres	40.84

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
North	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)

RL

TMP-20518 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

South	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
East	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
West	Undeveloped	Unincorporated Clark County	Unincorporated Clark County

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Cliff's Edge (Providence)	X		N*
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
PD Planned Development District	X		N*
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

* Variance

- **Cliff's Edge Master Plan**

Future development within the Cliff's Edge master plan area is controlled by the Cliff's Edge Master Development Plan and the Cliff's Edge Design Guidelines. The Master Development Plan was required for the approval of PD (Planned Development) zoning, which was applied to the area concurrently with the approval of the Master Development Plan and the Design Guidelines.

- **PD Planned Development District**

Pursuant to Title 19.06.050, the development standards within a PD (Planned Development) zoning district are established by the Master Development Plan. The development standards for the Cliff's Edge area are established through the approved Cliff's Edge Master Development Plan, and with the approval of proposed modifications to the area's land use categories.

TMP-20518 - Staff Report Page Five
April 26, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Standard	Approved TMP-4465	Proposed TMP- 20518 18' driveway	Proposed TMP- 20518 24' private drives
Total Number of Lots	286		324
Common Lots	7		14
Open Space	35,357 SF		77,321
Parking Spaeacs	572		648
Typical Lot Size			
Typical Lot Width	44 Feet	44 Feet	36 Feet
Min. Setbacks			
• Front	5 Feet	5 Feet	5 Feet
• Front Garage	18 Feet	18 Feet	5 Feet*
• Side	3 Feet	3 Feet	3 Feet
• Corner	10 Feet	10 Feet	10 Feet
• Rear	10 Feet**	10 Feet**	10 Feet**

* Subject of Variance (VAR-20524)

** Pursuant to Cliff's Edge Standards, up to 50% of the rear of the house may be setback 10 feet while the remainder must be setback 15 feet.

	Permitted Density	Units Allowed
Approved TMP-4465	7.00 du/a	286
Proposed TMP-20518	7.93 du/a	324

ANALYSIS

The area covered by the proposed Tentative Map includes properties with the designations of PCD (Planned Community Development) on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Map of the General Plan. All of the parcels on the proposed Tentative Map are zoned PD (Planned Development), with an approved density of 7.0 dwelling units per acre across the entire development. This proposed Tentative Map will increase the density to 7.93 dwelling units per acre, adding a total of 38 additional units, and require a front setback variance on the 188 lots which comprise Windimere II. While this zoning district and mean density will be in conformance with the provisions of the PCD (Planned Community Development) land use designation, this proposed modification with the required Variance is not appropriate for this location.

TMP-20518 - Staff Report Page Six
April 26, 2007 - Planning Commission Meeting

Pursuant to Title 19.06.050, the development standards within a PD (Planned Development) zoning district are established by the Master Development Plan. The development standards for the Cliff's Edge area are established through the approved Cliff's Edge Master Development Plan, and with the approval of proposed modifications to the area's land use categories. However, since this proposal requires a Variance from the setbacks established in the Cliff's Edge Master Development Plan and Design Guidelines, and because that Variance is needed solely because of a self-imposed hardship, staff finds that the proposed Tentative Map fails to comply with the intent of the PD zoning within this Master Plan.

FINDINGS

- **General information (Residential/Commercial)**

The proposed Tentative Map depicts the area generally located between Puli Road and Shaumber Road, along the north side of Dorrell Lane. The submitted map depicts Shaumber Road and Dorrell Lane as 70-foot rights-of-way and Puli Road a 90-foot right-of-way. Access to the subdivision is from Dorrell, have way between Puli and Shaumber. All streets within the subdivision are shown as 39 foot in width. However, many of the lots are front-loaded along 24-foot wide private drives. This arrangement requires a Variance to allow the setbacks required to enable such development to be front-loaded.

- **Cross Section**

The submitted cross-sections depict a maximum natural grade between 0% and 0.97% across east to west and 0% and 0.98% north and south on this site. Per Table A Subdivision Code 18.08.110 a development with natural slope of 0% to 2%, such as this development, is allowed a maximum four-foot retaining wall. The submitted cross sections do not show any retaining walls greater than 4.0 feet in height.

- **Trails**

Shaumber Road shall be developed according to the standards of the Thematic Parkway Loop as described in the Cliff's Edge Design Standards.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 13

TMP-20518 - Staff Report Page Seven
April 26, 2007 - Planning Commission Meeting

SENATE DISTRICT 9

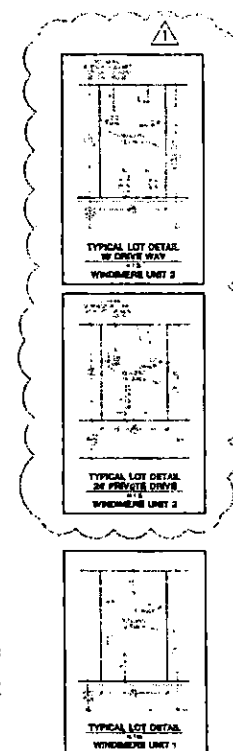
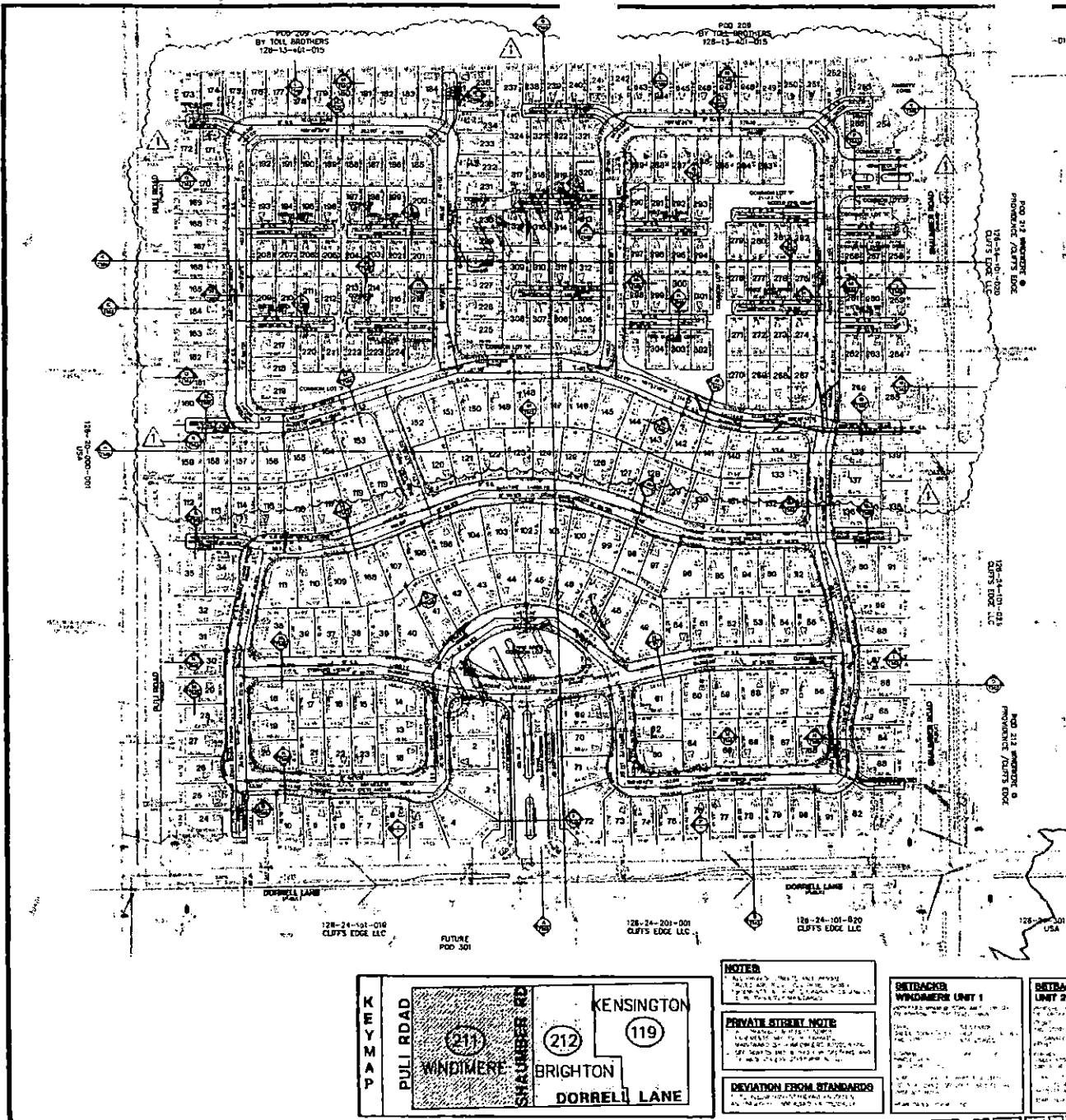
NOTICES MAILED 52 [Mailed with VAR-20524]

APPROVALS 0

PROTESTS 0



Case Number: **TMP-20518** APN: 126-24-110-007



VICINITY MAP
PROJECT SITE

GRAPHIC SCALE

BENCHMARKS

BASIS OF MEASUREMENTS

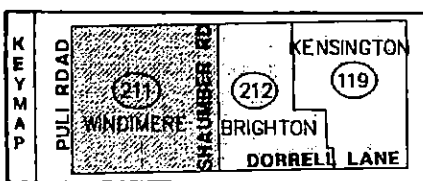
OWNER

DEVELOPER

GENERAL NOTES

Call before you Dig
1-800-227-2600

Call before you Overhead
1-702-593-6711



NOTES

PRIVATE STREET NOTE

DEVIATION FROM STANDARDS

RETRACTOR WINDMERE UNIT 1

RETRACTOR WINDMERE UNIT 2

TERRAIN

LEGEND

10' 0"	10' 0"	10' 0"
20' 0"	20' 0"	20' 0"
30' 0"	30' 0"	30' 0"
40' 0"	40' 0"	40' 0"
50' 0"	50' 0"	50' 0"
60' 0"	60' 0"	60' 0"
70' 0"	70' 0"	70' 0"
80' 0"	80' 0"	80' 0"
90' 0"	90' 0"	90' 0"
100' 0"	100' 0"	100' 0"

KIMBALL HILL

WINDMERE II TENTATIVE MAP

WINDMERE II PROVIDENCE / CLIFFS EDGE

CITY OF LAS VEGAS

APPROVED BY

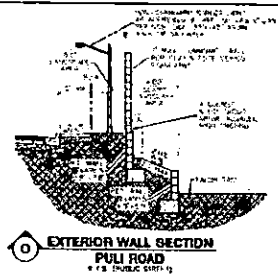
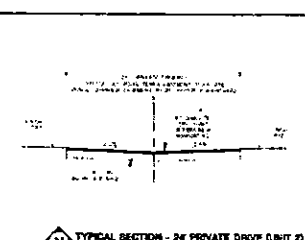
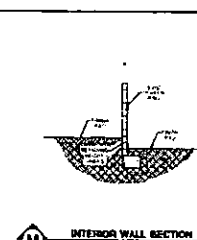
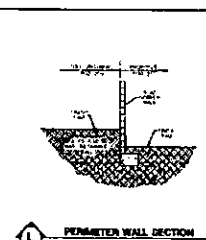
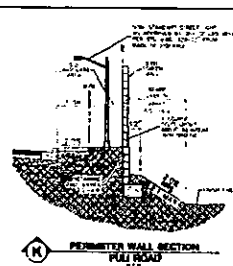
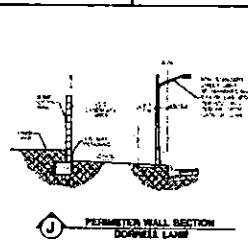
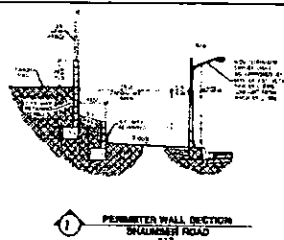
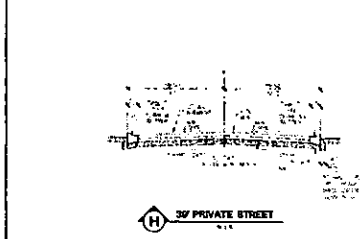
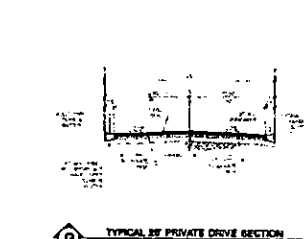
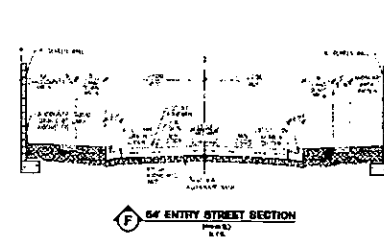
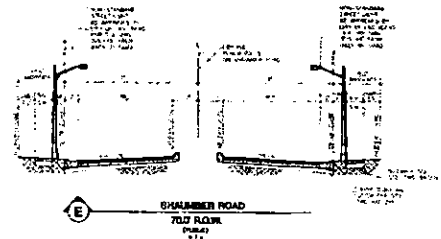
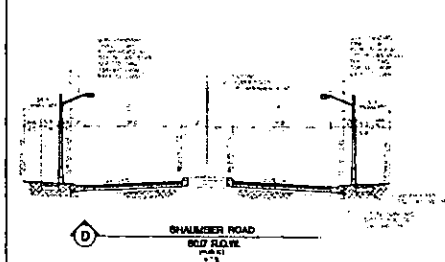
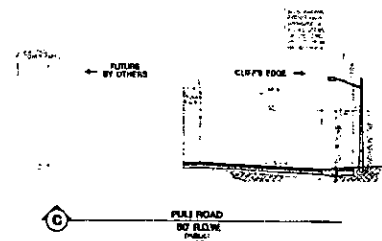
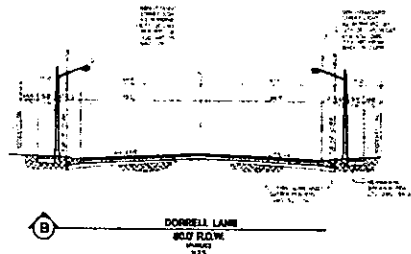
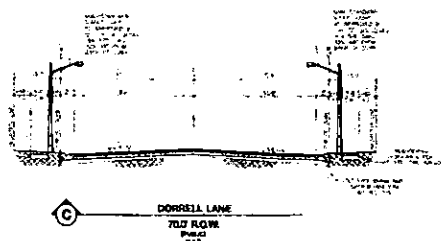
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APR 03 2007

TMP-20518

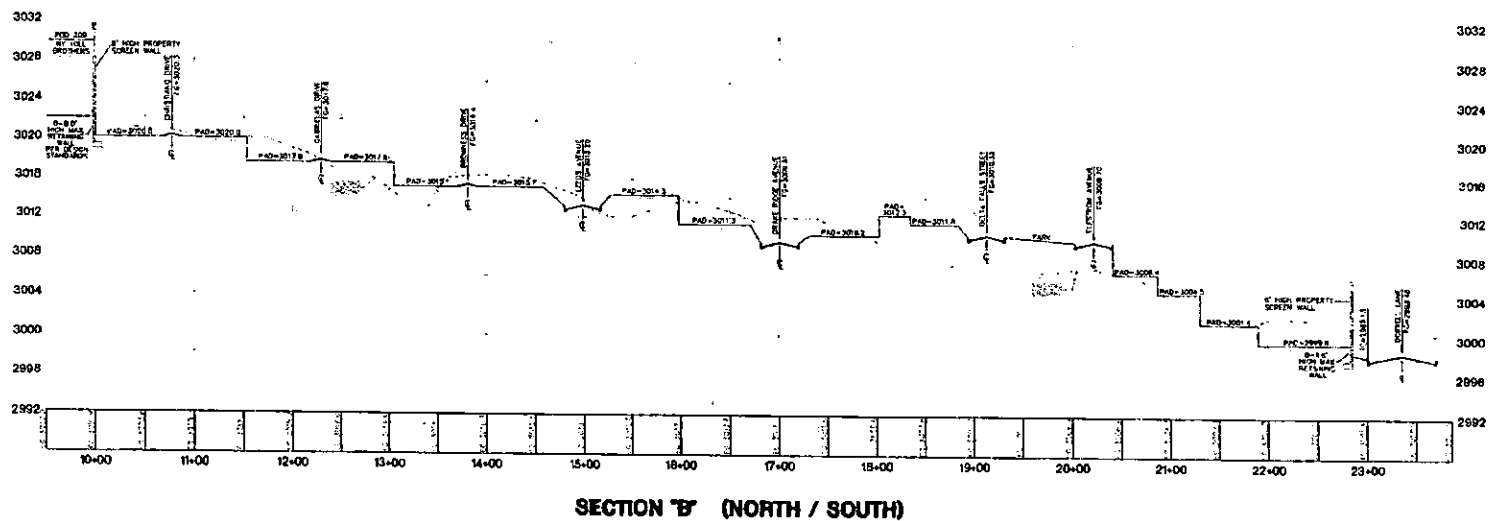
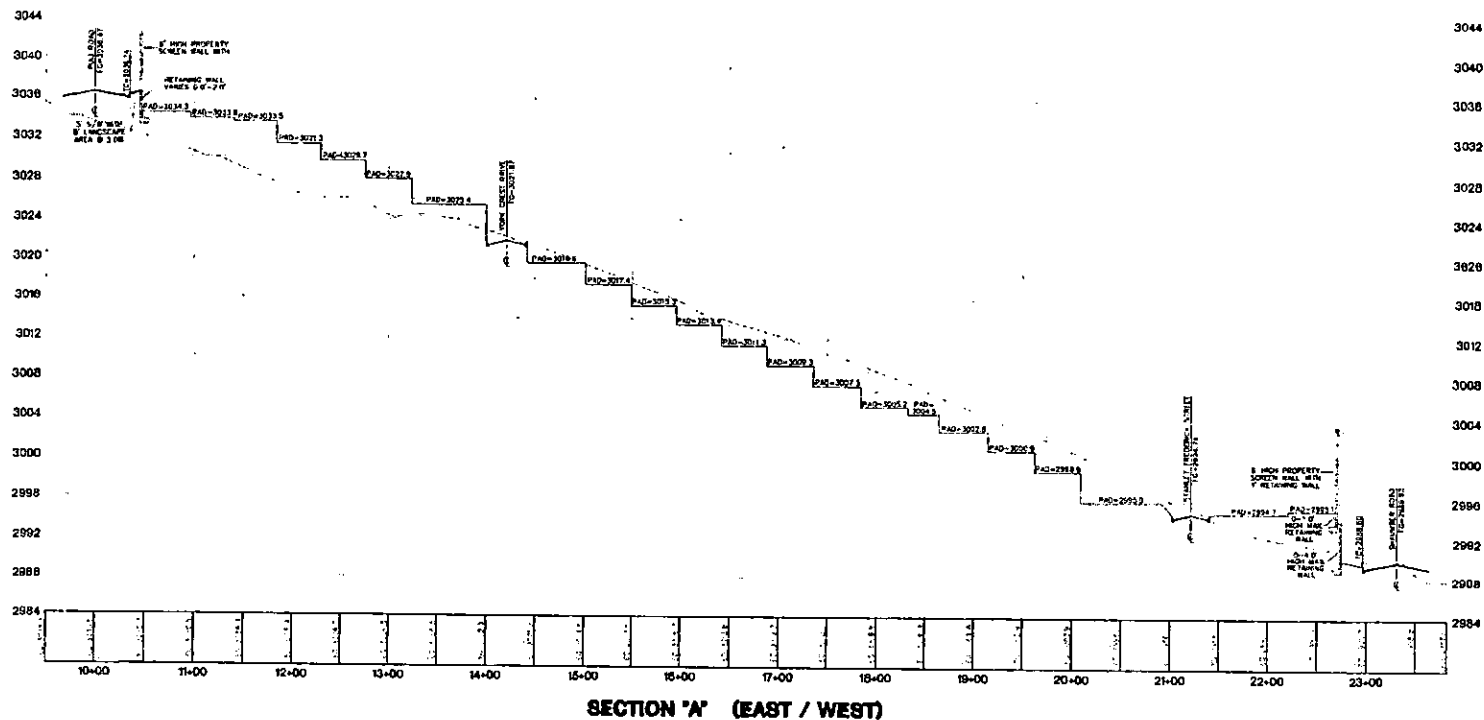
REVISED

04/26/07 PC



RECEIVED
APR 03 2007

	DRAWN BY: _____ BY: _____ CHECKED BY: _____ DATE: _____ PROJECT NO: _____ E&O: _____	CITY OF LAS VEGAS KIME ALL HILL WINDMERE II TENTATIVE MAP PROJECT NO. 2001 002118-0001	 Nevada
2 4 5	2 4 5	WINDMERE II PROVIDENCE / CUFFS EDGE	WINDMERE II PROVIDENCE / CUFFS EDGE



CITY OF LAS VEGAS

KIMBALL HILL

**WINDIMERE II
TENTATIVE MAP**

WINDMERE II
TENTATIVE MAP

PROJECT NO.	SCALE 1"=40' NOM.
CATEGORIED BY	FEB 2001
DESIGNED BY	FEB 2001

[illegible]

5/28/84
SET 1
TM3
3 OF 4 SHEETS

DATE

RECEIVED

APR 03 2003

TMP-20518
REVISED

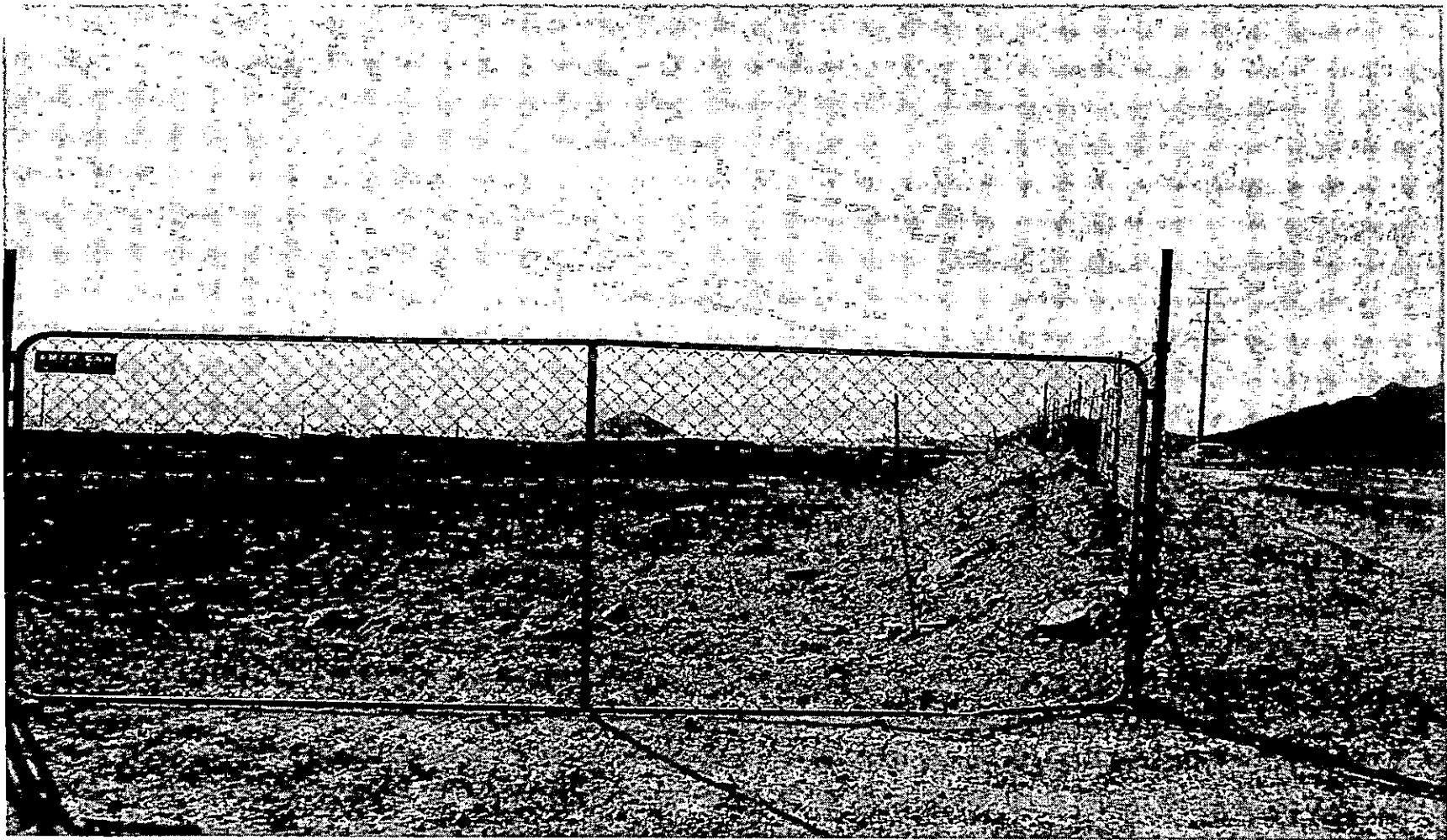
REVISÉD

04/26/07 PC



VAR-20524 & TMP-20518 - APPLICANT/OWNER: K B HOME NEVADA
NORTH SIDE OF DORRELL LANE, BETWEEN PULI ROAD AND SHAUMBER ROAD
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



VAR-20524 & TMP-20518 - APPLICANT/OWNER: K B HOME NEVADA
NORTH SIDE OF DORRELL LANE, BETWEEN PULI ROAD AND SHAUMBER ROAD
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



VAR-20524 & TMP-20518 - APPLICANT/OWNER: K B HOME NEVADA
NORTH SIDE OF DORRELL LANE, BETWEEN PULI ROAD AND SHAUMBER ROAD
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



PROVIDENCE

DESIGN REVIEW COMMITTEE

3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129
(702) 242-4949 ~ FAX: 568-2044

March 13, 2007

Chuck Connors
Kimball Hill
8965 Eastern Avenue, Suite 200
Las Vegas, NV 89183

**RE: Cliff's Edge Master Plan Community
Preliminary Project Plan Submittal – POD 211 – Windimere Unit 2
Plan Date: NA**

Dear Chuck:

Cliff's Edge Design Review Committee (DRC) is in receipt of your Preliminary Project Plan submittal for POD 211 – Windimere Unit 2. Attached please find a review letter from KTG Group, Inc. dated February 9, 2007.

- ◆ Upon review of KTG Group Inc.'s comments as stated in the attached letter, the DRC "approves with conditions" your Preliminary Project Plan for POD 211 – Unit 2.

Conditions of approval are subject to the following:

- ◆ Floor plan modifications, if any, per style should be indicated.
- ◆ Complete wrap elevations for each style should be submitted.
- ◆ Corner side enhancement should be shown.
- ◆ Visible rear and side elevations should be shown.
- ◆ Roof plans should be provided.
- ◆ Amended Tentative Map received March 8, 2007, does not show typical lot detail adjacent to curvilinear roads.
- ◆ Building footprint and detail for all lots should be submitted.
- ◆ Preliminary design for entry landscape should be submitted.

RECEIVED
MAR 13 2007

The following are comments for the preliminary site plan submitted March 8th, 2007. The plans have been reviewed against Section 3.2.1 of the Design Guidelines based on the standards for development of Medium Density Residential neighborhoods within the Providence Master Plan.

Standards	Required	Provided	Compliance
Minimum Setbacks			
Principal Building and Accessory Structures From Adjacent Parcel PL	30' (Principal) 30' (Principal)	N/A	N/A

TMP-20518
04/26/07 PC



PROVIDENCE

March 13, 2007
Page 2 of 3

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MAR 13 2007

TMP-20518
04/26/07 PC

	20'(Accessory)		
Principal Buildings and Accessory Structures Adjacent to Street ROW at Parcel Perimeter	25'	N/A	N/A
Principal Buildings and Accessory Structures Adjacent to Parks, Open Space, Landscape Areas Adjacent to Perimeter Streets, or Paseo PL	10'	N/A	N/A
Living Area or Porch From Private Street or Parking.	10'	5'	*NO
Garage Face Setback From Private Street	Less than 5' or 18'+	5'	YES
Building Separation			
Balcony to Balcony	30'	N/A	N/A
Balcony to Non-Balcony	20'	N/A	N/A
Non-Balcony to Non-Balcony	15'	15'	YES
Standards	Required		
Between Main Bldg & Acc. Structure	10'	N/A	N/A
Maximum Building Height			
Principal Building and Accessory Structures	50' Subject to setback criteria above	N/A	N/A
Minimum Open Space			
Common Open Space	100 Square Feet / Unit (32, 400 square feet required)	Exceed total square feet required	YES
Parking (Minimum No. of Spaces Required)			
Studio or 1 Bedroom Units	1.25 / Unit (278 Spaces)	Exceeds total spaces required	YES
Two Bedroom Units	1.75 / Unit (388 Spaces)	Exceeds total spaces required	YES
Units with More than 2 Bedrooms	2 / Unit (96 Spaces)	Exceeds total spaces	YES



PROVIDENCE

March 13, 2007

Page 3 of 3

		required	
Visitor Parking	0.2 / Unit (98 Spaces)	Exceeds total spaces required	YES
Senior Housing	1 Covered or Enclosed Space / Unit	Exceeds total spaces required	YES

Based on the above noted comments, we recommend **"Approval with Conditions"** of this Preliminary Project Plan submittal. (*)Although the requested front setback does not meet the standard requirements, it does provide for a front aesthetic that eliminates the typical garage forward design that we wish to avoid. In addition, driveway depths of 5' and 18', which are the preferable depths by both the master developer and the City of Las Vegas must be met. With these characteristics in mind, DRC recommends approval of the Site Plan as requested.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

CLIFF'S EDGE, LLC

Carmen Shukis
Design Review Manager

cc via email Tylere Bross, Amber Abel - Focus

Enclosures (KTTY Group Inc. Letter dated 02/09/07)

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MAR 13 2007

TMP-20518
04/26/07 PC

**Amended Tentative Map
Windimere @ Providence/Cliffs Edge**

Austin James
Bowness
Christiano
Enchanting Diamond
Gabrielas
Jamie Christine
Jayden Michael
Kennebeck
Kyle Michael
Leeds
McBee
Modelo King
Pollard
Prince Gabe
Regina Maria
St. Martin
Stanley Frederick
Veron Steffie
York Glaziers

**TMP-20518
04/26/07 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-20544 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE A 20-FOOT SETBACK IS REQUIRED on 0.23 acres at 6402 White Tiger Court (APN 125-35-310-010), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – DENIED – Motion carried with GOYNES, TROWBRIDGE and DUNNAM voting NO

This is Final Action

NOTE: An initial motion by TROWBRIDGE for APPROVAL subject to conditions failed with DAVENPORT, TRUESDELL, EVANS and STEINMAN voting NO.

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

At the request of CHAIRMAN DAVENPORT, discussion regarding Items 69-75 would be incorporated under Item 68 since the requests are identical but pertain to different locations. JOHN GRUJICIC, GC Wallace, agreed.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 68 – VAR-20544

MINUTES – Continued:

ANDY REED, Planning Supervisor, indicated that the applicant had created a self-imposed hardship by proposing to construct a house that does not meet the required setbacks and he recommended denial.

JOHN GRUJICIC, GC Wallace, 1555 South Rainbow Boulevard, stated that the single family subdivision would consist of 112 lots of which only 7 lots would require the Variance. He requested approval in order to support a varying street scene and larger lots. The seven lots in question would be irregular in shape and each would have angled side yard delineations. MR. GRUJICIC noted that approval would not affect anyone outside of the subdivision.

TOMMY URIBE, DR Horton, confirmed there are three other homes that would fit on the lots if the Variance were granted and approval would allow a potential homebuyer more selection.

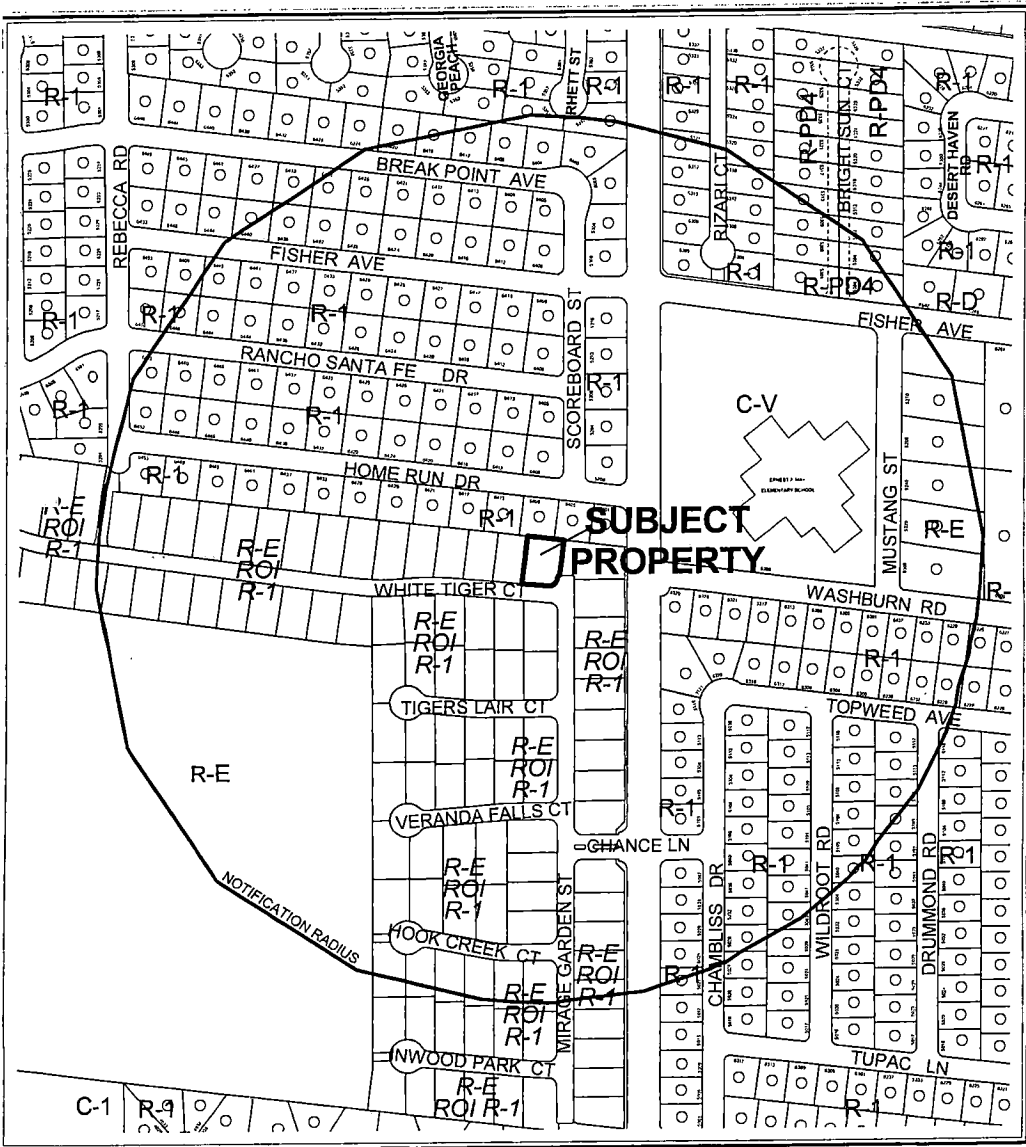
CHAIRMAN DAVENPORT stated that if there are another three homes would fit on one of those lots, then the request is not necessary. COMMISSIONER STEINMAN concurred and opposed the request.

MR. URIBE responded that it would be an advantage for the owner to offer the additional home since it is a new model.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(10:58 – 11:10)

3-3259



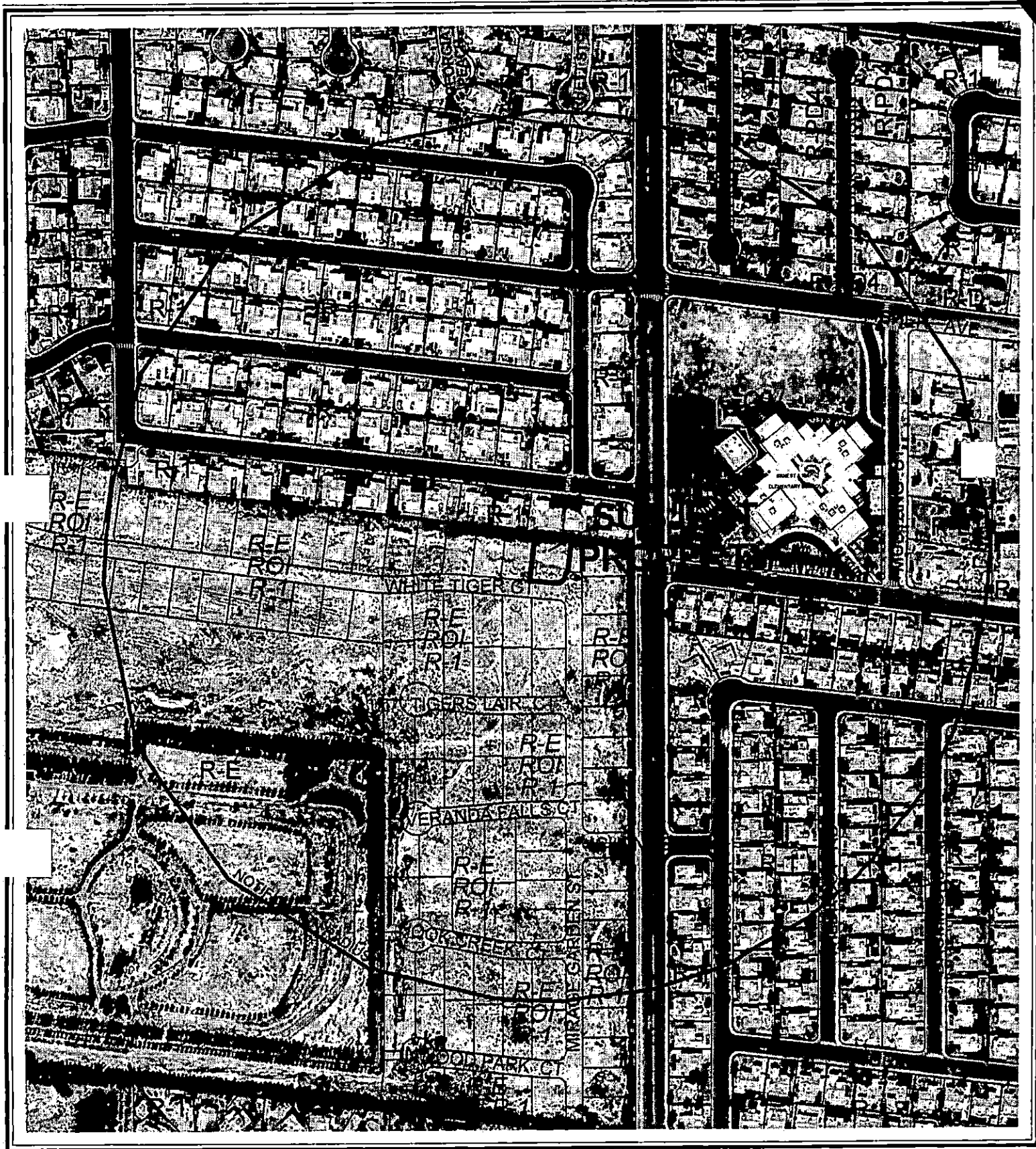
CASE: **VAR-20544**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE-FAMILY RESIDENTIAL)





CASE: **VAR-20544**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE-FAMILY RESIDENTIAL)

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20544 - APPLICANT/OWNER: D.R. HORTON, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-7653), Special Use Permit (SUP-7656) and Tentative Map (TMP-8595) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-20544 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Variance to allow a 15-foot front yard setback where a 20-foot setback is required for a new single-family residence at 6402 White Tiger Court. The applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Offering a product that fits within the approved setbacks would allow conformance to the Title 19 requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a General Plan Amendment (GPA-6296) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) and SC (Service Commercial) to L (Low Density Residential) on a 5.0 acre portion of a 74.46 acre site, and struck a Rezoning (ZON-6302) from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a petition to Vacate (VAC-6725) a portion of an existing cul-de-sac at the south end of Rebecca Road, a Rezoning (ZON-7653) from R-E (Residence Estates) to R-1 (Single-Family Residential), Special Use Permit (SUP-7656) for private streets within a proposed subdivision, and a Waiver (WVR-7659) of Title 18.12.160 to allow approximately 52 feet between street intersections where 125 feet is the minimum distance separation required. The Planning Commission and staff recommended approval.
09/22/05	The Planning Commission approved a Tentative Map (TMP-8595) for a 112-lot single family residential subdivision on 28.50 acres on the subject site. Staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
NA	
<i>Pre-Application Meeting</i>	
02/26/02	A pre-application meeting was held to discuss the requirements for a setback Variance. Applicant was informed that a separate Variance is required for each lot.
<i>Neighborhood Meeting</i>	
A Neighborhood Meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
03/26/07	A field check was conducted on the site to determine that site conditions are as depicted in the submitted documentation. No pertinent issues were identified.

VAR-20544 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	.23 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
North	Undeveloped	L (Low Density Residential)	R-1 (Single-Family Residential)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
East	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)

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

Airport Overlay District

The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted by Title 19. The proposed buildings will be in compliance with the 175 and 200-foot height restrictions imposed by the North Las Vegas Airport Overlay District map.

RL

VAR-20544 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF		Y
Min. Lot Width	65 Feet		Y
Min. Setbacks			
• Front	20 Feet		N*
• Side	5 Feet		Y
• Corner	15 Feet		Y
• Rear	15 Feet		Y
Max. Lot Coverage	50%		Y
Max. Building Height	The lesser of 2-stories or 35 feet		Y

**** The subject of this Variance.***

ANALYSIS

The applicant is requesting a 15-foot front yard setback on the subject site where 20-feet is required, a 25% deviation. The subject site is an approved single family dwelling in a 112-lot approved subdivision. While the front yard setback would be reduced to less than 18 feet, the garage entry will be set back a minimum of 20 feet from the front property line. The subject site is one of seven out of 112 units in the Bavaria Estates subdivision for which the applicant seeks such a Variance. This accounts for approximately 6% of the total units. This reduction in the front yard setback distance allows for greater depth in the rear yard on the subject site.

FINDINGS

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

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

VAR-20544 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Alternatively offering a product that fits within the approved setbacks 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

5

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 189

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20544** APN: 125-35-310-010 / 6402 White Tiger Ct.

Name of Property Owner: D.R. Horton

Name of Applicant: D.R. Horton

Name of Representative: G.C. Wallace

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

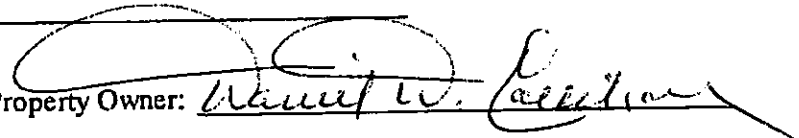
☒ No

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): _____

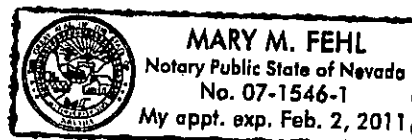
APN: _____

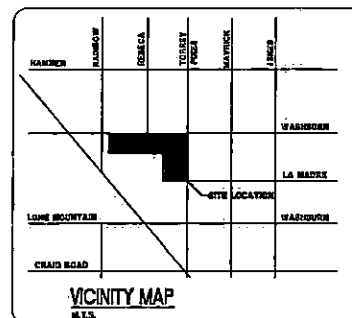
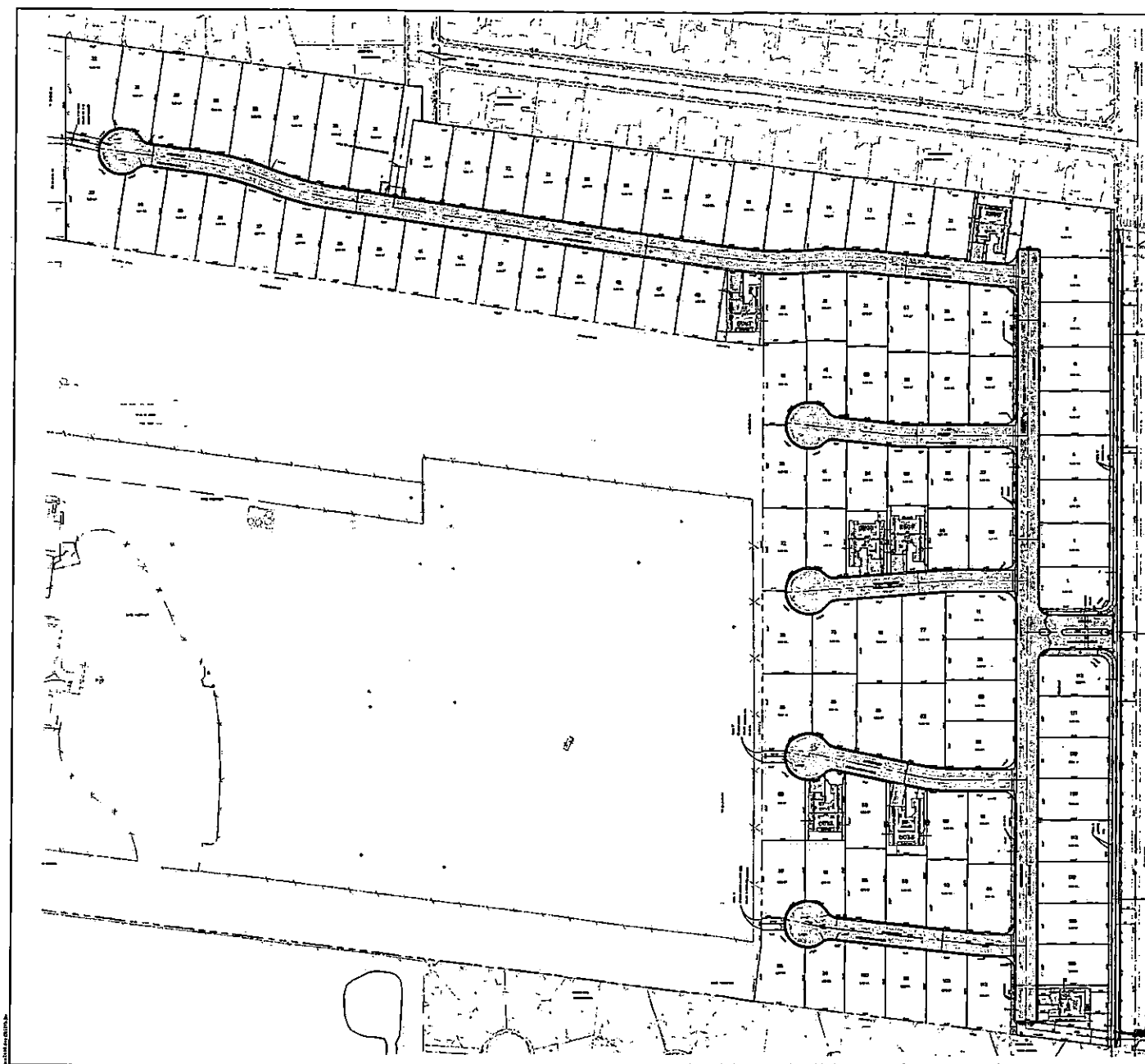
Signature of Property Owner: 

Print Name: Daniel D Callihan

Subscribed and sworn before me

This 12 day of March, 2007
Mary M. Fehl
Notary Public in and for said County and State





RECEIVED 1-4-2007	SAVARIA ESTATES DR HORTON, INC.	 G.C. WALLACE COMPANIES ARCHITECTS PLANNERS SURVEYORS 10000 W. CENTURY BLVD., SUITE 100 LAS VEGAS, NEVADA 89135 TEL: 702.735.1100 FAX: 702.735.1101 WWW.GCWALLACE.COM	PROJECT NO.	707-460	 STATE OF NEVADA DEPARTMENT OF REVENUE TAX DIVISION 150 N. 3RD ST., 3RD FLOOR LAS VEGAS, NV 89101 TEL: 702.496.4000 FAX: 702.496.4001
			DRAWING	SP-1	
OVERALL		LAS VEGAS SUBMITTAL - MEMO 10000 W. CENTURY BLVD., SUITE 100 LAS VEGAS, NV 89135 TEL: 702.735.1100 FAX: 702.735.1101			

VAR-20544
04/26/07 PC

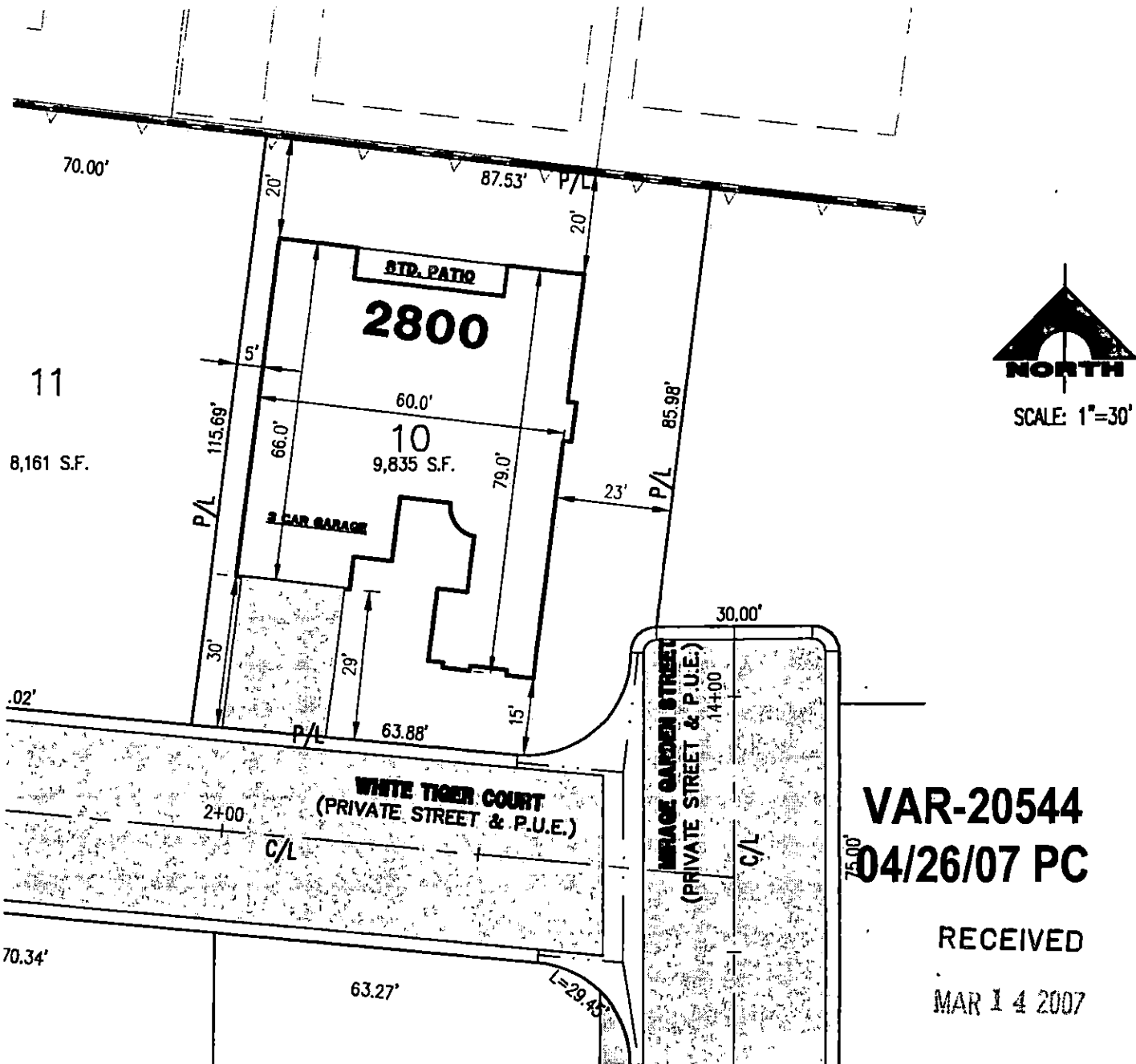
APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS

ADDRESS: 6402 WHITE TIGER CT. PARCEL NO. 125-35-310-010

REC. SUBDIV: BAVARIA ESTATES ZONE -

PLAN CHECK: - LOT 10 BLOCK - BOOK - PAGE -

APPROVAL FOR: SFD ☐ PATIO COVER ☐ BALCONY ☐ ONLY



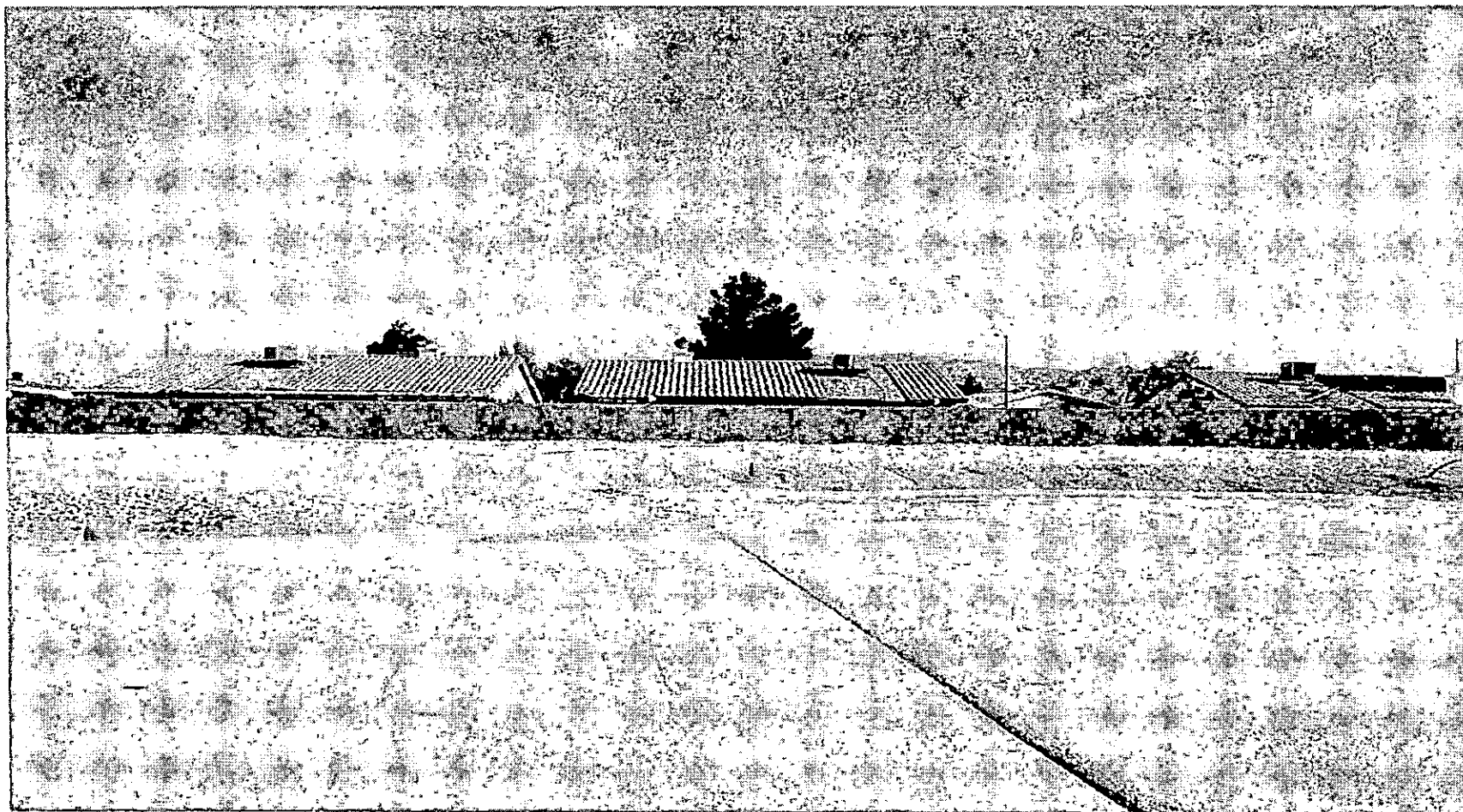
D.R. HORTON 0039179 C12-01325-063803
CONTRACTOR/AGENT/OWNER STATE LICENSE NO. CITY LICENSE NO.

CONTACT NAME: - PHONE NO. - FAX NO. -

CONDITIONS: -

PLANNING DEPARTMENT DATE BUILDING DEPARTMENT
LAND DEVELOPMENT DATE

I hereby certify that I have reviewed this application and the proposed plans and have found that the proposed development meets the requirements of the City of Las Vegas Flood Hazard Reduction Ordinance for the issuance of This Development Permit.



VAR-20544 - APPLICANT/OWNER: D.R. HORTON, INC.
6402 WHITE TIGER COURT
APRIL 26, 2007 PLANNING COMMISSION

03/26/07

March 13, 2007

**JUSTIFICATION LETTER
FOR A VARIANCE
TO THE FRONT SETBACK OF LOT 10
IN BAVARIA ESTATES**

Bavaria Estates is a 112-lot, single-family residential subdivision located on the west side of Torrey Pines Drive between Lone Mountain Road and Ann Road. Of the 112 lots several have a depth of less than 120' and could benefit from a reduction in the front setback for the house. D. R. Horton is asking for a variance to the front setback from 20' down to 15' for the house only on Lot 10 (APN 125-35-310-010), whose street address is 6402 White Tiger Court. The setback for the garage would remain at 20'. For the housing product D. R. Horton is contemplating, this would allow for a 5' deeper back yard on this lot.

D. R. Horton believes that because of changing market conditions this variance would give them greater ability to provide a potential home buyer with another option in his choice of lots in the subdivision, producing a higher level of customer satisfaction.

Furthermore, granting this request will assist in producing an environment of stable and desirable character that is consistent with the objectives of the City of Las Vegas, because of the suitability of the intended use and its compatibility with the adjacent property.

**VAR-20544
04/26/07 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-20545 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE A 20-FOOT SETBACK IS REQUIRED on 0.21 acres at 6425 White Tiger Court (APN 125-35-310-049), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – DENIED – Motion carried with TROWBRIDGE and DUNNAM voting NO

This is Final Action

MINUTES – Continued:

See Item 68 for related discussion.

(10:58 – 11:10)

3-3259



CASE: VAR-20545

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE-FAMILY RESIDENTIAL)





RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE-FAMILY RESIDENTIAL)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20545 - APPLICANT/OWNER: D.R. HORTON, INC.

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-7653), Special Use Permit (SUP-7656) and Tentative Map (TMP-8595) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-20545 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Variance (VAR-20545) to allow a 15-foot front yard setback where a 20-foot setback is required for a new single-family residence at 6425 White Tiger Court. The applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Offering a product that fits within the approved setbacks would allow conformance to the Title 19 requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a General Plan Amendment (GPA-6296) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) and SC (Service Commercial) to L (Low Density Residential) on a 5.0 acre portion of a 74.46 acre site, and struck a Rezoning (ZON-6302) from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a petition to Vacate (VAC-6725) a portion of an existing cul-de-sac at the south end of Rebecca Road, a Rezoning (ZON-7653) from R-E (Residence Estates) to R-1 (Single-Family Residential), Special Use Permit (SUP-7656) for private streets within a proposed subdivision, and a Waiver (WVR-7659) of Title 18.12.160 to allow approximately 52 feet between street intersections where 125 feet is the minimum distance separation required. The Planning Commission and staff recommended approval.
09/22/05	The Planning Commission approved a Tentative Map (TMP-8595) for a 112-lot single family residential subdivision on 28.50 acres on the subject site. Staff recommended approval.

<i>Related Building Permits/Business Licenses</i>	
NA	
<i>Pre-Application Meeting</i>	
02/26/02	A pre-application meeting was held to discuss the requirements for a setback Variance. Applicant was informed that a separate Variance is required for each lot.
<i>Neighborhood Meeting</i>	
A Neighborhood Meeting is not required for this application, nor was one held.	

VAR-20545 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Field Check	
03/26/07	A field check was conducted on the site to determine that site conditions are as depicted in the submitted documentation. No pertinent issues were identified.

Details of Application Request	
Site Area	
Gross Acres	0.21

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
North	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)
East	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)

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

VAR-20545 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

Airport Overlay District

The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted by Title 19. The proposed buildings will be in compliance with the 175 and 200-foot height restrictions imposed by the North Las Vegas Airport Overlay District map.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF		Y
Min. Lot Width	65 Feet		Y
Min. Setbacks			N*
• Front	20 Feet		Y
• Side	5 Feet		Y
• Corner	15 Feet		Y
• Rear	15 Feet		Y
Max. Lot Coverage	50%		Y
Max. Building Height	The lesser of 2-stories or 35 feet		Y

**** The subject of this Variance.***

ANALYSIS

The applicant is requesting a 15-foot front yard setback on the subject site where 20-feet is required, a 25% deviation. The subject site is an approved single family dwelling in a 112-lot approved subdivision. While the front yard setback would be reduced to less than 18 feet, the garage entry will be set back a minimum of 20 feet from the front property line. The subject site is one of seven out of 112 units in the Bavaria Estates subdivision for which the applicant seeks such a Variance. This accounts for approximately 6% of the total units. This reduction in the front yard setback distance allows for greater depth in the rear yard on the subject site.

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."

RL

VAR-20545 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Alternatively offering a product that fits within the approved setbacks 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

6

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 136

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20545** APN: 125-35-310-049 / 6425 White Tiger Ct.

Name of Property Owner: D.R. Horton

Name of Applicant: D.R. Horton

Name of Representative: G.C. Wallace

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: _____

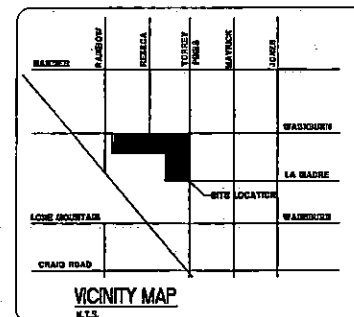
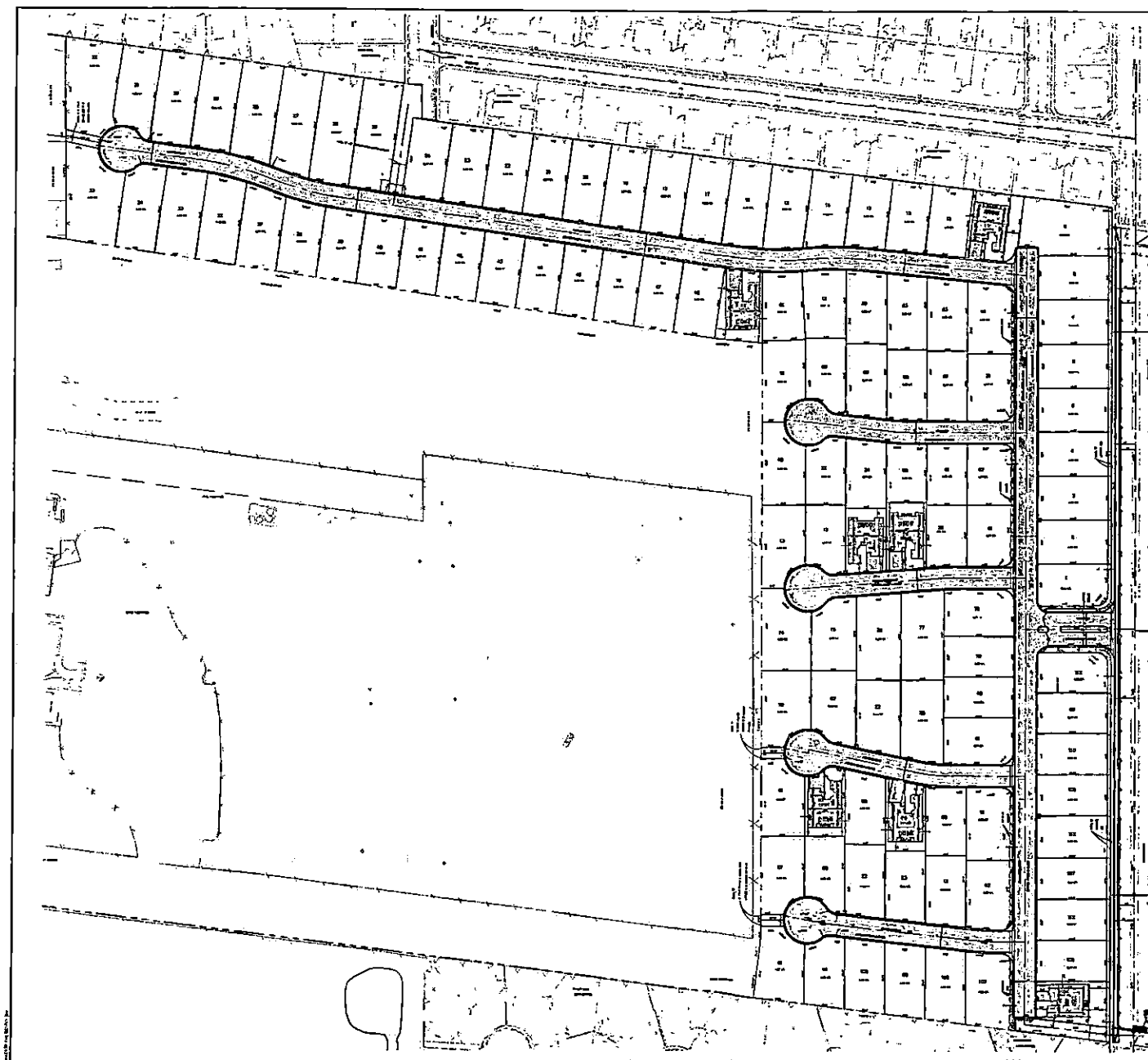
Print Name: Daniel D Callihan

Subscribed and sworn before me

This 12th day of March, 2007

Mary M. Fehl
Notary Public in and for said County and State





G.C. WALLACE COMPANIES
ENGINEERS | PLANNERS | SURVEYORS
1155 N. MARSHWORTH BOULEVARD • LAS VEGAS, NV 89166
TEL: 702.735.1200 • FAX: 702.735.1209 • GFWALLACE@COMcast.net

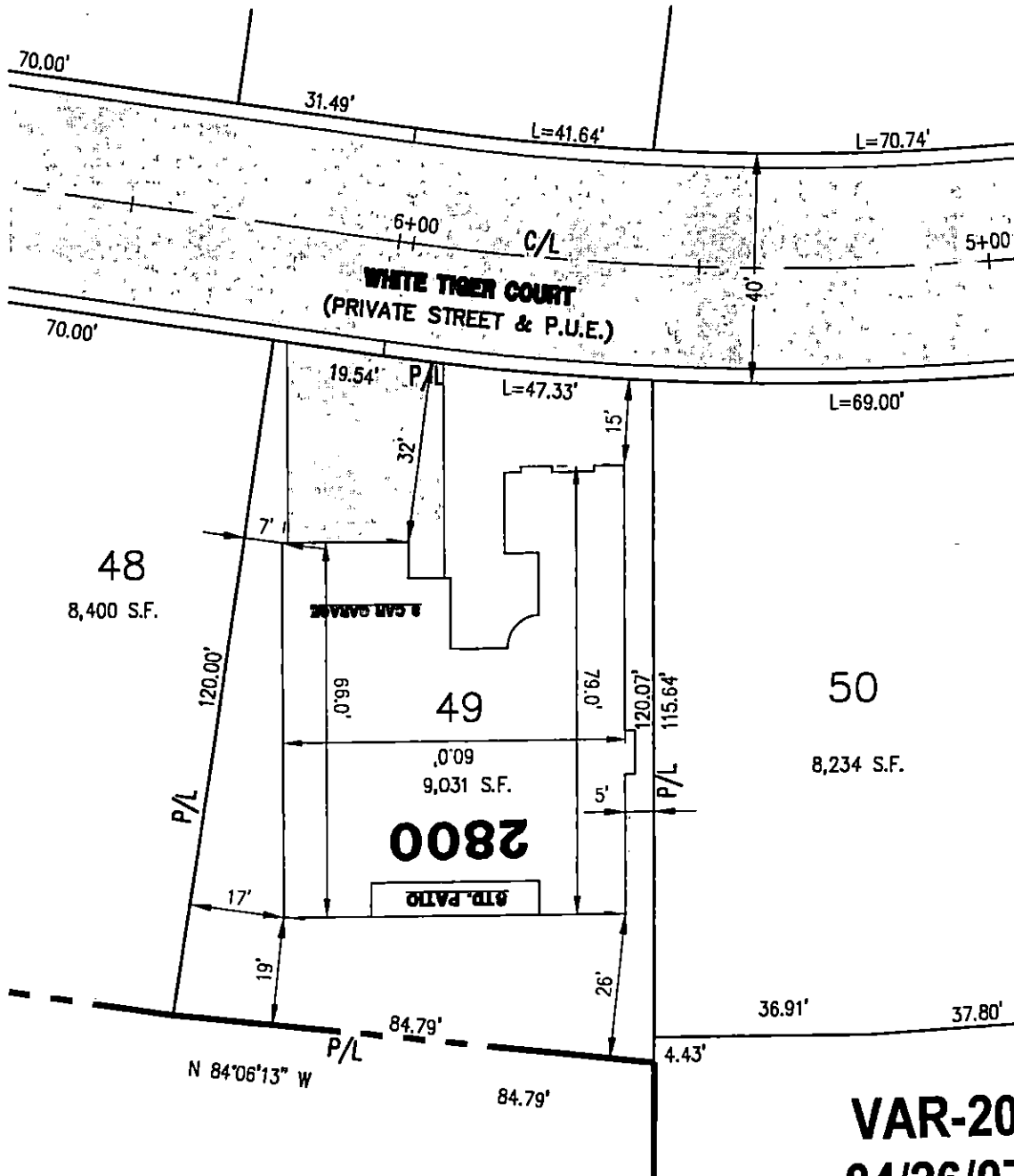
LAS VEGAS - SACRAMENTO - RENO

RECEIVED	14 2007
DRAWING	
SP-1	
1 OF 1 SHEETS	

VAR-20545
04/26/07 PC

APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS

ADDRESS: 6425 WHITE TIGER CT PARCEL NO. 125-35-310-049
 REC. SUBDIV: BAVARIA ESTATES ZONE -
 PLAN CHECK: - LOT 49 BLOCK - BOOK - PAGE -
 APPROVAL FOR: SFD ☐ PATIO COVER ☐ BALCONY ☐ ONLY



VAR-20545
04/26/07 PC

D.R. HORTON 0039179 C12-01325-063803
 CONTRACTOR/AGENT/OWNER STATE LICENSE NO. CITY LICENSE NO.

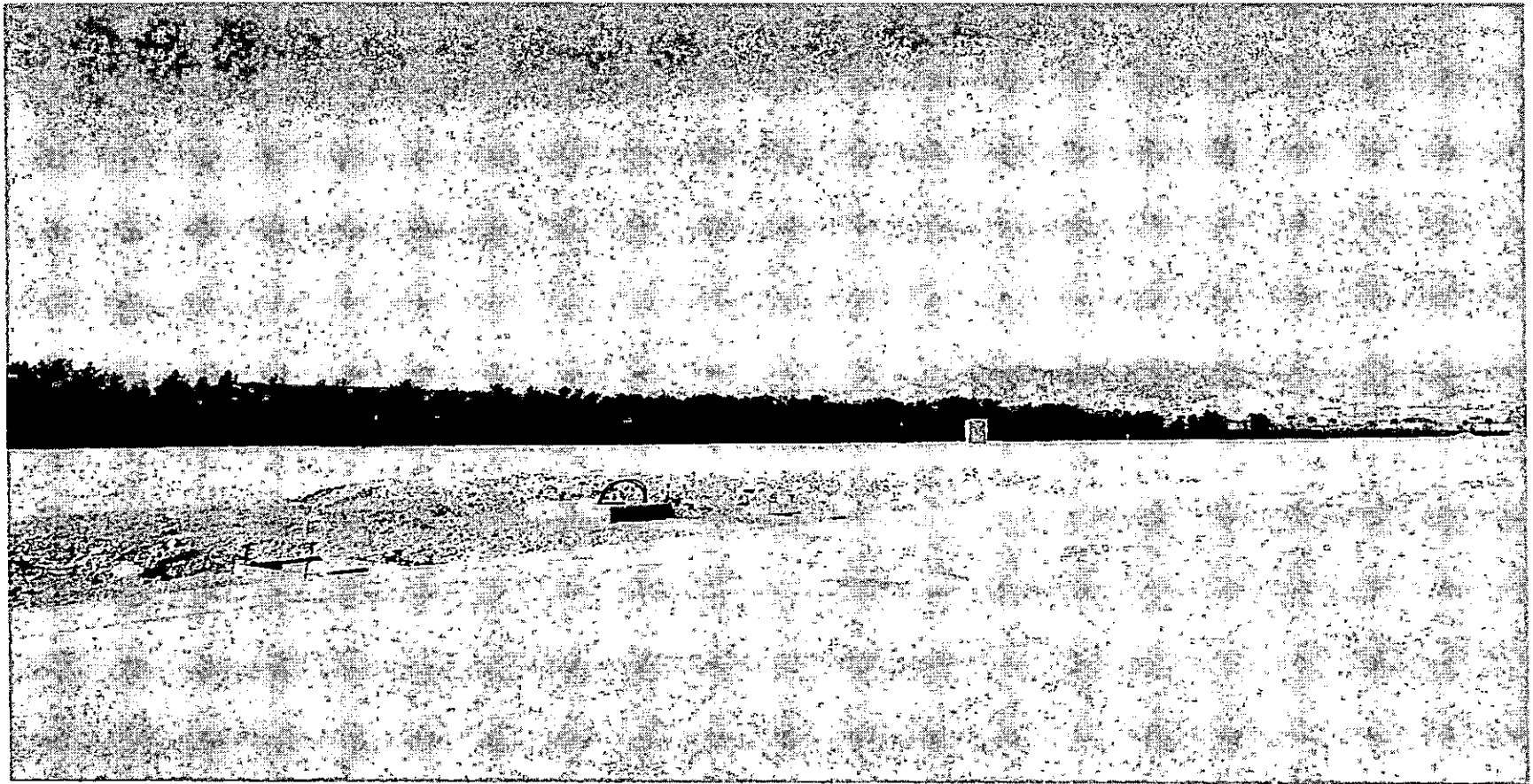
CONTACT NAME: - PHONE NO. - FAX NO. -
 CONDITIONS: -

PLANNING DEPARTMENT DATE BUILDING DEPARTMENT

LAND DEVELOPMENT DATE

I hereby certify that I have reviewed this application and the proposed plans and have found that the proposed development meets the requirements of the City of Las Vegas Flood Hazard Reduction Ordinance for the issuance of This Development Permit.

MAR 14 2007



VAR-20545 - APPLICANT/OWNER: D.R. HORTON, INC.
6425 WHITE TIGER COURT
APRIL 26, 2007 PLANNING COMMISSION

03/26/07

March 13, 2007

**JUSTIFICATION LETTER
FOR A VARIANCE
TO THE FRONT SETBACK OF LOT 49
IN BAVARIA ESTATES**

Bavaria Estates is a 112-lot, single-family residential subdivision located on the west side of Torrey Pines Drive between Lone Mountain Road and Ann Road. Of the 112 lots several have a depth of less than 120' and could benefit from a reduction in the front setback for the house. D. R. Horton is asking for a variance to the front setback from 20' down to 15' for the house only on Lot 49 (APN 125-35-310-049), whose street address is 6425 White Tiger Court. The setback for the garage would remain at 20'. For the housing product D. R. Horton is contemplating, this would allow for a 5' deeper back yard on this lot.

D. R. Horton believes that because of changing market conditions this variance would give them greater ability to provide a potential home buyer with another option in his choice of lots in the subdivision, producing a higher level of customer satisfaction.

Furthermore, granting this request will assist in producing an environment of stable and desirable character that is consistent with the objectives of the City of Las Vegas, because of the suitability of the intended use and its compatibility with the adjacent property.

RECEIVED
MAR 13 2007

**VAR-20545
04/26/07 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-20546 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE 20-FEET IS THE MINIMUM SETBACK REQUIRED on 0.18 acres at 6410 Veranda Falls Court (APN-125-35-310-070), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – DENIED – Motion carried with GOYNES, TROWBRIDGE and DUNNAM voting NO

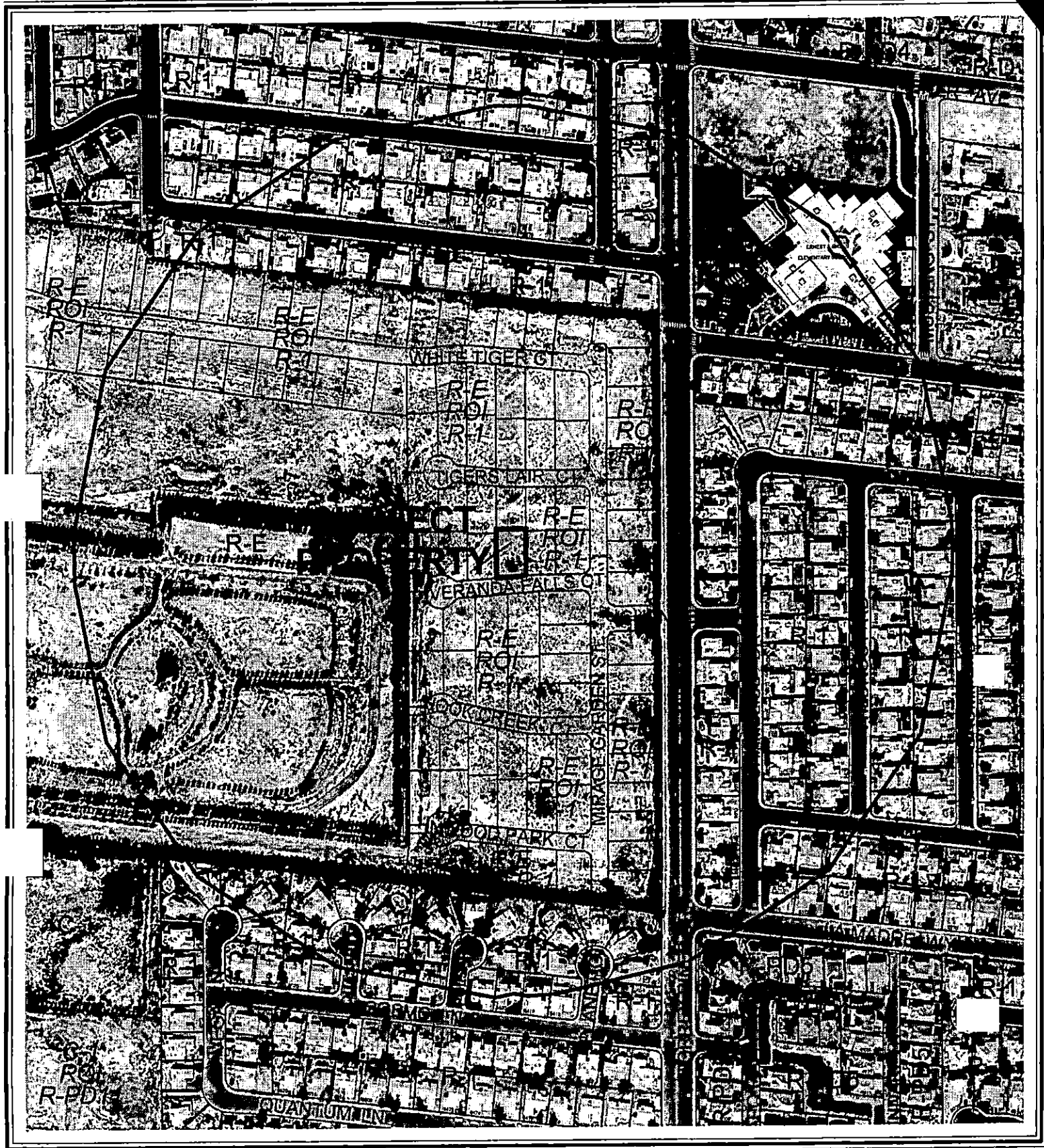
This is Final Action

MINUTES – Continued:

See Item 68 for related discussion.

(10:58 – 11:10)

3-3259



CASE: **VAR-20546**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE-FAMILY RESIDENTIAL)

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20546 - APPLICANT/OWNER: D.R. HORTON, INC.

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-7653), Special Use Permit (SUP-7656) and Tentative Map (TMP-8595) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-20546 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

This application is a request for a Variance (VAR-20546) to allow a 15-foot front yard setback where a 20-foot setback is required for a new single-family residence at 6410 Veranda Falls Court. The applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Offering a product that fits within the approved setbacks would allow conformance to the Title 19 requirements.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
06/01/05	The City Council approved a General Plan Amendment (GPA-6296) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) and SC (Service Commercial) to L (Low Density Residential) on a 5.0 acre portion of a 74.46 acre site, and struck a Rezoning (ZON-6302) from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a petition to Vacate (VAC-6725) a portion of an existing cul-de-sac at the south end of Rebecca Road, a Rezoning (ZON-7653) from R-E (Residence Estates) to R-1 (Single-Family Residential), Special Use Permit (SUP-7656) for private streets within a proposed subdivision, and a Waiver (WVR-7659) of Title 18.12.160 to allow approximately 52 feet between street intersections where 125 feet is the minimum distance separation required. The Planning Commission and staff recommended approval.
09/22/05	The Planning Commission approved a Tentative Map (TMP-8595) for a 112-lot single family residential subdivision on 28.50 acres on the subject site. Staff recommended approval.

Related Building Permits/Business Licenses	
NA	
Pre-Application Meeting	
02/26/02	A pre-application meeting was held to discuss the requirements for a setback Variance. Applicant was informed that a separate Variance is required for each lot.
Neighborhood Meeting	
A Neighborhood Meeting is not required for this application, nor was one held.	

Field Check	
03/26/07	A field check was conducted on the site to determine that site conditions are as depicted in the submitted documentation. No pertinent issues were identified.

RL

VAR-20546 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	0.21 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
North	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
East	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)

VAR-20546 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

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

Airport Overlay District

The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted by Title 19. The proposed buildings will be in compliance with the 175 and 200-foot height restrictions imposed by the North Las Vegas Airport Overlay District map.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF		Y
Min. Lot Width	65 Feet		Y
Min. Setbacks			
• Front	20 Feet		N*
• Side	5 Feet		Y
• Corner	15 Feet		Y
• Rear	15 Feet		Y
Max. Lot Coverage	50%		Y
Max. Building Height	The lesser of 2-stories or 35 feet		Y

**** The subject of this Variance.***

ANALYSIS

The applicant is requesting a 15-foot front yard setback on the subject site where 20-feet is required, a 25% deviation. The subject site is an approved single family dwelling in a 112-lot approved subdivision. While the front yard setback would be reduced to less than 18 feet, the garage entry will be set back a minimum of 20 feet from the front property line. The subject site is one of seven out of 112 units in the Bavaria Estates subdivision for which the applicant seeks such a Variance. This accounts for approximately 6% of the total units. This reduction in the front yard setback distance allows for greater depth in the rear yard on the subject site.

VAR-20546 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Alternatively offering a product that fits within the approved setbacks 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

6

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 158

APPROVALS 0

PROTESTS 0

RL



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20546** APN: 125-35-310-070 / 6410 Veranda Falls Ct.
Name of Property Owner: D.R. Horton
Name of Applicant: D.R. Horton
Name of Representative: G.C. Wallace

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: _____

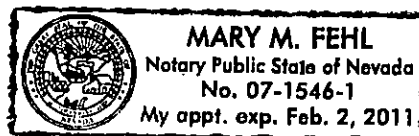
Signature of Property Owner: _____

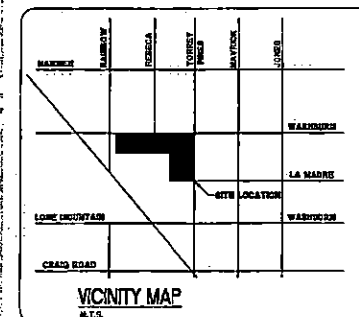
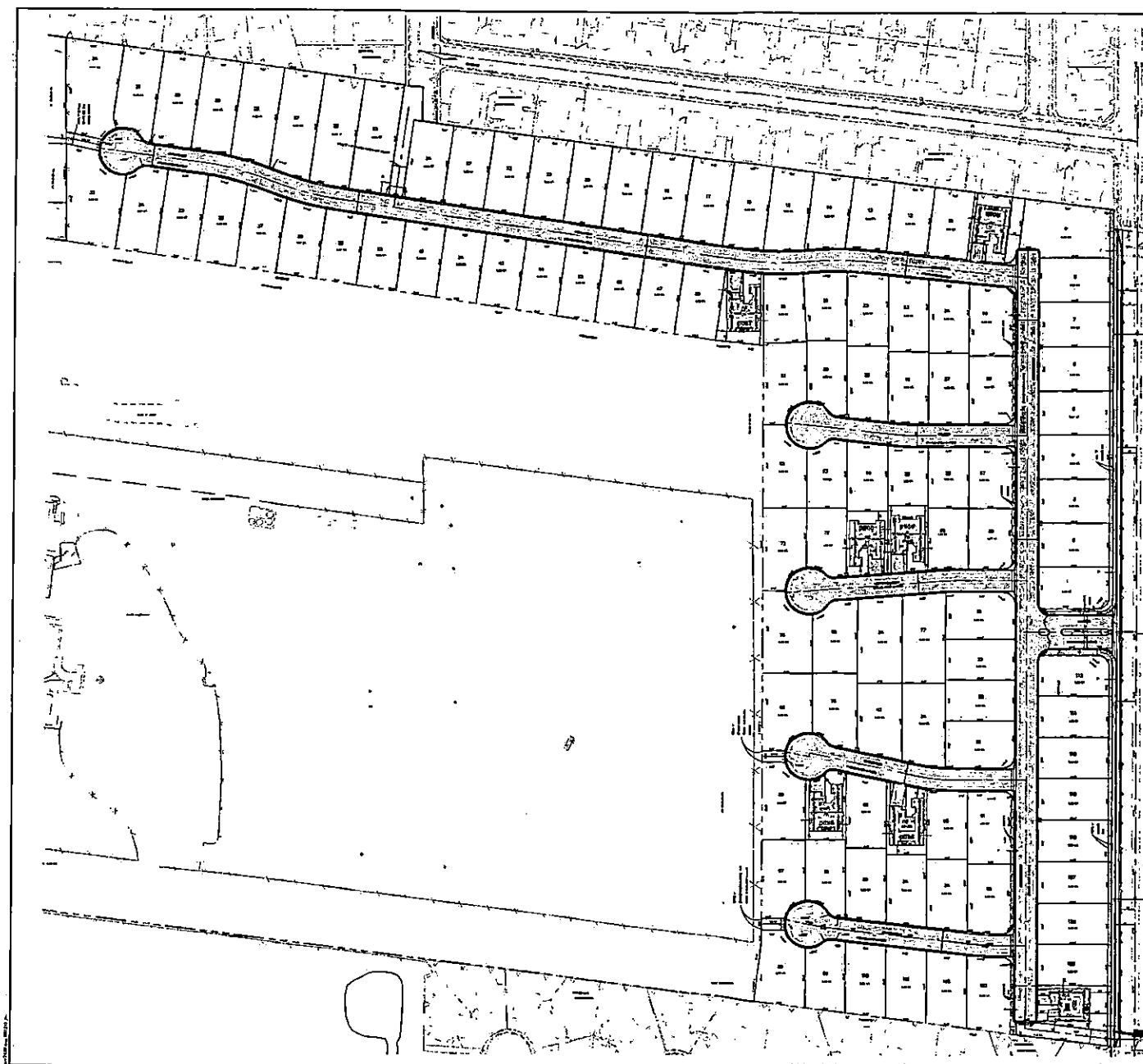
Print Name: Daniel D Callihan

Subscribed and sworn before me

This 12th day of March, 2007

Mary M Fehl
Notary Public in and for said County and State





PROJECT NO.	787-053
LEON	
NAME	
ROOM	
LOT DATE (8-18-8)	
LOT TIME (11-30-8)	

G. C. WALLACE COMPANIES
ENGINEERS | PLANNERS | SURVEYORS
LOSS PREVENTION | ENVIRONMENTAL | ASBESTOS ABATEMENT
EVALUATION | INVESTIGATION | OCCUPATIONAL SAFETY

LAS VEGAS - SACRAMENTO - RENO

BAVARIA ESTATES	
D.R. HORTON, INC.	
OVERALL	

RECEIVED
MAR 14 2007

DRAWING
SP-1
1 OF 1 SHTS

VAR-20546
04/26/07 PC

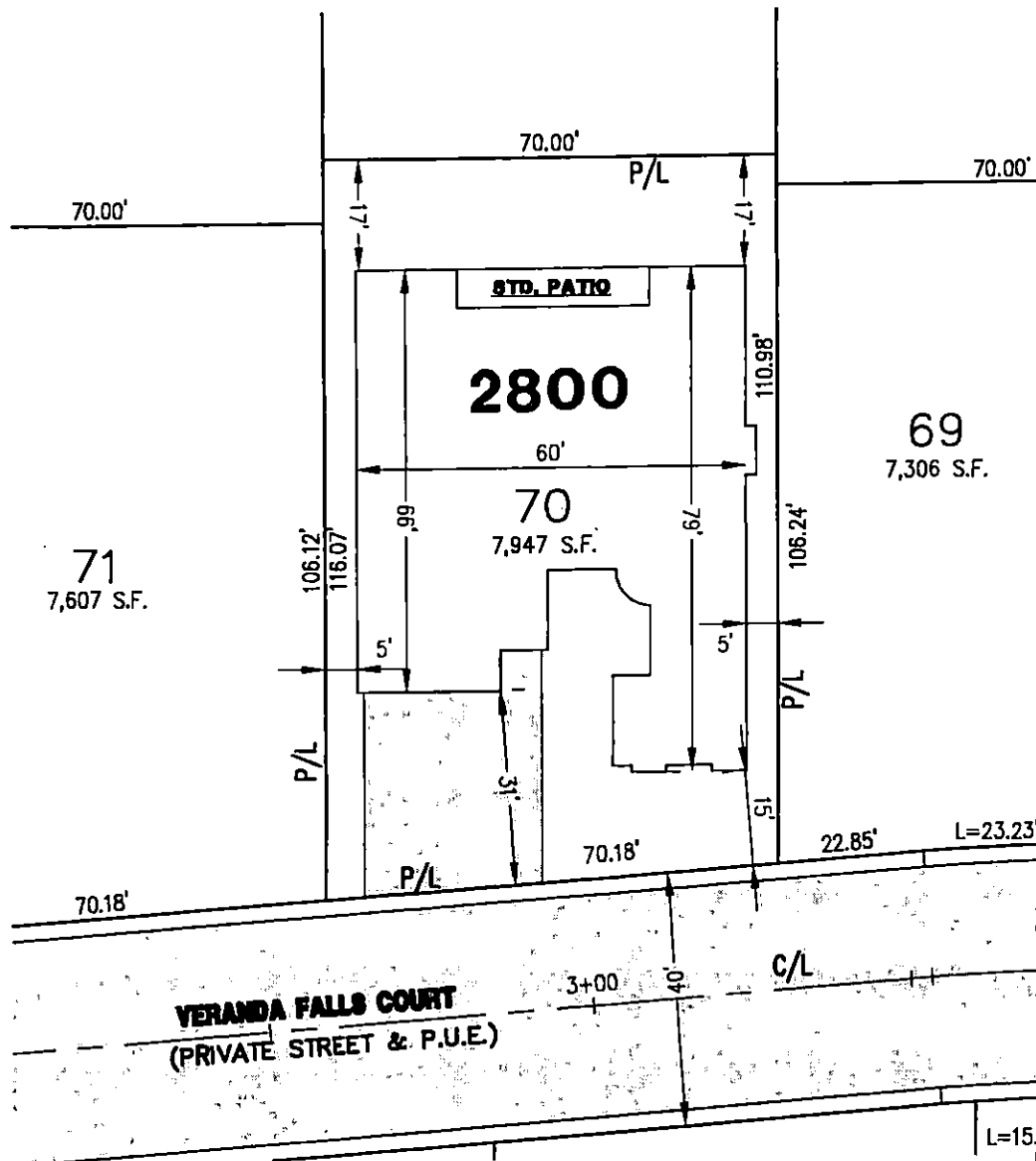
APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS

ADDRESS: 6410 VERANDA FALLS CT. PARCEL NO. 125-35-310-070

REC. SUBDIV: BAVARIA ESTATES ZONE -

PLAN CHECK: - LOT 70 BLOCK - BOOK - PAGE -

APPROVAL FOR: SFD ☐ PATIO COVER ☐ BALCONY ☐ ONLY



VAR-20546
04/26/07 PC

D.R. HORTON
CONTRACTOR/AGENT/OWNER

0039179
STATE LICENSE NO.

C12-01325-063803
CITY LICENSE NO.

CONTACT NAME: -

PHONE NO. -

FAX NO. -

CONDITIONS: -

RECEIVED

PLANNING DEPARTMENT

DATE

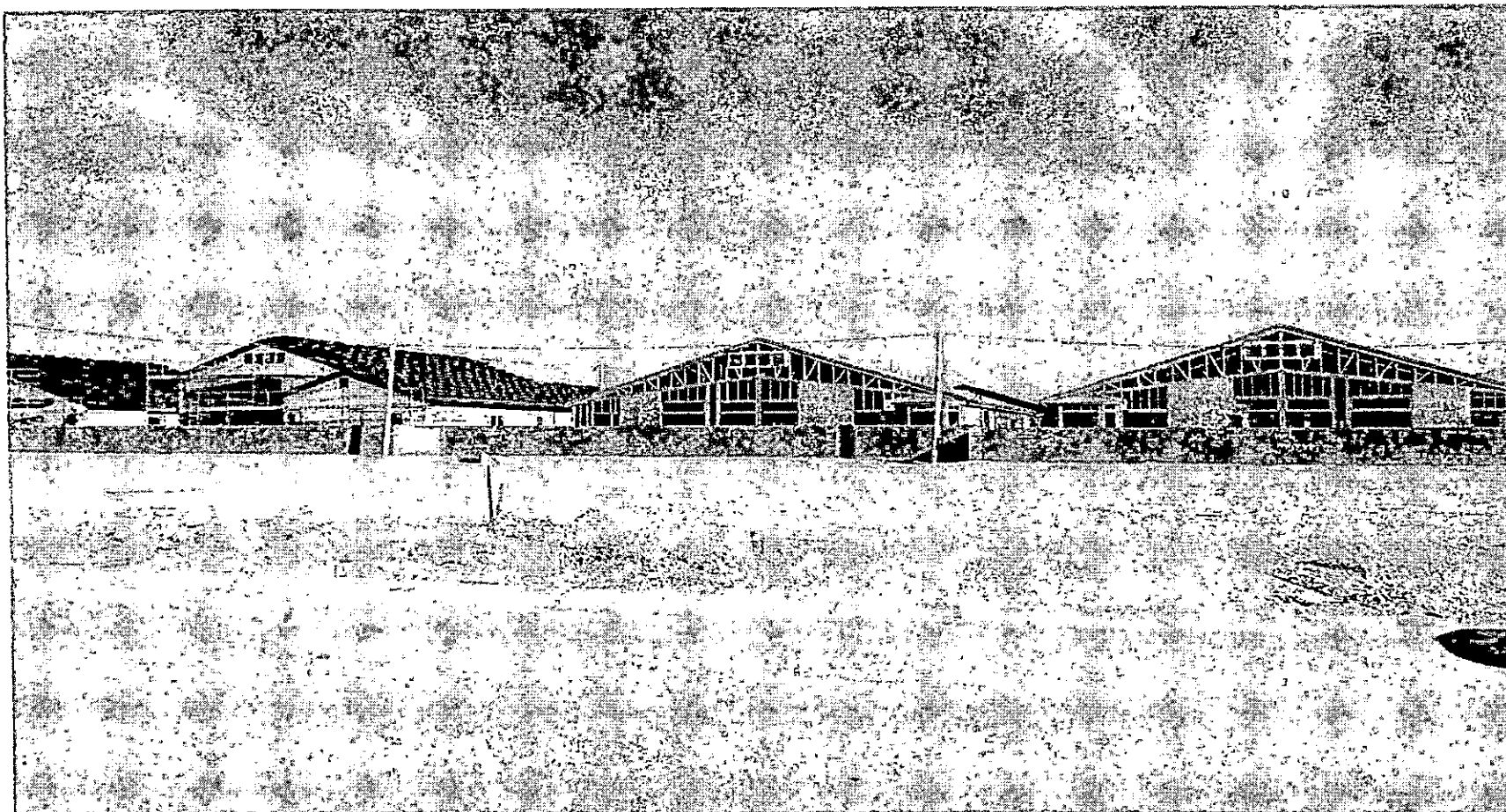
BUILDING DEPARTMENT

MAK 14 2007

LAND DEVELOPMENT

DATE

I hereby certify that I have reviewed this application and the proposed plans and have found that the proposed development meets the requirements of the City of Las Vegas Flood Hazard Reduction Ordinance for the issuance of This Development Permit.



VAR-20546 - APPLICANT/OWNER: D.R. HORTON, INC.
6410 VERANDA FALLS COURT
APRIL 26, 2007 PLANNING COMMISSION

03/26/07

March 13, 2007

**JUSTIFICATION LETTER
FOR A VARIANCE
TO THE FRONT SETBACK OF LOT 70
IN BAVARIA ESTATES**

Bavaria Estates is a 112-lot, single-family residential subdivision located on the west side of Torrey Pines Drive between Lone Mountain Road and Ann Road. Of the 112 lots several have a depth of less than 120' and could benefit from a reduction in the front setback for the house. D. R. Horton is asking for a variance to the front setback from 20' down to 15' for the house only on Lot 70 (APN 125-35-310-070), whose street address is 6410 Veranda Falls Court. The setback for the garage would remain at 20'. For the housing product D. R. Horton is contemplating, this would allow for a 5' deeper back yard on this lot.

D. R. Horton believes that because of changing market conditions this variance would give them greater ability to provide a potential home buyer with another option in his choice of lots in the subdivision, producing a higher level of customer satisfaction.

Furthermore, granting this request will assist in producing an environment of stable and desirable character that is consistent with the objectives of the City of Las Vegas, because of the suitability of the intended use and its compatibility with the adjacent property.

**VAR-20546
04/26/07 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-20547 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE 20-FEET IS THE MINIMUM SETBACK REQUIRED on 0.17 acres at 6414 Veranda Falls Court (APN-125-35-310-071), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – DENIED – Motion carried with GOYNES, TROWBRIDGE and DUNNAM voting NO

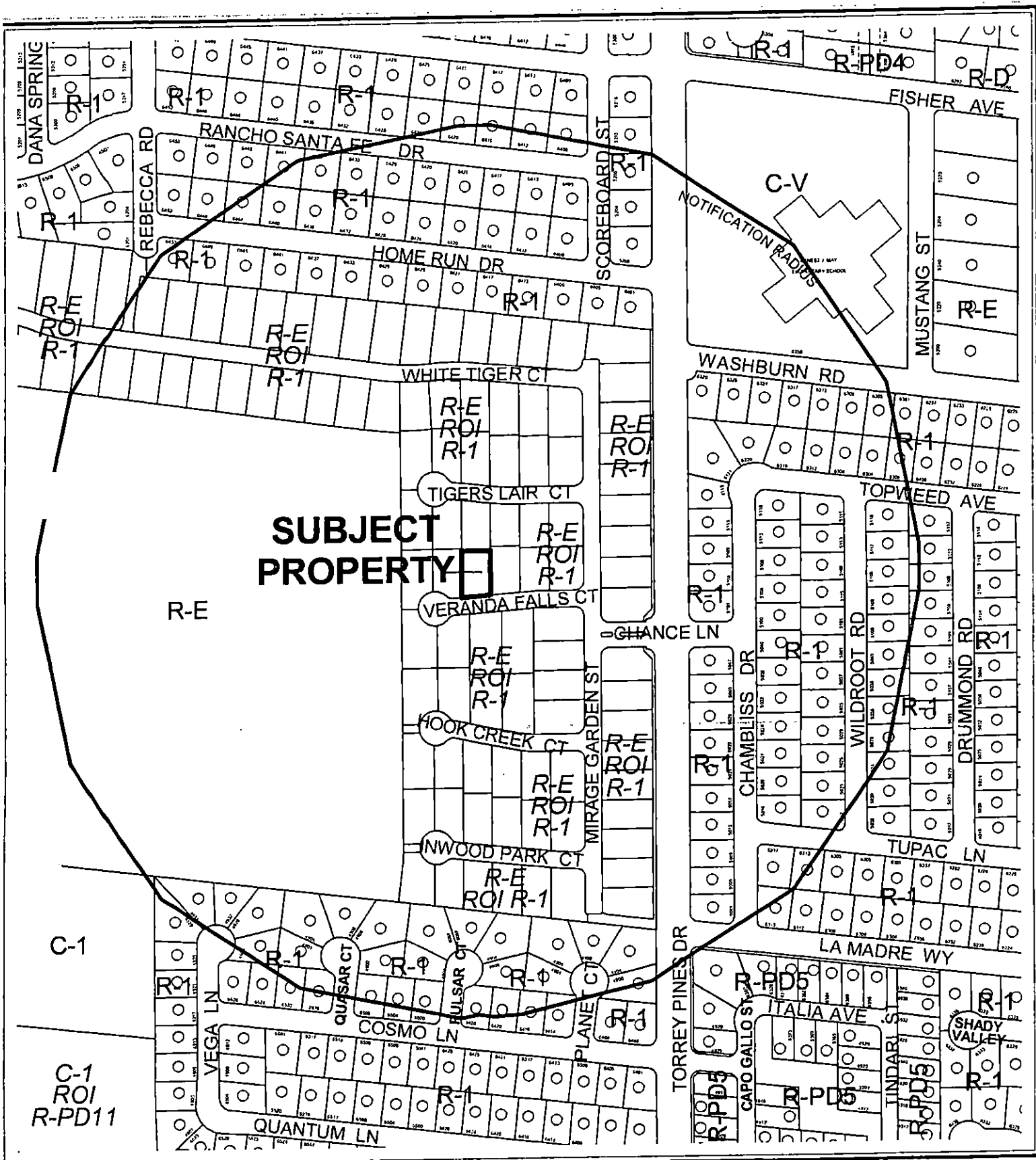
This is Final Action

MINUTES – Continued:

See Item 68 for related discussion.

(10:58 – 11:10)

3-3259

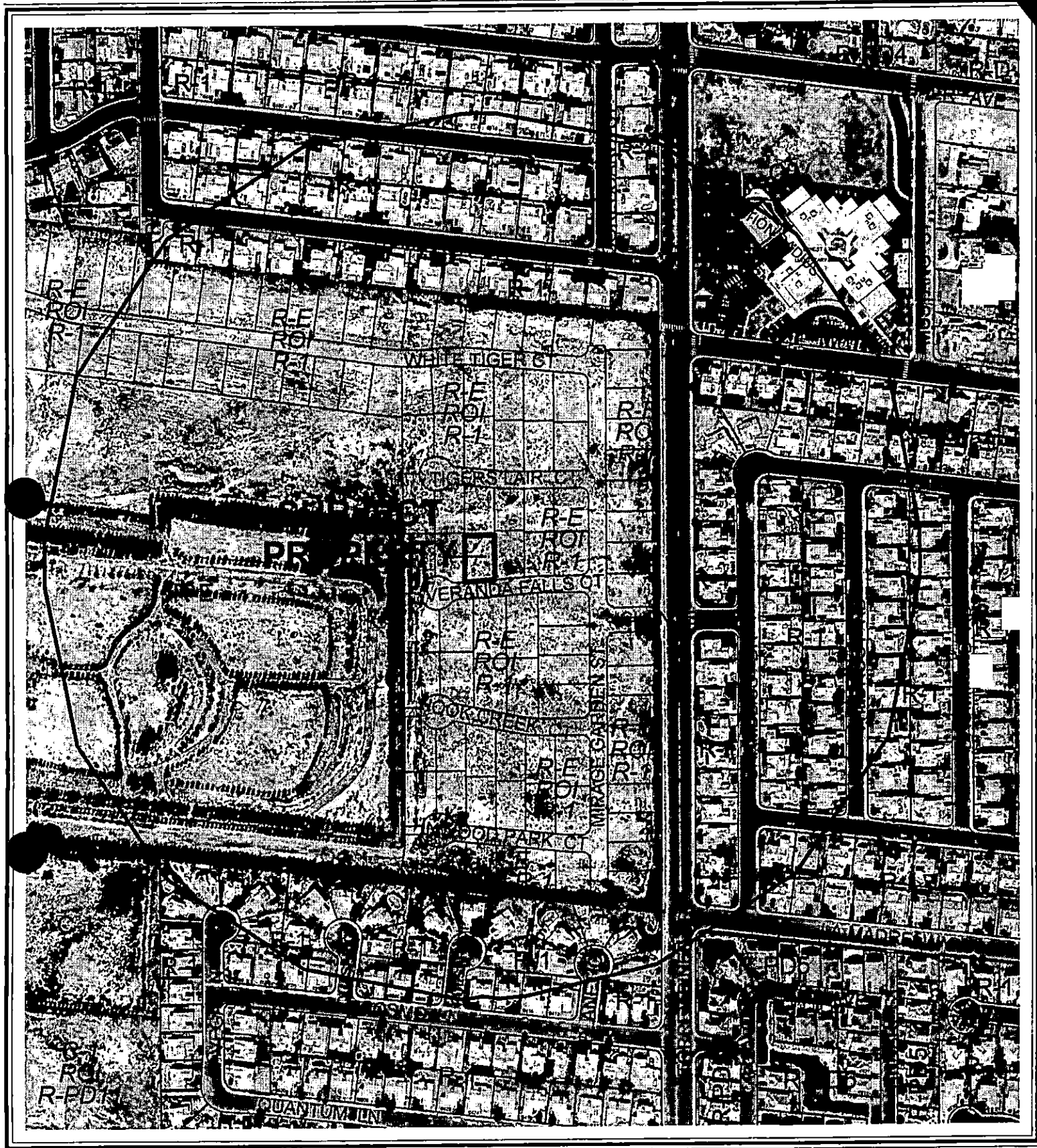


CASE: **VAR-20547**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE-FAMILY RESIDENTIAL)



CASE: **VAR-20547**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE-FAMILY RESIDENTIAL)

0 500 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 26, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAR-20547 - APPLICANT/OWNER: D.R. HORTON, INC.**

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

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-7653), Special Use Permit (SUP-7656) and Tentative Map (TMP-8595) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-20547 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Variance (VAR-20547) to allow a 15-foot front yard setback where a 20-foot setback is required for a new single-family residence at 6414 Veranda Falls Court. The applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Offering a product that fits within the approved setbacks would allow conformance to the Title 19 requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a General Plan Amendment (GPA-6296) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) and SC (Service Commercial) to L (Low Density Residential) on a 5.0 acre portion of a 74.46 acre site, and struck a Rezoning (ZON-6302) from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a petition to Vacate (VAC-6725) a portion of an existing cul-de-sac at the south end of Rebecca Road, a Rezoning (ZON-7653) from R-E (Residence Estates) to R-1 (Single-Family Residential), Special Use Permit (SUP-7656) for private streets within a proposed subdivision, and a Waiver (WVR-7659) of Title 18.12.160 to allow approximately 52 feet between street intersections where 125 feet is the minimum distance separation required. The Planning Commission and staff recommended approval.
09/22/05	The Planning Commission approved a Tentative Map (TMP-8595) for a 112-lot single family residential subdivision on 28.50 acres on the subject site. Staff recommended approval.

<i>Related Building Permits/Business Licenses</i>	
NA	
<i>Pre-Application Meeting</i>	
02/26/02	A pre-application meeting was held to discuss the requirements for a setback Variance. Applicant was informed that a separate Variance is required for each lot.
<i>Neighborhood Meeting</i>	
A Neighborhood Meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
03/26/07	A field check was conducted on the site to determine that site conditions are as depicted in the submitted documentation. No pertinent issues were identified.

VAR-20547 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	0.21

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
North	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
East	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)

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

VAR-20547 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

Airport Overlay District

The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted by Title 19. The proposed buildings will be in compliance with the 175 and 200-foot height restrictions imposed by the North Las Vegas Airport Overlay District map.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF		Y
Min. Lot Width	65 Feet		Y
Min. Setbacks			
• Front	20 Feet		N*
• Side	5 Feet		Y
• Corner	15 Feet		Y
• Rear	15 Feet		Y
Max. Lot Coverage	50%		Y
Max. Building Height	The lesser of 2-stories or 35 feet		Y

**** The subject of this Variance.***

ANALYSIS

The applicant is requesting a 15-foot front yard setback on the subject site where 20-feet is required, a 25% deviation. The subject site is an approved single family dwelling in a 112-lot approved subdivision. While the front yard setback would be reduced to less than 18 feet, the garage entry will be set back a minimum of 20 feet from the front property line. The subject site is one of seven out of 112 units in the Bavaria Estates subdivision for which the applicant seeks such a Variance. This accounts for approximately 6% of the total units. This reduction in the front yard setback distance allows for greater depth in the rear yard on the subject site.

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."

RL

VAR-20547 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Alternatively offering a product that fits within the approved setbacks 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 6

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 151

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20547** APN: 125-35-310-071 / 6414 Veranda Falls Ct.

Name of Property Owner: D.R. Horton

Name of Applicant: D.R. Horton

Name of Representative: G.C. Wallace

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: _____

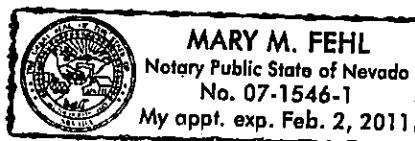
Signature of Property Owner: *Daniel D. Callihan*

Print Name: Daniel D Callihan

Subscribed and sworn before me

This 12th day of March, 2007

Mary M. Fehl
Notary Public in and for said County and State



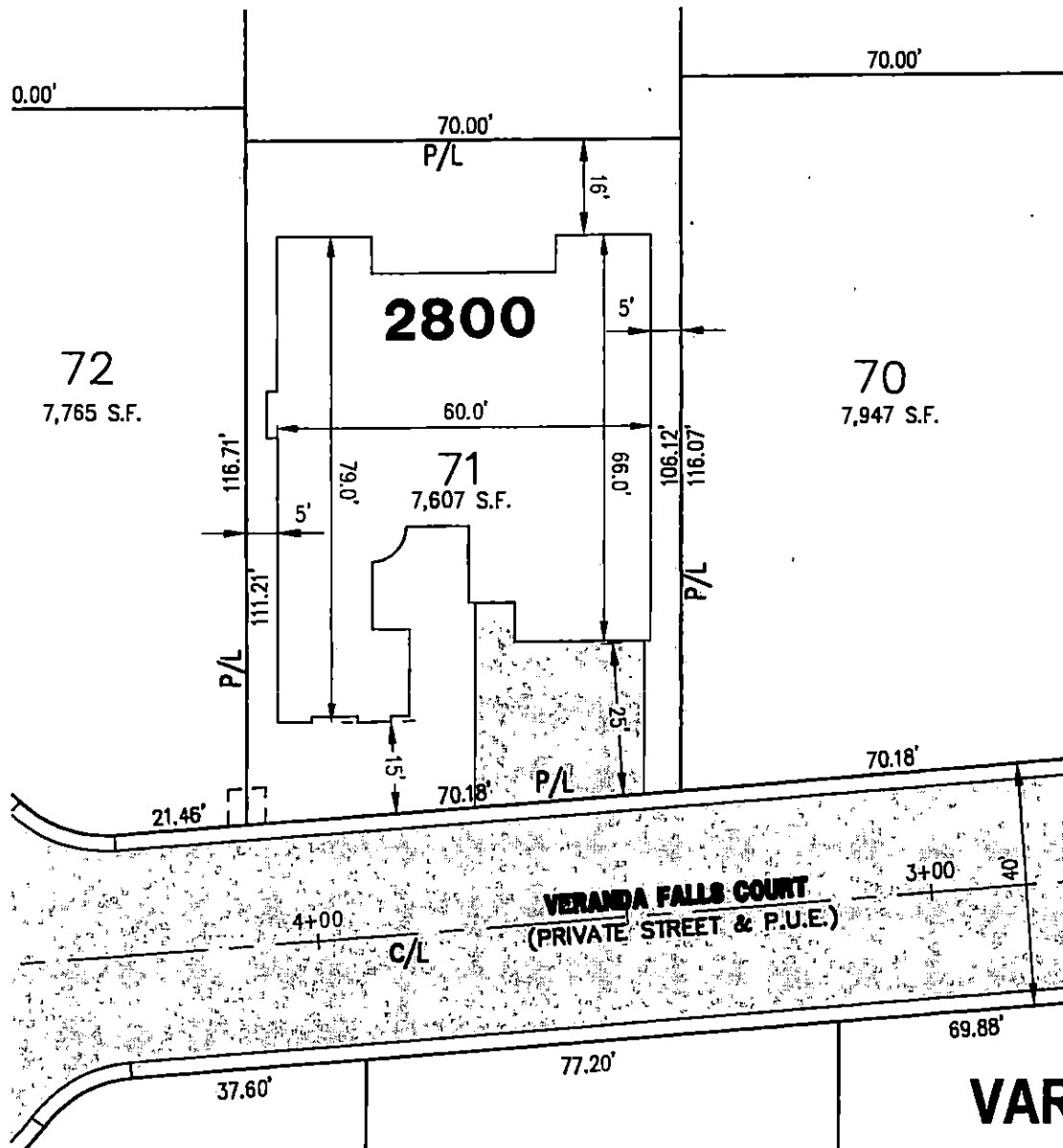
APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS

ADDRESS: 6414 VERANDA FALLS CT PARCEL NO. 125-35-310-071

REC. SUBDIV: BAVARIA ESTATES ZONE -

PLAN CHECK: - LOT 71 BLOCK - BOOK - PAGE -

APPROVAL FOR: SFD ☐ PATIO COVER ☐ BALCONY ☐ ONLY



SCALE: 1"=30'

VAR-20547
04/26/07 PC

D.R. HORTON 0039179 C12-01325-063803
CONTRACTOR/AGENT/OWNER STATE LICENSE NO. CITY LICENSE NO.

CONTACT NAME: - PHONE NO. - FAX NO. -

CONDITIONS: - RECEIVED

PLANNING DEPARTMENT DATE BUILDING DEPARTMENT MAR 14 2007

LAND DEVELOPMENT DATE

I hereby certify that I have reviewed this application and the proposed plans and have found that the proposed development meets the requirements of the City of Las Vegas Flood Hazard Reduction Ordinance for the issuance of This Development Permit.



VAR-20547 - APPLICANT/OWNER: D.R. HORTON, INC.
6414 VERANDA FALLS COURT
APRIL 26, 2007 PLANNING COMMISSION

03/26/07

March 13, 2007

**JUSTIFICATION LETTER
FOR A VARIANCE
TO THE FRONT SETBACK OF LOT 71
IN BAVARIA ESTATES**

Bavaria Estates is a 112-lot, single-family residential subdivision located on the west side of Torrey Pines Drive between Lone Mountain Road and Ann Road. Of the 112 lots several have a depth of less than 120' and could benefit from a reduction in the front setback for the house. D. R. Horton is asking for a variance to the front setback from 20' down to 15' for the house only on Lot 71 (APN 125-35-310-071), whose street address is 6414 Veranda Falls Court. The setback for the garage would remain at 20'. For the housing product D. R. Horton is contemplating, this would allow for a 5' deeper back yard on this lot.

D. R. Horton believes that because of changing market conditions this variance would give them greater ability to provide a potential home buyer with another option in his choice of lots in the subdivision, producing a higher level of customer satisfaction.

Furthermore, granting this request will assist in producing an environment of stable and desirable character that is consistent with the objectives of the City of Las Vegas, because of the suitability of the intended use and its compatibility with the adjacent property.

**VAR-20547
04/26/07 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-20549 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE 20-FEET IS THE MINIMUM SETBACK REQUIRED on 0.17 acres at 6419 Hook Creek Court (APN 125-35-310-087), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

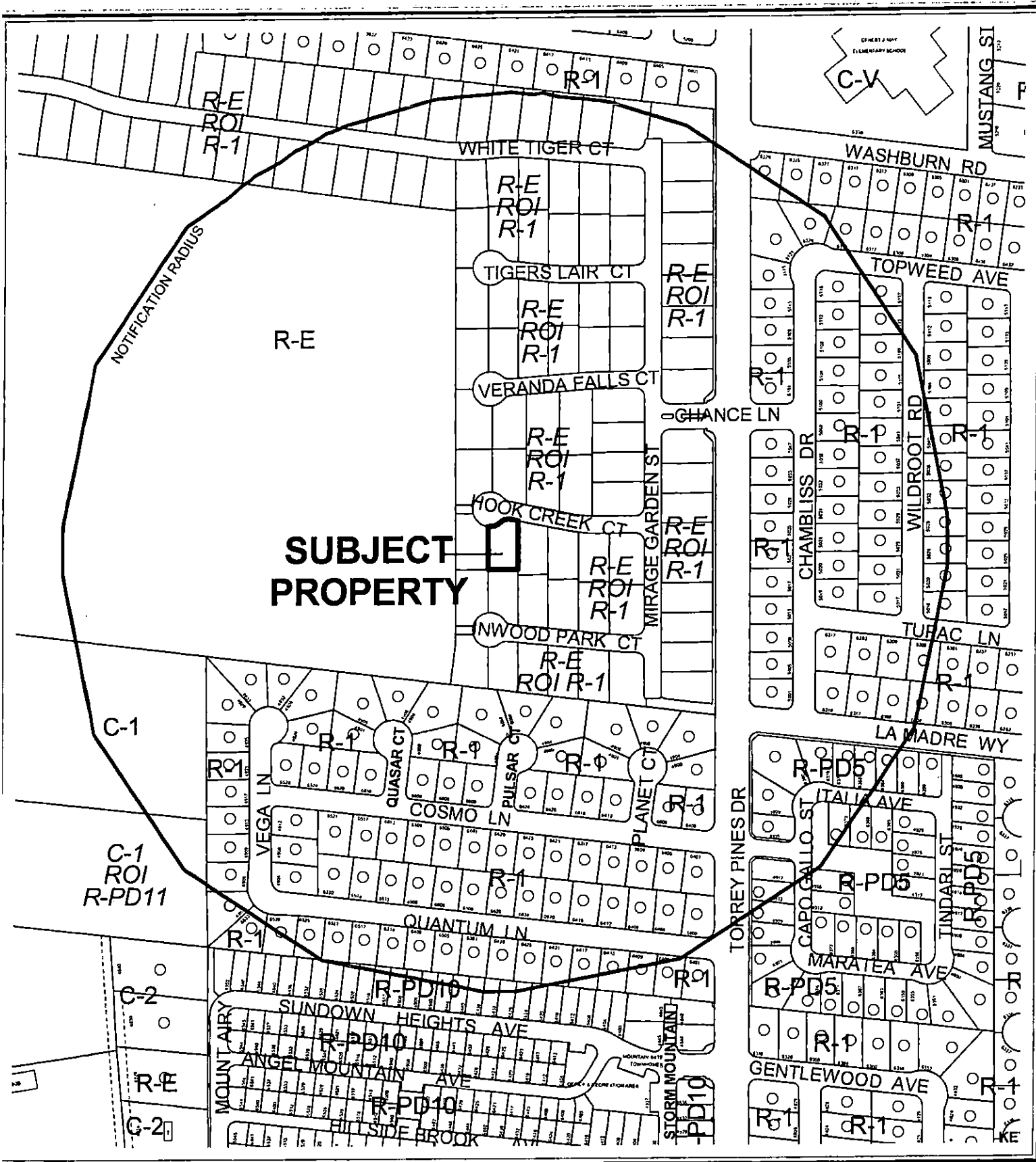
STEINMAN – DENIED – Motion carried with GOYNES, TROWBRIDGE and DUNNAM voting NO

This is Final Action

MINUTES – Continued:

See Item 68 for related discussion.

(10:58 – 11:10)
3-3259



CASE: **VAR-20549**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE-FAMILY RESIDENTIAL)

0 500 Feet





R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE-FAMILY RESIDENTIAL)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 26, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAR-20549 - APPLICANT/OWNER: D.R. HORTON, INC.**

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

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-7653), Special Use Permit (SUP-7656) and Tentative Map (TMP-8595) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-20549 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Variance (VAR-20546) to allow a 15-foot front yard setback where a 20-foot setback is required for a new single-family residence at 6410 Veranda Falls Court. The applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Offering a product that fits within the approved setbacks would allow conformance to the Title 19 requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a General Plan Amendment (GPA-6296) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) and SC (Service Commercial) to L (Low Density Residential) on a 5.0 acre portion of a 74.46 acre site, and struck a Rezoning (ZON-6302) from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a petition to Vacate (VAC-6725) a portion of an existing cul-de-sac at the south end of Rebecca Road, a Rezoning (ZON-7653) from R-E (Residence Estates) to R-1 (Single-Family Residential), Special Use Permit (SUP-7656) for private streets within a proposed subdivision, and a Waiver (WVR-7659) of Title 18.12.160 to allow approximately 52 feet between street intersections where 125 feet is the minimum distance separation required. The Planning Commission and staff recommended approval.
09/22/05	The Planning Commission approved a Tentative Map (TMP-8595) for a 112-lot single family residential subdivision on 28.50 acres on the subject site. Staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
NA	
<i>Pre-Application Meeting</i>	
02/26/02	A pre-application meeting was held to discuss the requirements for a setback Variance. Applicant was informed that a separate Variance is required for each lot.
<i>Neighborhood Meeting</i>	
A Neighborhood Meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
03/26/07	A field check was conducted on the site to determine that site conditions are as depicted in the submitted documentation. No pertinent issues were identified.

VAR-20549 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Details of Application Request			
Site Area			
Gross Acres	0.21		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
North	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
East	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)

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

VAR-20549 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

Airport Overlay District

The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted by Title 19. The proposed buildings will be in compliance with the 175 and 200-foot height restrictions imposed by the North Las Vegas Airport Overlay District map.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 SF		Y
Min. Lot Width	65 Feet		Y
Min. Setbacks			
• Front	20 Feet		N*
• Side	5 Feet		Y
• Corner	15 Feet		Y
• Rear	15 Feet		Y
Max. Lot Coverage	50%		Y
Max. Building Height	The lesser of 2-stories or 35 feet		Y

** The subject of this Variance.*

ANALYSIS

The applicant is requesting a 15-foot front yard setback on the subject site where 20-feet is required, a 25% deviation. The subject site is an approved single family dwelling in a 112-lot approved subdivision. While the front yard setback would be reduced to less than 18 feet, the garage entry will be set back a minimum of 20 feet from the front property line. The subject site is one of seven out of 112 units in the Bavaria Estates subdivision for which the applicant seeks such a Variance. This accounts for approximately 6% of the total units. This reduction in the front yard setback distance allows for greater depth in the rear yard on the subject site.

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."

RL

VAR-20549 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Alternatively offering a product that fits within the approved setbacks 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

5

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 182

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20549** APN: 125-35-310-087 / 6419 Hook Creek Ct.

Name of Property Owner: D.R. Horton

Name of Applicant: D.R. Horton

Name of Representative: G.C. Wallace

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: _____

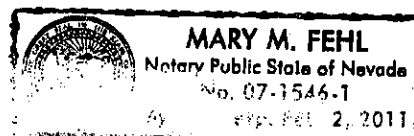
Signature of Property Owner: _____

Print Name: Daniel D Callihan

Subscribed and sworn before me

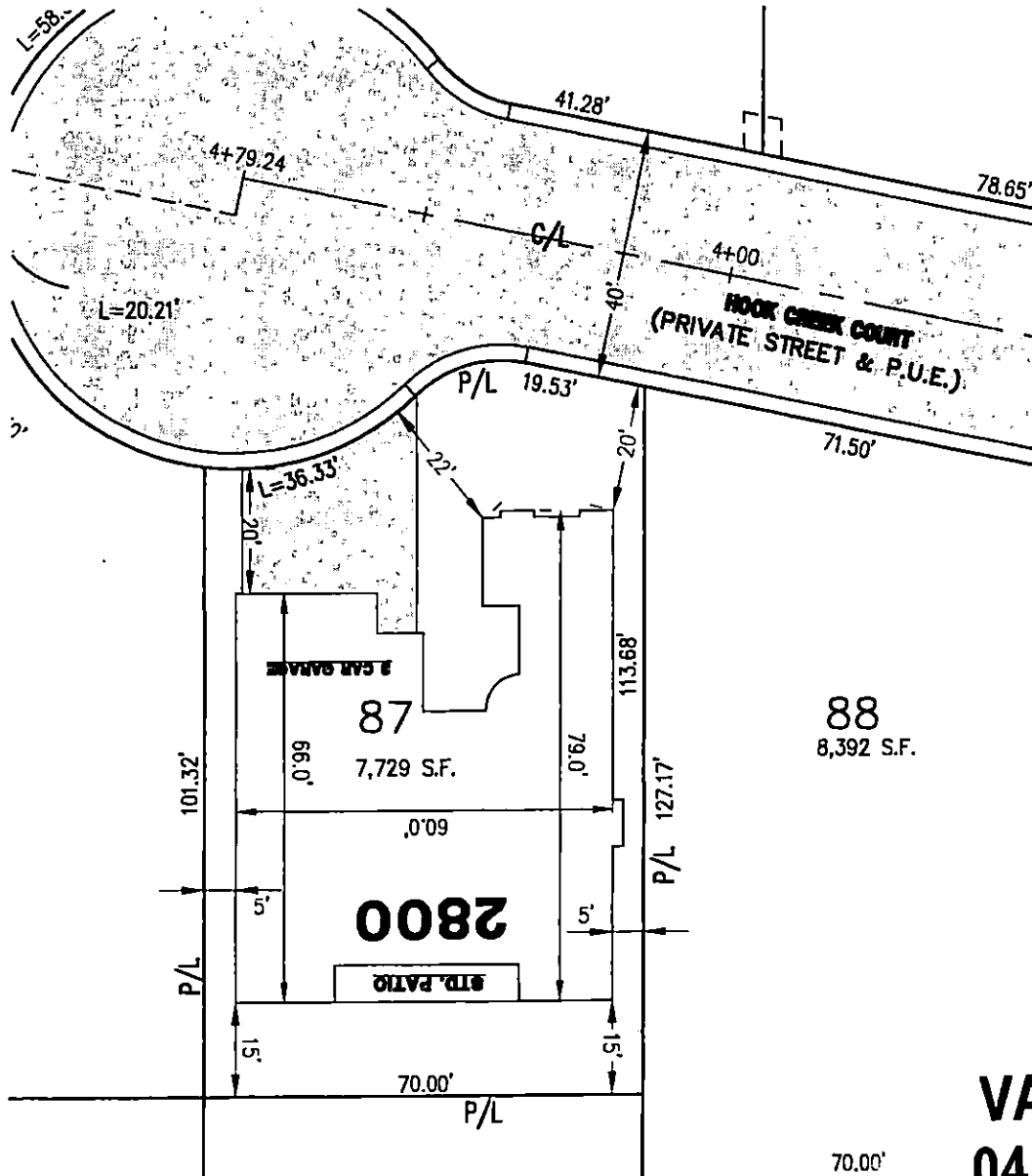
This 12th day of March, 2007

Mary M. Fehl
Notary Public in and for said County and State



APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS

ADDRESS: 6419 HOOK CREEK CT. PARCEL NO. 125-35-310-087
 REC. SUBDIV: BAVARIA ESTATES ZONE -
 PLAN CHECK: - LOT 87 BLOCK - BOOK - PAGE -
 APPROVAL FOR: SFD ☐ PATIO COVER ☐ BALCONY ☐ ONLY

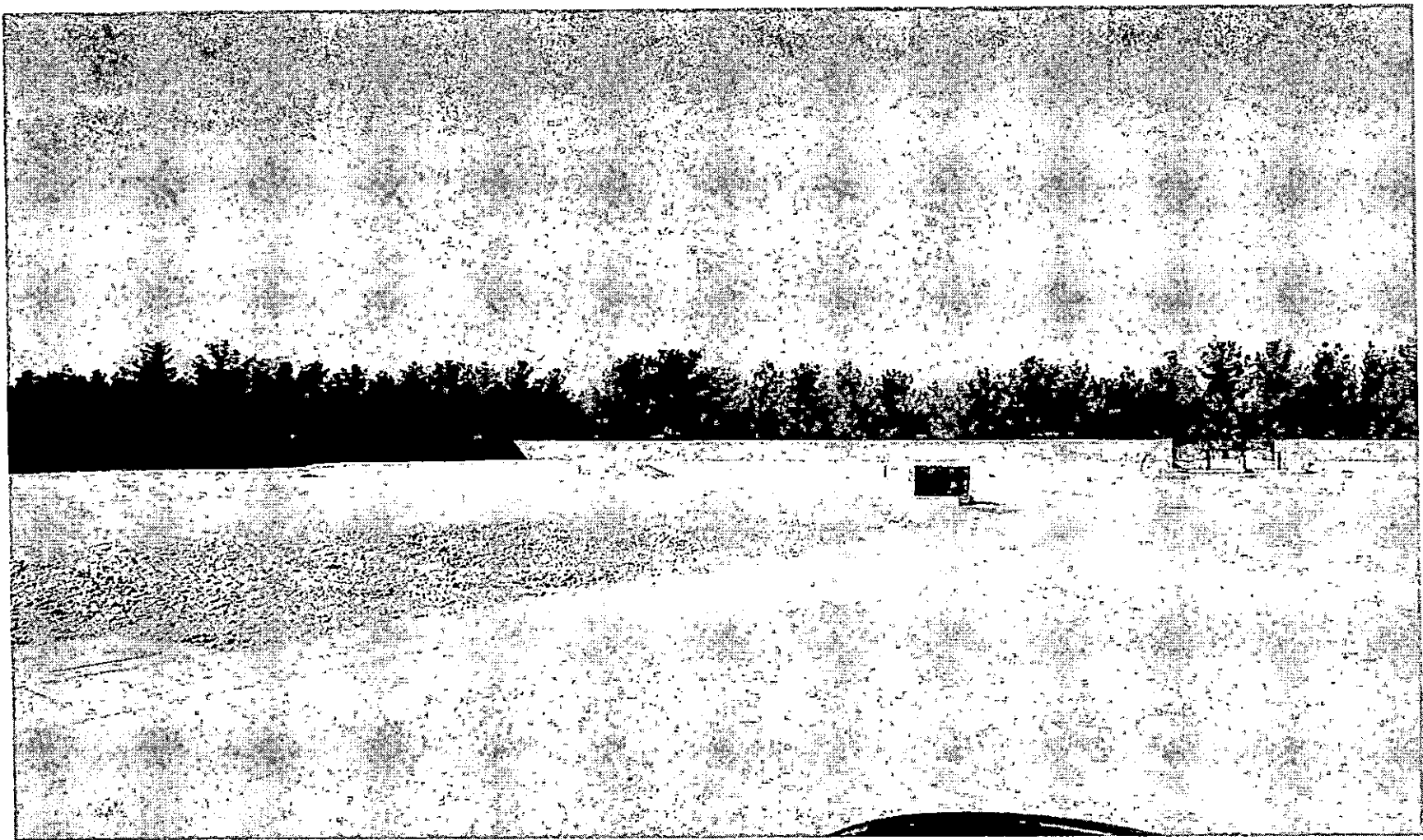


VAR-20549
04/26/07 PC

D.R. HORTON 0039179 C12-01325-063803
 CONTRACTOR/AGENT/OWNER STATE LICENSE NO. CITY LICENSE NO.
 CONTACT NAME: - PHONE NO. - FAX NO. -
 CONDITIONS: -

PLANNING DEPARTMENT DATE BUILDING DEPARTMENT
 LAND DEVELOPMENT DATE

I hereby certify that I have reviewed this application and the proposed plans and have found that the proposed development meets the requirements of the City of Las Vegas Flood Hazard Reduction Ordinance for the issuance of This Development Permit.



VAR-20549 - APPLICANT/OWNER: D.R. HORTON, INC.
6419 HOOK CREEK COURT
APRIL 26, 2007 PLANNING COMMISSION

03/26/07

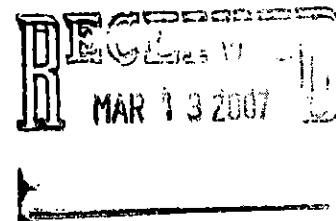
March 13, 2007

**JUSTIFICATION LETTER
FOR A VARIANCE
TO THE FRONT SETBACK OF LOT 87
IN BAVARIA ESTATES**

Bavaria Estates is a 112-lot, single-family residential subdivision located on the west side of Torrey Pines Drive between Lone Mountain Road and Ann Road. Of the 112 lots several have a depth of less than 120' and could benefit from a reduction in the front setback for the house. D. R. Horton is asking for a variance to the front setback from 20' down to 15' for the house only on Lot 87 (APN 125-35-310-087), whose street address is 6419 Hook Creek Court. The setback for the garage would remain at 20'. For the housing product D. R. Horton is contemplating, this would allow for a 5' deeper back yard on this lot.

D. R. Horton believes that because of changing market conditions this variance would give them greater ability to provide a potential home buyer with another option in his choice of lots in the subdivision, producing a higher level of customer satisfaction.

Furthermore, granting this request will assist in producing an environment of stable and desirable character that is consistent with the objectives of the City of Las Vegas, because of the suitability of the intended use and its compatibility with the adjacent property.



**VAR-20549
04/26/07 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-20550 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE 20-FEET IS THE MINIMUM SETBACK REQUIRED on 0.18 acres at 6411 Hook Creek Court (APN 125-35-310-089), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – DENIED – Motion carried with GOYNES, TROWBRIDGE and DUNNAM voting NO

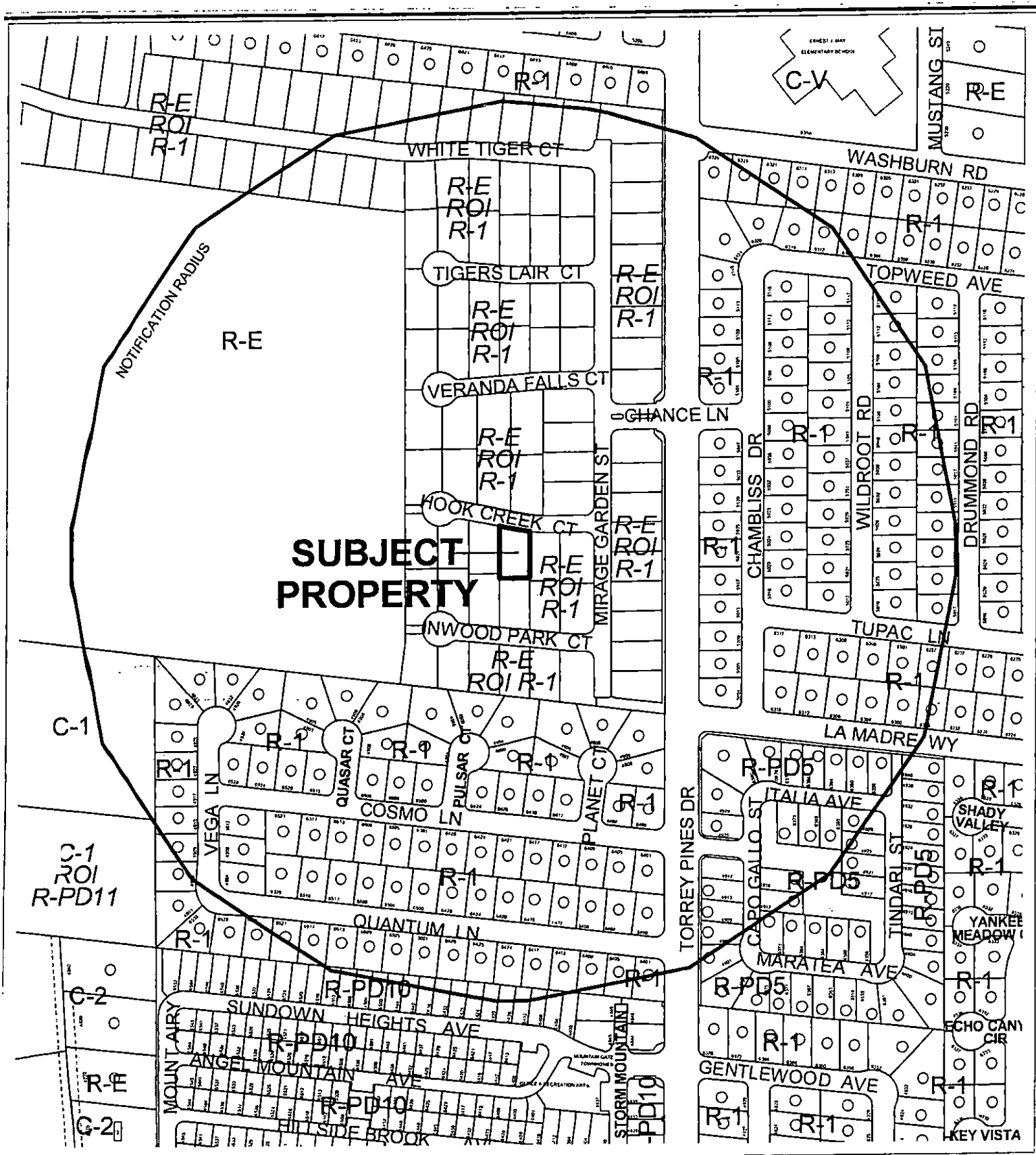
This is Final Action

MINUTES – Continued:

See Item 68 for related discussion.

(10:58 – 11:10)

3-3259



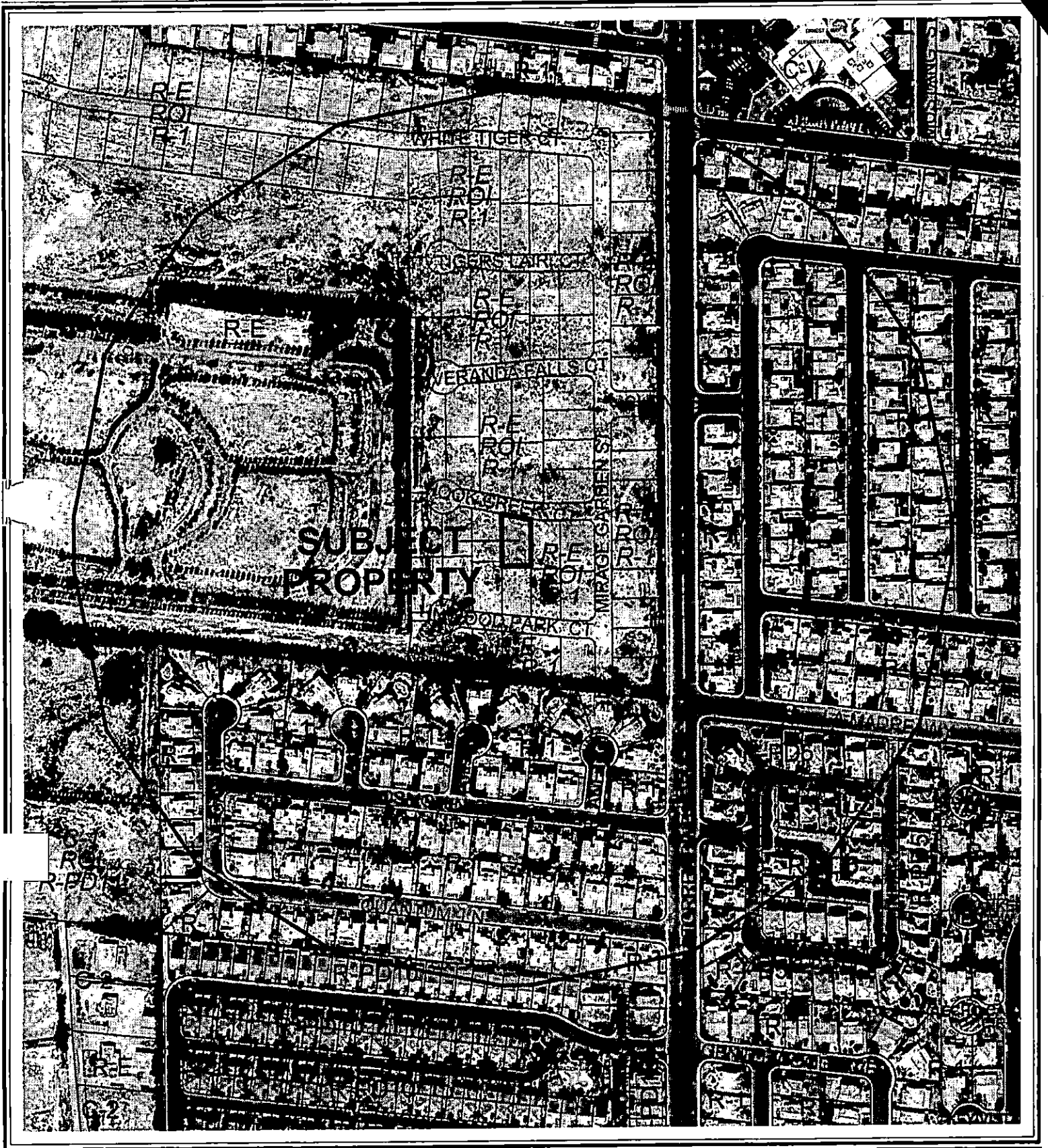
CASE: **VAR-20550**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE-FAMILY RESIDENTIAL)





CASE: **VAR-20550**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE-FAMILY RESIDENTIAL)

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 26, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAR-20550 - APPLICANT/OWNER: D.R. HORTON, INC.**

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

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-7653), Special Use Permit (SUP-7656) and Tentative Map (TMP-8595) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-20550 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Variance to allow a 15-foot front yard setback where a 20-foot setback is required for a new single-family residence at 6411 Hook Creek Court. The applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Offering a product that fits within the approved setbacks would allow conformance to the Title 19 requirements.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
06/01/05	The City Council approved a General Plan Amendment (GPA-6296) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) and SC (Service Commercial) to L (Low Density Residential) on a 5.0 acre portion of a 74.46 acre site, and struck a Rezoning (ZON-6302) from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a petition to Vacate (VAC-6725) a portion of an existing cul-de-sac at the south end of Rebecca Road, a Rezoning (ZON-7653) from R-E (Residence Estates) to R-1 (Single-Family Residential), Special Use Permit (SUP-7656) for private streets within a proposed subdivision, and a Waiver (WVR-7659) of Title 18.12.160 to allow approximately 52 feet between street intersections where 125 feet is the minimum distance separation required. The Planning Commission and staff recommended approval.
09/22/05	The Planning Commission approved a Tentative Map (TMP-8595) for a 112-lot single family residential subdivision on 28.50 acres on the subject site. Staff recommended approval.

Related Building Permits/Business Licenses	
NA	
Pre-Application Meeting	
02/26/02	A pre-application meeting was held to discuss the requirements for a setback Variance. Applicant was informed that a separate Variance is required for each lot.
Neighborhood Meeting	
A Neighborhood Meeting is not required for this application, nor was one held.	

VAR-20550 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Field Check	
03/26/07	A field check was conducted on the site to determine that site conditions are as depicted in the submitted documentation. No pertinent issues were identified.

Details of Application Request	
Site Area	
Gross Acres	.21

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
North	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
East	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)

VAR-20550 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

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

Airport Overlay District

The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted by Title 19. The proposed buildings will be in compliance with the 175 and 200-foot height restrictions imposed by the North Las Vegas Airport Overlay District map.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 SF		Y
Min. Lot Width	65 Feet		Y
Min. Setbacks			
• Front	20 Feet		N*
• Side	5 Feet		Y
• Corner	15 Feet		Y
• Rear	15 Feet		Y
Max. Lot Coverage	50%		Y
Max. Building Height	The lesser of 2-stories or 35 feet		Y

*** The subject of this Variance.**

ANALYSIS

The applicant is requesting a 15-foot front yard setback on the subject site where 20-feet is required, a 25% deviation. The subject site is an approved single family dwelling in a 112-lot approved subdivision. While the front yard setback would be reduced to less than 18 feet, the garage entry will be set back a minimum of 20 feet from the front property line. The subject site is one of seven out of 112 units in the Bavaria Estates subdivision for which the applicant seeks such a Variance. This accounts for approximately 6% of the total units. This reduction in the front yard setback distance allows for greater depth in the rear yard on the subject site.

VAR-20550 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Alternatively offering a product that fits within the approved setbacks 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

4

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 213

APPROVALS 0

PROTESTS 0

RL



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20550** APN: 125-35-310-089 / 6411 Hook Creek Ct.

Name of Property Owner: D.R. Horton

Name of Applicant: D.R. Horton

Name of Representative: G.C. Wallace

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: _____

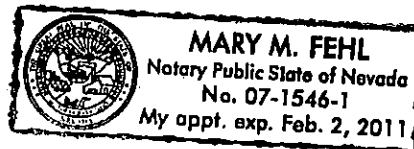
Signature of Property Owner: _____

Print Name: Daniel D Callihan

Subscribed and sworn before me

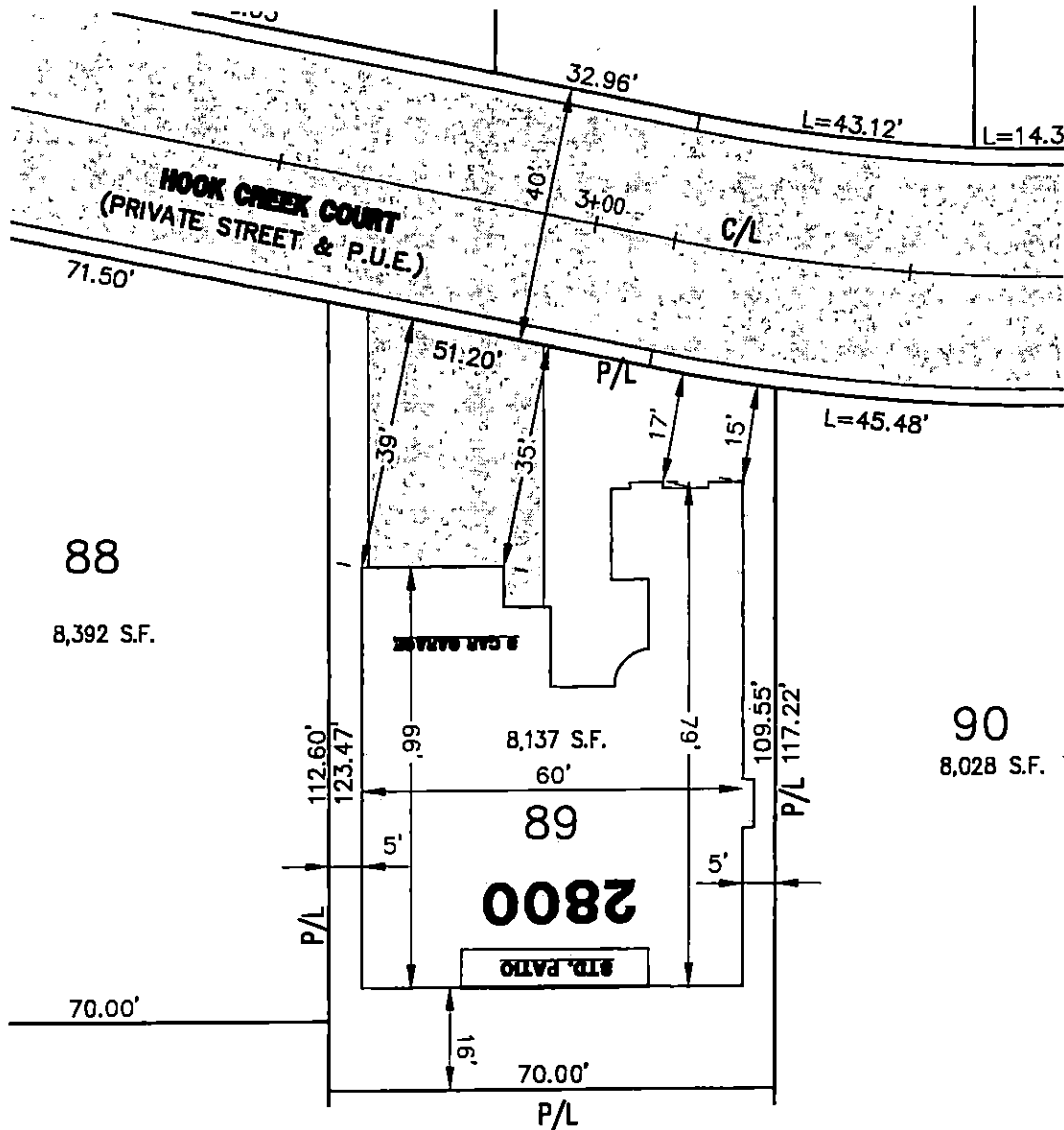
This 12th day of March, 2007

Mary M. Fehl
Notary Public in and for said County and State



APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS

ADDRESS: 6411 HOOK CREEK CT. PARCEL NO. 125-35-310-089
 REC. SUBDIV: BAVARIA ESTATES ZONE -
 PLAN CHECK: - LOT 89 BLOCK - BOOK - PAGE -
 APPROVAL FOR: SFD ☐ PATIO COVER ☐ BALCONY ☐ ONLY



VAR-20550
04/26/07 PC

D.R. HORTON 0039179 C12-01325-063803
 CONTRACTOR/AGENT/OWNER STATE LICENSE NO. CITY LICENSE NO.
 CONTACT NAME: - PHONE NO. - FAX NO. RECEIVED
 CONDITIONS: -

PLANNING DEPARTMENT DATE BUILDING DEPARTMENT
 LAND DEVELOPMENT DATE

I hereby certify that I have reviewed this application and the proposed plans and have found that the proposed development meets the requirements of the City of Las Vegas Flood Hazard Reduction Ordinance for the issuance of This Development Permit.

MAR 14 2007



VAR-20550 - APPLICANT/OWNER: D.R. HORTON, INC.
6411 HOOK CREEK COURT
APRIL 26, 2007 PLANNING COMMISSION

03/26/07

March 13, 2007

**JUSTIFICATION LETTER
FOR A VARIANCE
TO THE FRONT SETBACK OF LOT 89
IN BAVARIA ESTATES**

Bavaria Estates is a 112-lot, single-family residential subdivision located on the west side of Torrey Pines Drive between Lone Mountain Road and Ann Road. Of the 112 lots several have a depth of less than 120' and could benefit from a reduction in the front setback for the house. D. R. Horton is asking for a variance to the front setback from 20' down to 15' for the house only on Lot 89 (APN 125-35-310-089), whose street address is 6411 Hook Creek Court. The setback for the garage would remain at 20'. For the housing product D. R. Horton is contemplating, this would allow for a 5' deeper back yard on this lot.

D. R. Horton believes that because of changing market conditions this variance would give them greater ability to provide a potential home buyer with another option in his choice of lots in the subdivision, producing a higher level of customer satisfaction.

Furthermore, granting this request will assist in producing an environment of stable and desirable character that is consistent with the objectives of the City of Las Vegas, because of the suitability of the intended use and its compatibility with the adjacent property.

**VAR-20550
04/26/07 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-20551 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE 20-FEET IS THE MINIMUM SETBACK REQUIRED on 0.19 acres at 5002 Mirage Garden Court (APN 125-35-310-104), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – Motion carried with EVANS and STEINMAN voting NO and DUNNAM not voting

This is Final Action

NOTE: An initial motion for DENIAL by STEINMAN failed with, GOYNES, TRUEDELL, TROWBRIDGE and DUNNAM voting NO

MINUTES – Continued:

See Item 68 for related discussion.

(10:58 – 11:10)

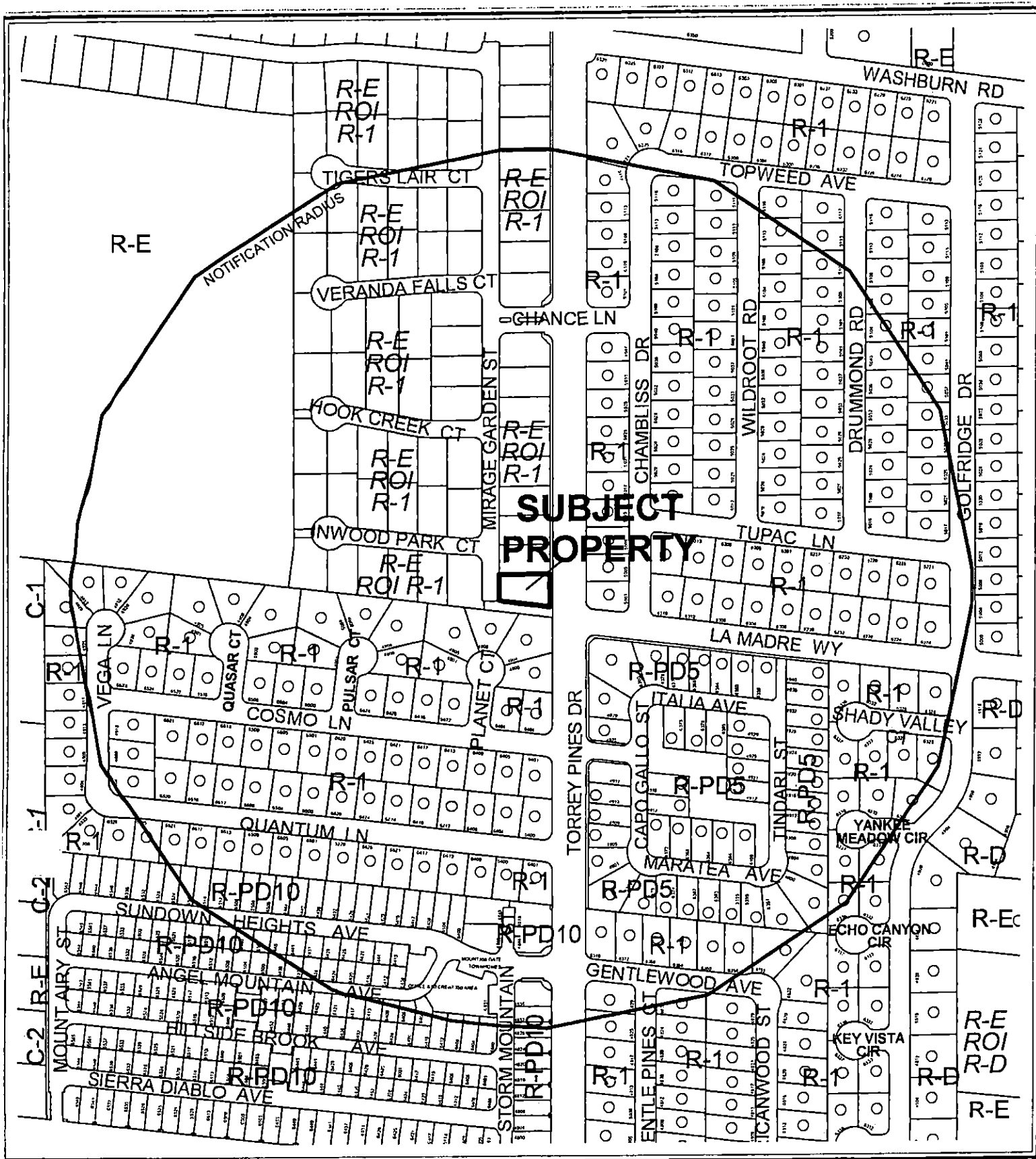
3-3259

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 74 – VAR-20551

MINUTES – Continued:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-7653), Special Use Permit (SUP-7656) and Tentative Map (TMP-8595) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



0 500 Feet



CASE: **VAR-20551**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE-FAMILY RESIDENTIAL)



R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE-FAMILY RESIDENTIAL)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 26, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAR-20551 - APPLICANT/OWNER: D.R. HORTON, INC.**

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

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-7653), Special Use Permit (SUP-7656) and Tentative Map (TMP-8595) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-20551 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Variance to allow a 15-foot front yard setback where a 20-foot setback is required for a new single-family residence at 5002 Mirage Garden Court. The applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Offering a product that fits within the approved setbacks would allow conformance to the Title 19 requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a General Plan Amendment (GPA-6296) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) and SC (Service Commercial) to L (Low Density Residential) on a 5.0 acre portion of a 74.46 acre site, and struck a Rezoning (ZON-6302) from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a petition to Vacate (VAC-6725) a portion of an existing cul-de-sac at the south end of Rebecca Road, a Rezoning (ZON-7653) from R-E (Residence Estates) to R-1 (Single-Family Residential), Special Use Permit (SUP-7656) for private streets within a proposed subdivision, and a Waiver (WVR-7659) of Title 18.12.160 to allow approximately 52 feet between street intersections where 125 feet is the minimum distance separation required. The Planning Commission and staff recommended approval.
09/22/05	The Planning Commission approved a Tentative Map for a 112-lot single family residential subdivision on 28.50 acres on the subject site. Staff recommended approval.

<i>Related Building Permits/Business Licenses</i>	
NA	
<i>Pre-Application Meeting</i>	
02/26/02	A pre-application meeting was held to discuss the requirements for a setback Variance. Applicant was informed that a separate Variance is required for each lot.
<i>Neighborhood Meeting</i>	
A Neighborhood Meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
03/26/07	A field check was conducted on the site to determine that site conditions are as depicted in the submitted documentation. No pertinent issues were identified.

VAR-20551 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Details of Application Request			
Site Area			
Gross Acres	0.21		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
North	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)
East	Undeveloped	L (Low Density Residential)	R-1 (Single-Family Residential)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single-Family Residential)

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

Airport Overlay District

The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted by Title 19. The proposed buildings will be in compliance with the 175 and 200-foot height restrictions imposed by the North Las Vegas Airport Overlay District map.

VAR-20551 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF		Y
Min. Lot Width	65 Feet		Y
Min. Setbacks			
• Front	20 Feet		N*
• Side	5 Feet		Y
• Corner	15 Feet		Y
• Rear	15 Feet		Y
Max. Lot Coverage	50%		Y
Max. Building Height	The lesser of 2-stories or 35 feet		Y

**** The subject of this Variance.***

ANALYSIS

The applicant is requesting a 15-foot front yard setback on the subject site where 20-feet is required, a 25% deviation. The subject site is an approved single family dwelling in a 112-lot approved subdivision. While the front yard setback would be reduced to less than 18 feet, the garage entry will be set back a minimum of 20 feet from the front property line. The subject site is one of seven out of 112 units in the Bavaria Estates subdivision for which the applicant seeks such a Variance. This accounts for approximately 6% of the total units. This reduction in the front yard setback distance allows for greater depth in the rear yard on the subject site.

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

RL

VAR-20551 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

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 offering a product that does not fit within the lot as the applicant designed. Alternatively offering a product that fits within the approved setbacks 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 4

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 311

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20551** APN: 125-35-310-104/5002 Mirage Garden St.

Name of Property Owner: D.R. Horton

Name of Applicant: D.R. Horton

Name of Representative: G.C. Wallace

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: _____

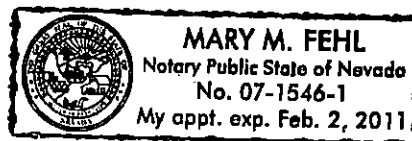
Signature of Property Owner: _____

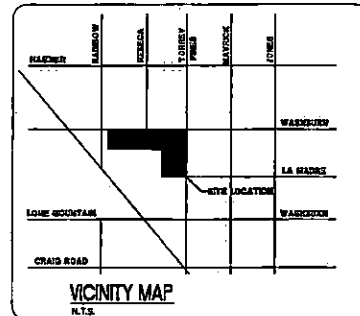
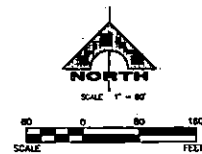
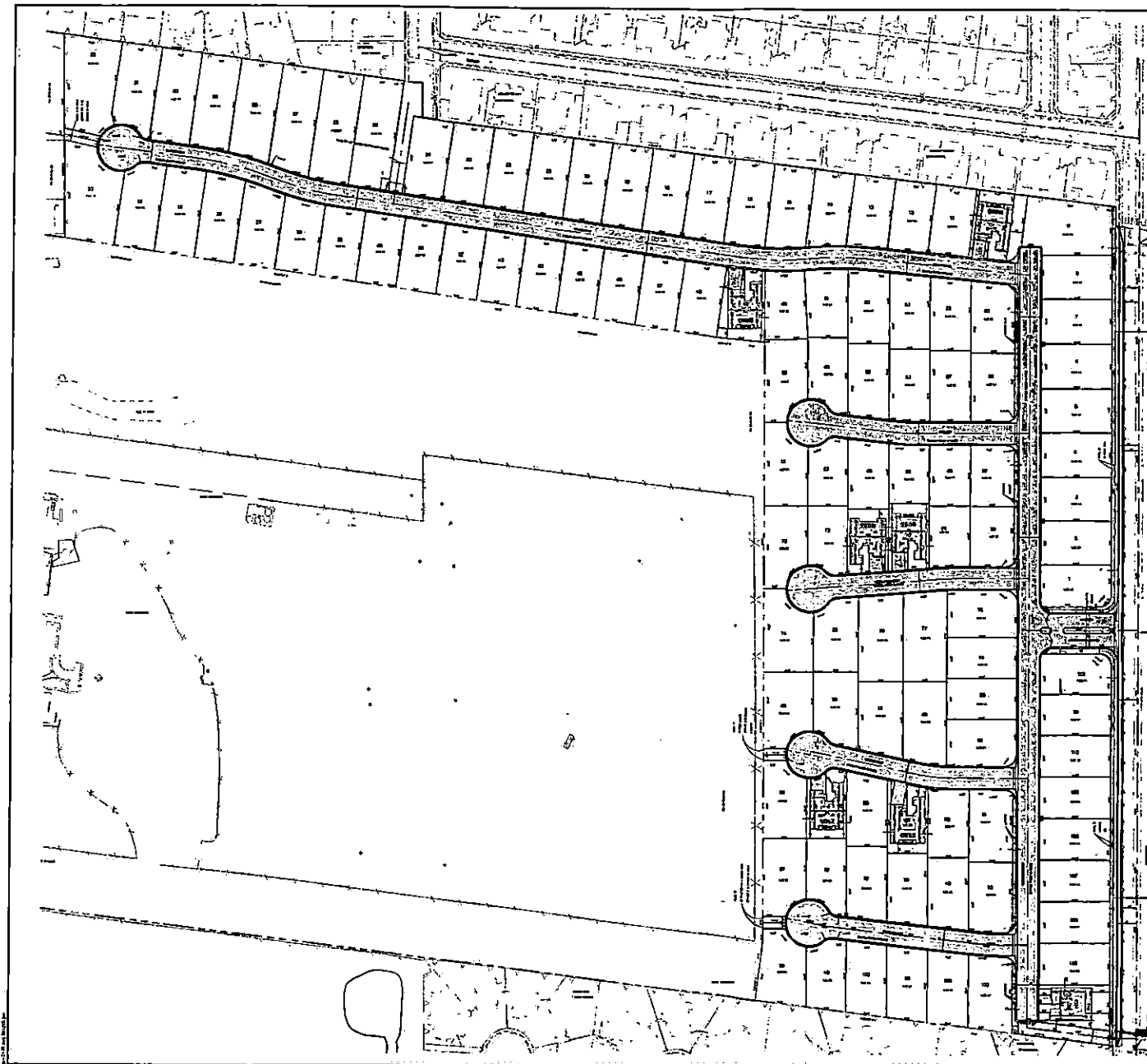
Print Name: Daniel D Callihan

Subscribed and sworn before me

This 12th day of March, 2007

Mary M Fehl
Notary Public in and for said County and State



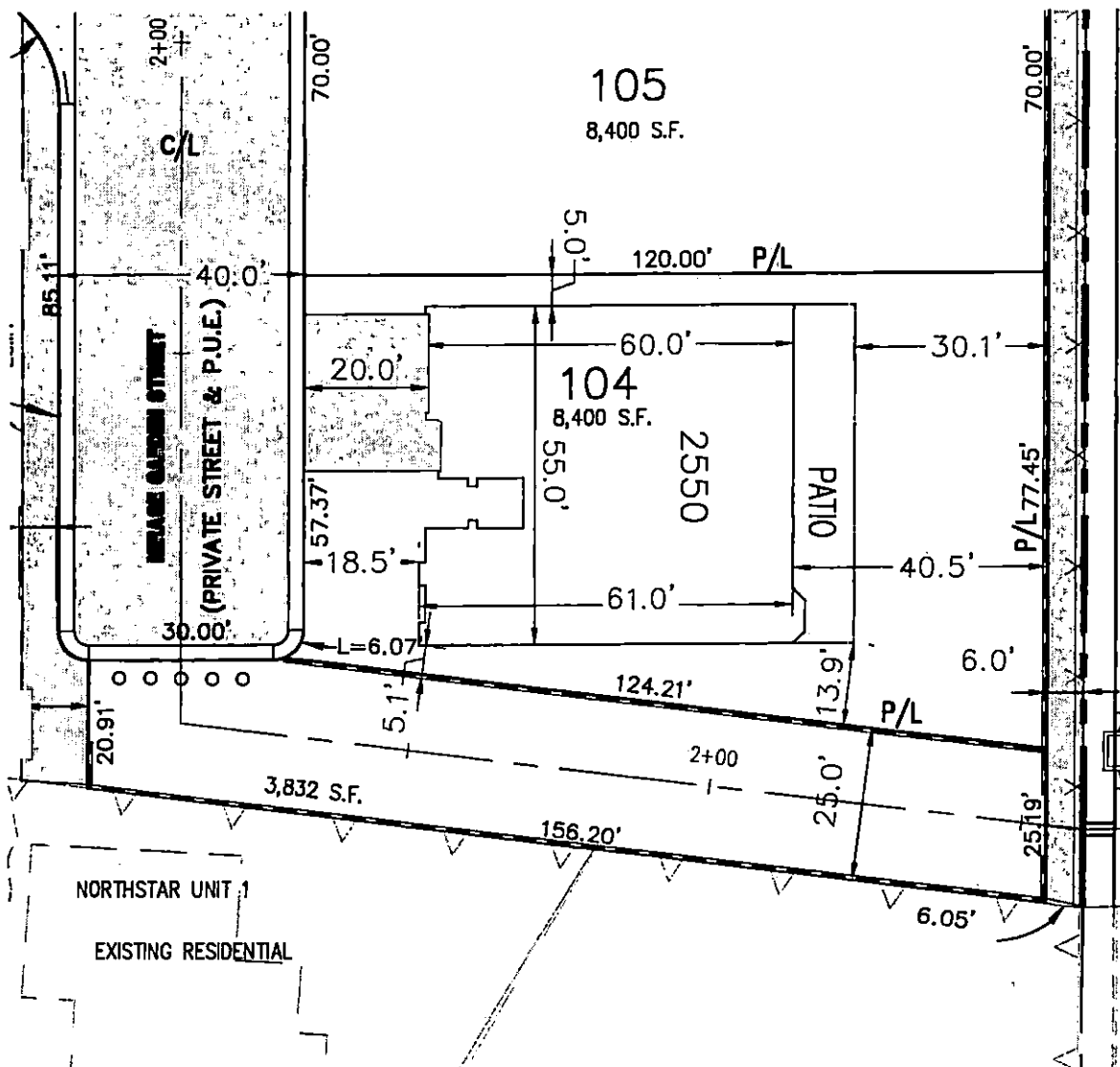


PROJECT NO.	767-053
DATE	04/26/07
DESIGNER	DR. HORTON, INC.
CHECKED	
APPROVED	
G.C. WALLACE COMPANIES ENGINEERS PLANNERS SURVEYORS 1111 W. WASHINGTON AVENUE, SUITE 100 LAS VEGAS, NEVADA 89102 (702) 735-1111	
RECEIVED MAR 14 2007	
DRAWING SP-1 OF 1 SHEETS	OVERALL

VAR-20551
04/26/07 PC

APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS

ADDRESS: 5002 MIRAGE GARDEN ST PARCEL NO. 125-35-310-104
 REC. SUBDIV: BAVARIA ESTATES ZONE -
 PLAN CHECK: - LOT 104 BLOCK - BOOK - PAGE -
 APPROVAL FOR: SFD ☐ PATIO COVER ☐ BALCONY ☐ ONLY

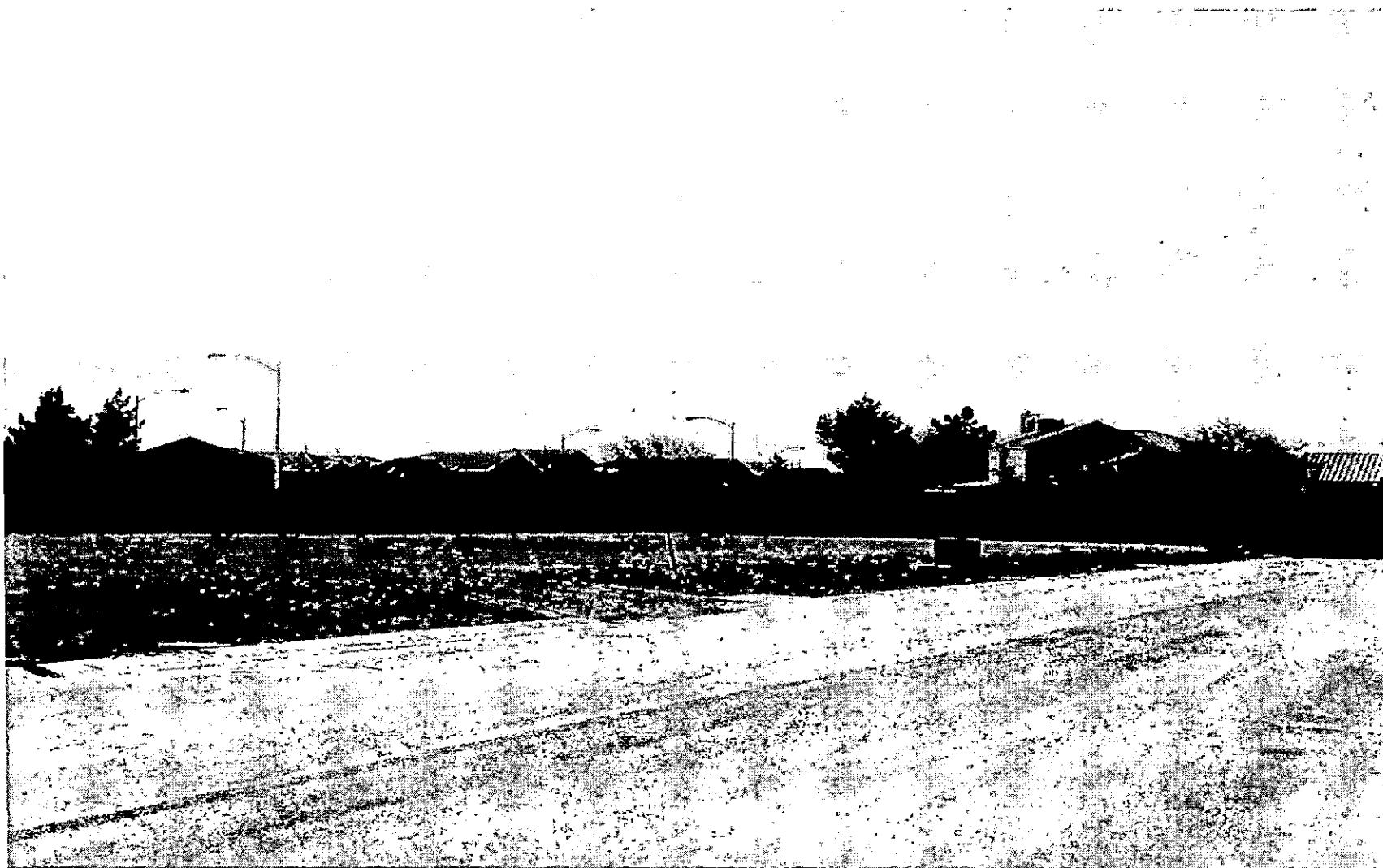


VAR-20551
04/26/07 PC

D.R. HORTON 0039179 C12-01325-063803
 CONTRACTOR/AGENT/OWNER STATE LICENSE NO. CITY LICENSE NO.
 CONTACT NAME: - PHONE NO. - FAX NO. **RECEIVED**

CONDITIONS: MAR 14 2007

PLANNING DEPARTMENT DATE BUILDING DEPARTMENT
 LAND DEVELOPMENT DATE I hereby certify that I have reviewed this application and the proposed plans and have found that the proposed development meets the requirements of the City of Las Vegas Flood Hazard Reduction Ordinance for the issuance of This Development Permit.



VAR-20551 - APPLICANT/OWNER: D.R. HORTON, INC.
5002 MIRAGE GARDEN COURT
APRIL 26, 2007 PLANNING COMMISSION

03/26/07

March 13, 2007

**JUSTIFICATION LETTER
FOR A VARIANCE
TO THE FRONT SETBACK OF LOT 104
IN BAVARIA ESTATES**

Bavaria Estates is a 112-lot, single-family residential subdivision located on the west side of Torrey Pines Drive between Lone Mountain Road and Ann Road. Of the 112 lots several have a depth of less than 120' and could benefit from a reduction in the front setback for the house. D. R. Horton is asking for a variance to the front setback from 20' down to 15' for the house only on Lot 104 (APN 125-35-310-104), whose street address is Mirage Garden Street. The setback for the garage would remain at 20'. For the housing product D. R. Horton is contemplating, this would allow for a 5' deeper back yard on this lot.

D. R. Horton believes that because of changing market conditions this variance would give them greater ability to provide a potential home buyer with another option in his choice of lots in the subdivision, producing a higher level of customer satisfaction.

Furthermore, granting this request will assist in producing an environment of stable and desirable character that is consistent with the objectives of the City of Las Vegas, because of the suitability of the intended use and its compatibility with the adjacent property.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-20477 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) WITH A WAIVER TO ALLOW A LIQUOR ESTABLISHMENT (TAVERN) USE 80 FEET FROM A CHILD CARE CENTER, 100 FEET FROM A CHURCH, 1,200 FEET FROM A PUBLIC SCHOOL AND 1,400 FEET FROM A CITY PARK WHERE A DISTANCE SEPARATION OF 1,500 FEET IS REQUIRED on 80.48 acres at 317 South Valley View Boulevard (a portion of APN 139-31-602-003), C-V (Civic) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 05/16/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Protest Letters

MOTION:

TROWBRIDGE – APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining because he manages a property within the notice area

To be heard by City Council on 6/6/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 75 – SUP-20477

MINUTES – Continued:

ANDY REED, Planning Supervisor, reported that the application was originally for a restaurant service bar use permit within the Springs Preserve Visitor's Center; however, because that use is not permitted within the Civic (C-V) zoning district and the request has been amended to a Special Use Permit for a tavern. MR. REED stated that the visitor's center is to be located in the center of the site and will operate similar to a restaurant service bar and recommended approval.

RICHARD WIMMER, Deputy General Manager, 1001 South Valley View Boulevard, appeared with FRANCES BALLARD, Director of Springs Preserve.

TODD FARLOW, 240 North 19th Street, commended the Water District for their efforts but requested additional details since it appears as though the Water District would be serving alcohol.

GARY MOFFAT, 3004 Lantern Lane, stated the Water District has promised the neighbors security but has not provided any. He expressed concern about the requested Tavern License and stated that the proposed deck would accommodate 7,000 people. The noise level would be unreasonable and time restrictions should be imposed. MR. MOFFAT suggested the matter be abeyed to allow time for the Water District to meet with neighbors to explain their intent behind the proposed use.

TOM MCGOWAN, Las Vegas resident, commended that the Water District's development project and stated that the site would have been ideal for the Las Vegas Grand Prix as it is centrally located and community oriented with historic significance. He encouraged the Commission to support the matter.

COMMISSIONER EVANS inquired about the anticipated hours of operation. MR. WIMMER stated that the anticipated hours would be from 10 a.m. to 10 p.m. and he added that the proposal would service a café operated by Wolfgang Puck Catering. The location of the café would be in the middle of the site, a great distance from the residents, and MR. WIMMER described the area surrounding the proposed cafe. COMMISSIONER EVANS clarified that the use would be more similar to that of a Supper Club since it is a café. The grand opening is scheduled for June 8, 2007.

COMMISSIONER GOYNES queried if the restaurant could be rented by a group to celebrate an event and whether such functions would affect MR. MOFFAT'S quality of life. MR. WIMMER verified that the restaurant would be available for gatherings but would not disturb adjacent neighbors since the location is in the center of the site.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 75 – SUP-20477

MINUTES – Continued:

Upon CHAIRMAN DAVENPORT'S request, MR. WIMMER confirmed that Mesquite Avenue ends at the property and the reason a walkway was not created was because of fire threats that would restrict access to the site to certain hours. He also stated that it would have been too costly to allow a walkway with all the significant water facilities as it is a \$250 million visitors' attraction.

MARGO WHEELER, Director of Planning and Development Department, suggested imposing a condition to restrict the hours of operation but MR. WIMMER stated it would be difficult to host reception-type events while honoring that condition. COMMISSIONER TROWBRIDGE chose not to add the additional condition.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

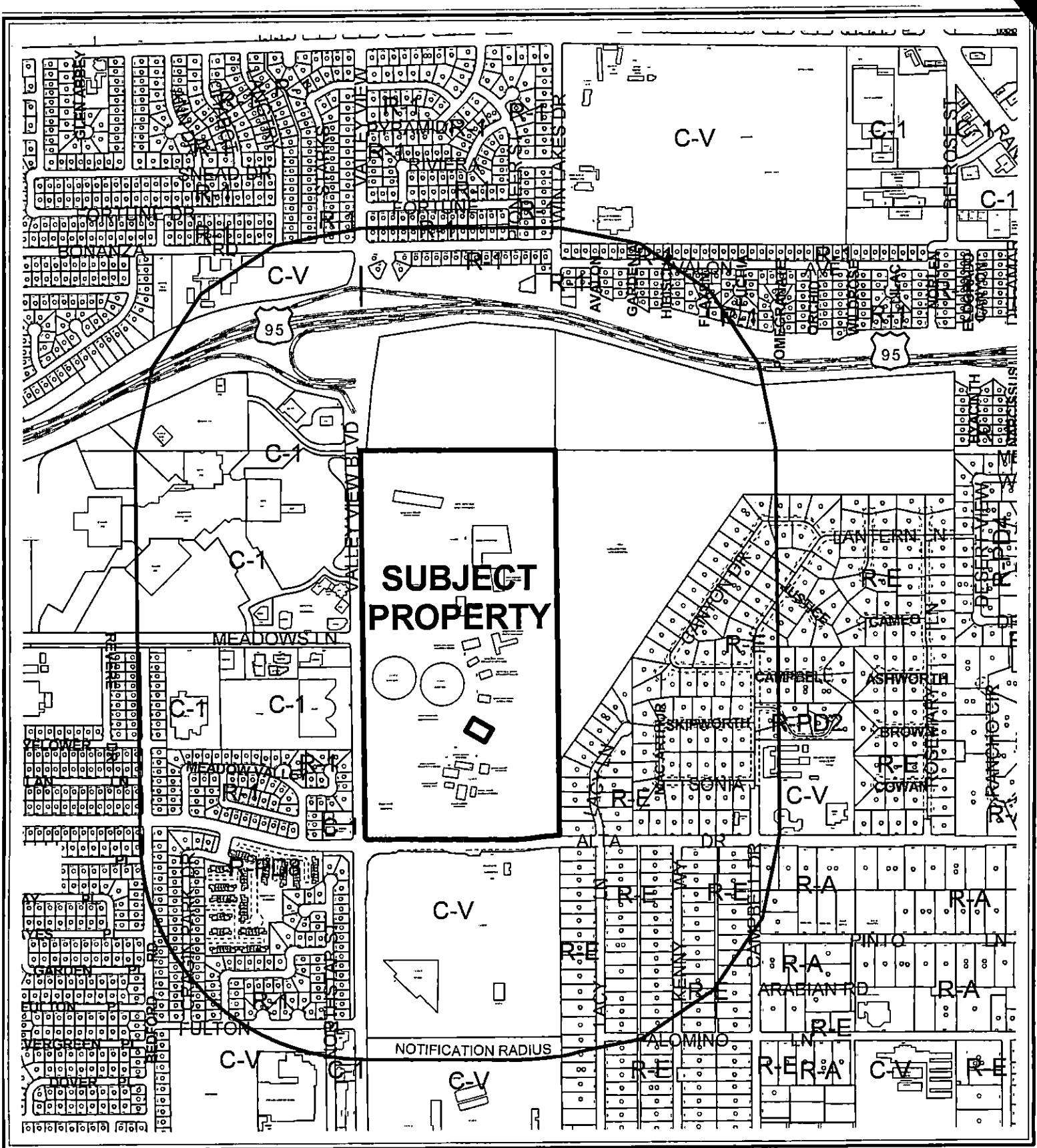
(11:10 – 11:23)

4-190

CONDITIONS:

Planning and Development

1. Conformance to the conditions Site Development Plan Review (SDR-1465), except as amended herein.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code, and will be restricted to operation as a Restaurant with Service Bar.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



CASE: SUP-20477

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 300 600 Feet





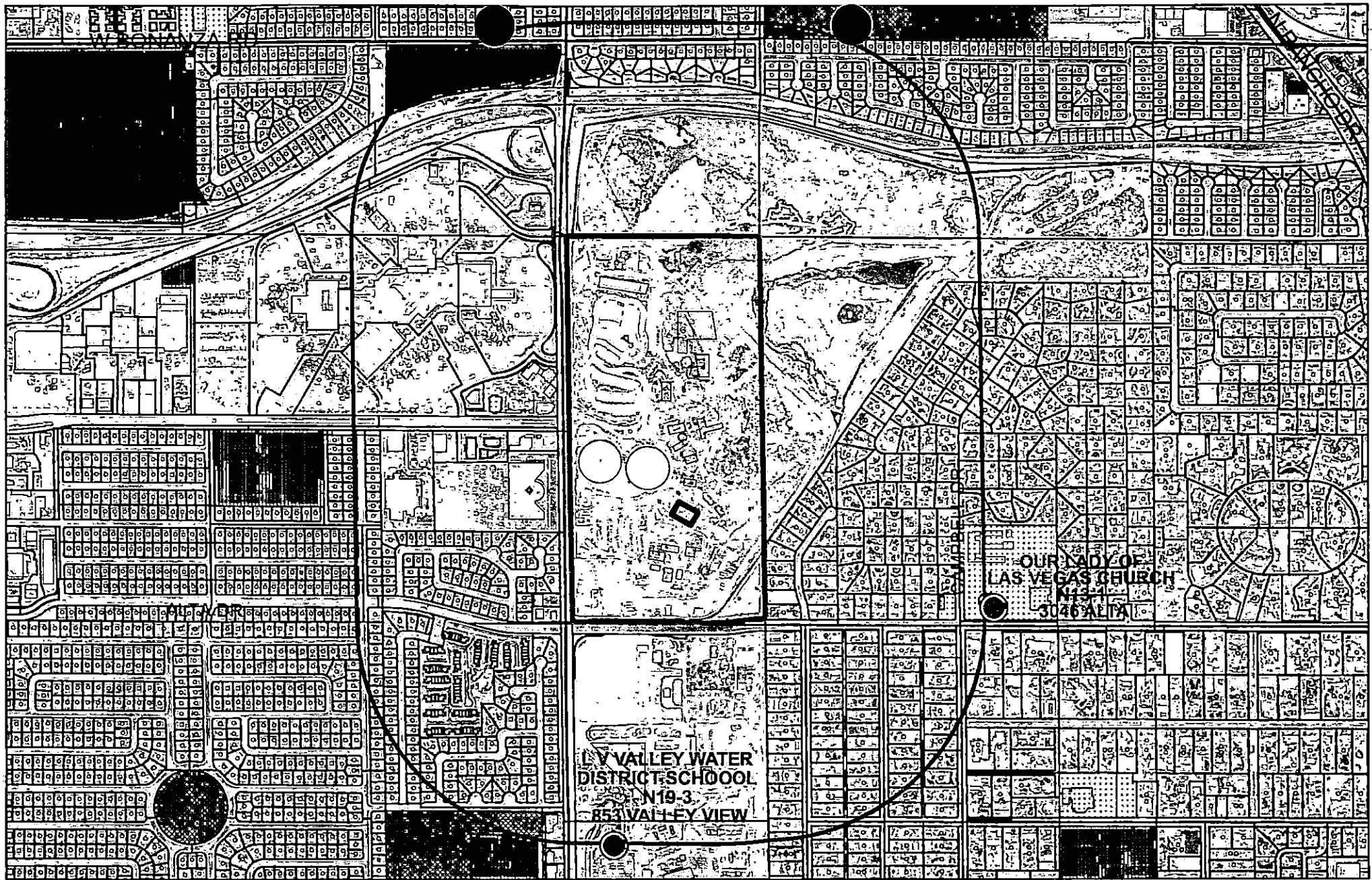
CASE: SUP-20477

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 300 600 Feet





SUP-20477

Business Licenses

-  Child Care/
Children Facility
-  Tavern

-  RELIGIOUS
-  CITY PARKS
-  SCHOOLS

-  Subject Property
-  1500 foot buffer

0 490 980 1,960 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-20477 - APPLICANT/OWNER: LAS VEGAS VALLEY
WATER DISTRICT**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions Site Development Plan Review (SDR-1465), except as amended herein.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code, and will be restricted to operation as a Restaurant with Service Bar.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-20477 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a Liquor Establishment (Tavern) at 317 South Valley View Boulevard. This use will take place within the Visitors Center of the Springs Preserve. The applicant seeks to operate a less intense Restaurant with Service Bar; however, this use is not permitted in the C-V (Civic) zone. Therefore, the applicant must request the more intense Liquor Establishment (Tavern) that is allowed in this zoning district with a Special Use Permit. Staff recommends approval of the aforementioned waivers as the proposed Liquor Use (Tavern) is located deep within an 80-acre parcel designated as a historic site as well as a C-V (Civic) zoning district. The location of the proposed site demonstrates that the applicant has made every attempt to shield the protected uses from any impact. The proposed Liquor Establishment (Tavern) is located on an 80 acre parcel, and the building containing the proposed use is in excess of 1,500 feet from all but one of the protected parcels.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/01/92	The City Council approved a rezoning (Z-0026-92) to the C-V (Civic) zoning district on the subject site as part of a larger request. The Planning Commission recommended approval on 05/28/92.
03/03/93	The City Council approved a request for a Plot Plan approval [Z-0026-92(1)] of a proposed Water District office. The Planning Commission recommended approval on 02/11/93.
02/07/01	The City Council approved a request for a Site Development Plan Review [Z-0026-92(4)] of the Master Plan for a proposed 110-acre public use facility, including approximately 266,100 square feet of building area for a visitor center, interpretive center, museum, research area, garden support, and administrative offices for the Las Vegas Valley Water District. The Planning Commission recommended approval on 12/21/00.
05/02/01	The Planning and Development Department administratively approved a request for an administrative Site Development Plan Review [Z-0026-92(5)] for Phase 1, including a 26,600 square foot pumping station building, of an approved 110-acre public use facility (Las Vegas Springs Preserve) on 175.58 Acres located on the east side of Valley View Boulevard, between Alta Drive on the south and the US 95 Highway on the north.
07/10/01	The Planning and Development Department administratively approved a request for an Administrative Site Development Plan Review [Z-0026-92(6)] for streetscape improvements generally located along Valley View Boulevard between Alta Drive and US-95, and along Alta Drive from Valley View Boulevard eastward 1,350 feet, adjacent to the subject site.

SUP-20477 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

12/07/01	The Planning and Development Department administratively approved a request for an administrative Site Development Plan Review [Z-0026-92(7)] for a proposed 33,997 square-foot garden support facility consisting of five buildings located adjacent to the northeast corner of Alta Drive and Valley View Boulevard.
01/18/02	The Planning and Development Department administratively approved a request for an administrative Site Development Plan Review [Z-0026-92(8)] for a proposed 54,500 square foot desert living center consisting of four buildings located adjacent to the northeast corner of the intersection of Alta Drive and Valley View Boulevard.
01/02/03	The Planning and Development Department administratively approved a request for a Site Development Plan Review (SDR-1465) for a proposed 75,032 square foot visitor's center in conjunction with the Las Vegas Springs Preserve.
06/12/03	The Planning and Development Department administratively approved a Site Development Plan Review (SDR-2258) for trails, canopies, armadas, an interpretive pavilion and displays in conjunction with the Las Vegas Springs Preserve, located adjacent to the northeast corner of the intersection of Alta Drive and Valley View Boulevard.
12/21/06	The Planning Commission approved a request for a Master Sign Plan (MSP-18047) for an Approved Government Facility on the subject site. Staff recommended approval.
Related Building Permits/Business Licenses	
05/10/05	Building Permits issued under Plan Check number C-0204-03 for the Springs Preserve Visitor Center administration building, gardens and playground on the subject site.
05/10/05	Building Permits issued under Plan Check number C-0051-03 for the Springs Preserve on the subject site.
10/05/05	Building Permits under Plan Check number C-0289-03 for the Springs Preserve Trails
01/13/06	Building Permits issued under Plan Check number L-4057-05 for a Las Vegas Centennial Marker on the subject site.
02/22/07	Building Permits under Plan Check number C-0277-03 for the Springs Preserve Garden Support Facilities
03/15/07	Building Permits issued under Plan Check number C-0600-06 for the Solar Array Parking Shade Structures and Electrical on the subject site.

SUP-20477 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

Pre-Application Meeting
A pre-application meeting was not held for this application.

Neighborhood Meeting
A neighborhood meeting is not required for this type of application.

Field Check
03/26/07
A field check was conducted to verify the locations of protected uses in relation to the subject site, including Churches, Child Care Centers, Schools, and City Parks.

Details of Application Request
Site Area
Gross Acres
80.48

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Springs Preserve (Under Construction)	PF (Public Facility)	C-V (Civic)
North	Springs Preserve (Under Construction)	PF (Public Facility)	C-V (Civic)
South	Southern Nevada Water Authority	PF (Public Facility)	C-V (Civic)
East	Undeveloped, Single-Family Residential	PF (Public Facility) DR (Desert Rural Density Residential)	C-V (Civic), R-E (Residence Estates)
West	Regional Mall, Office, Utility, Single-Family Residential	SC (Service Commercial) L (Low Density Residential)	C-I (Limited Commercial) R-1 (Single-Family Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	NA
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
C-V Civic District	X		Y
A-O Airport Overlay District	X		Y
H Historic Designation	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA
			RL

SUP-20477 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Title 19.08.050 stipulates that the development standards, including parking and landscaping requirements, for a project in a Civic District shall be established upon approval of a Site Development Plan, and that setback and other standards are not automatically applied. In reviewing the project for conformance with generally-accepted development standards, all proposed structures will have adequate setbacks from property lines, and lot coverage for the development will be minimal.

Standard	Provided
Lot Size	180 acres
Lot Width	1,300 Feet
Setbacks • Front • Side • Corner • Rear	965 Feet 337.43 Feet 572.85 Feet 580.58 Feet
Min. Distance Between Buildings	60 Feet
Trash Enclosure	Screened
Mech. Equipment	Screened

Parking Requirement		
	Provided	
	Parking	
	Regular	Handicapped
Lot 1	210	9
Lot 2	159	0
Lot 3	99	17
TOTAL	493	
Bus Parking (Lot 3)	8	

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	99 Trees	100 Trees
Buffer:			
• Min. Trees	1 Tree/30 Linear Feet	38 Trees	38 Trees
• Min. Zone Width			
Street Side	15 Feet		15 Feet
Interior	8 Feet		8 Feet

SUP-20477 - Staff Report Page Five
April 26, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
An 80-foot distance separation from an existing Church at 3844 Meadows Lane.	1,500 -foot distance separation.	Approval
1,150-foot distance separation from an existing school at 4105 West Bonanza Road.	1,500 -foot distance separation.	Approval
1,250-foot distance separation from an existing City Park at the southwest corner of Fulton Place and Northstar Street.	1,500 -foot distance separation.	Approval
1,400-foot distance separation from an existing Child Care Center at 853 South Valley View Boulevard.	1,500 -foot distance separation.	Approval
1,400-foot distance separation from an existing City Park at 720 Twin Lakes Drive.	1,500 -foot distance separation.	Approval
1,400-foot distance separation from an existing Church and Child Care Center at 3050 Alta Drive.	1,500 -foot distance separation.	Approval

Staff recommends approval of the aforementioned waivers as the proposed Liquor Use (Tavern) is located deep within an 80-acre parcel designated as a historic site as well as a C-V (Civic) zoning district. The location of the proposed site demonstrates that the applicant has made every attempt to shield the protected uses from any impact. The proposed Liquor Establishment (Tavern) is located on an 80 acre parcel, and the building containing the proposed use is in excess of 1,500 feet from all but one of the protected parcels, a Church located at 3844 Meadows Lane. The parcel which includes this Church is located 1,230 feet from the actual Tavern Site on the subject parcel. Further, an existing Beer/Wine/Cooler On-Sale establishment is located on the same parcel as the Church, directly between the Church and the proposed use. In addition, the School at 4105 West Bonanza Road and the City Park at 720 Twin Lakes Drive are separated from the proposed use by U.S. 95. Therefore, staff recommends approval of these waivers.

ANALYSIS

- **Zoning**

The C-V (Civic) zone is intended to provide for the continuation of existing public uses and the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District and other public utility facilities. The subject use is to be located within the Visitor Center on the site of the Springs Preserve, a public park owned by the Las Vegas Valley Water District. The Liquor Establishment (Tavern) use is permitted in the C-V zone with a special use permit.

SUP-20477 - Staff Report Page Six
April 26, 2007 - Planning Commission Meeting

- **Use**

The Liquor Establishment (Tavern) use is defined in Title 19.02 as a facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.

- **Conditions**

The following conditions are required for a Special Use Permit for the Liquor Establishment (Tavern) use, pursuant to Title 19:

1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum separation between liquor establishments (taverns), and a minimum separation between a liquor establishment (tavern) and certain other uses that should be protected from the impacts associated with a liquor establishment (tavern). Therefore, except as otherwise provided below, no liquor establishment (tavern) may be located within 1500 feet of any other liquor establishment (tavern), church, synagogue, school, child care facility licensed for more than 12 children, or City park.
2. The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) 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 liquor establishment (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.
3. For the purpose of Requirement 2, and for that purpose only:
 - a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
 - b. The "property line" of a liquor establishment (tavern) refers to:
 - i. The property line of a parcel that has been created by an approved land recorded parcel map or commercial subdivision map; or
 - ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:

SUP-20477 - Staff Report Page Seven
April 26, 2007 - Planning Commission Meeting

- A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;
 - B. The proposed liquor establishment (tavern) will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located;
 - C. All parking spaces required by this Table 2 and LVMC Chapter 19.10 for the liquor establishment (tavern) use will be located on the same parcel as the use; and
 - D. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the liquor establishment (tavern) will be located, execute and record an agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.
- 4. The distance separation requirement set forth in Requirement 1 does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.
- 5. The distance separation requirement set forth in Requirement 1 may be waived in accordance with the provisions of Paragraph 19.04.050(A)(4), but only in connection with a proposed liquor establishment (tavern) that:
 - a. Will be located on a parcel within the C-V District or the Downtown Casino Overlay District;
 - b. Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as an historic property, historic building, or landmark;
 - c. Will be located with in a regional mall; or
 - d. Will be separated from the existing use by a street or highway with a minimum right-of-way width of 100 feet.
- *6. The use shall conform to, and is subject to, the provisions of LVMC Chapters 6.40 and 6.50.

SUP-20477 - Staff Report Page Eight
April 26, 2007 - Planning Commission Meeting

The subject site fails to meet the distance separation requirements as measured from property line to property line, as a result of the 80 acre size of the subject site upon which the proposed Liquor Establishment (Tavern) is to be located. These waivers are appropriate as the subject use is located within a C-V zone as well as a designated historic district.

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 land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses. While the subject use requires numerous Waivers for distance separation, it should be noted that the proposed Liquor Establishment (Tavern) is located on an 80 acre parcel, and the building containing the proposed use is in excess of 1,500 feet from all but one of the protected parcels.

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

The subject site is an 80-acre historical site, with the proposed use operating within a previously approved visitor center. Staff recommends approval as the proposed Liquor Establishment (Tavern) is a typical compliment to this type of site, and staff finds the location suitable for this use.

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

Access to the subject site is via Valley View Drive, an 80-foot collector street on the Master Plan of Streets and Highways, and is adjacent to the U.S. 95 Freeway. Staff recommends approval as these roads are suitable for the use and intensity proposed on the subject 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.”**

SUP-20477 - Staff Report Page Nine
April 26, 2007 - Planning Commission Meeting

Staff recommends approval as the proposed use will be subject to Title 6.50 and will require appropriate licenses and inspections, and therefore will not compromise the public health, safety, or welfare, nor will it compromise the overall objectives of the General Plan.

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

The proposed Liquor Establishment (Tavern) is located deep within an 80-acre parcel designated as a historic site as well as a C-V (Civic) zoning district. However, because of the size of this parcel, several protected uses are within 1,500 feet of the perimeter, and the applicant requests waivers of the distance separation requirements. The location of the proposed site demonstrates that the applicant has made every attempt to shield the protected uses from any impact. The only protected use within 1,500 feet from the actual site of the Liquor Establishment (Tavern) is co-located on a parcel with an existing Beer/Wine/Cooler On-Sale establishment. The existing alcohol use is located directly between the Church and the subject site. Therefore, staff recommends approval of these waivers and this Special Use Permit.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT 6

SENATE DISTRICT 3

NOTICES MAILED 560

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-20477** APN: 139-31-602-003

Name of Property Owner: Patricia Mulroy, General Manager

Name of Applicant: Shawn P. Mollus, Director of Las Vegas Valley Water District Engineering

Name of Representative: Peter J. Jauch, Engineering Design Manager

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: Patricia Mulroy

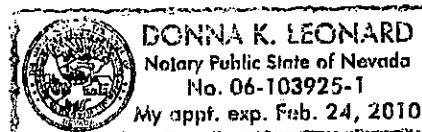
RECEIVED

Subscribed and sworn before me

MAR 13 2007

This 12th day of March, 2007

Donna K. Leonard
Notary Public in and for said County and State
State of Nevada
County of Clark

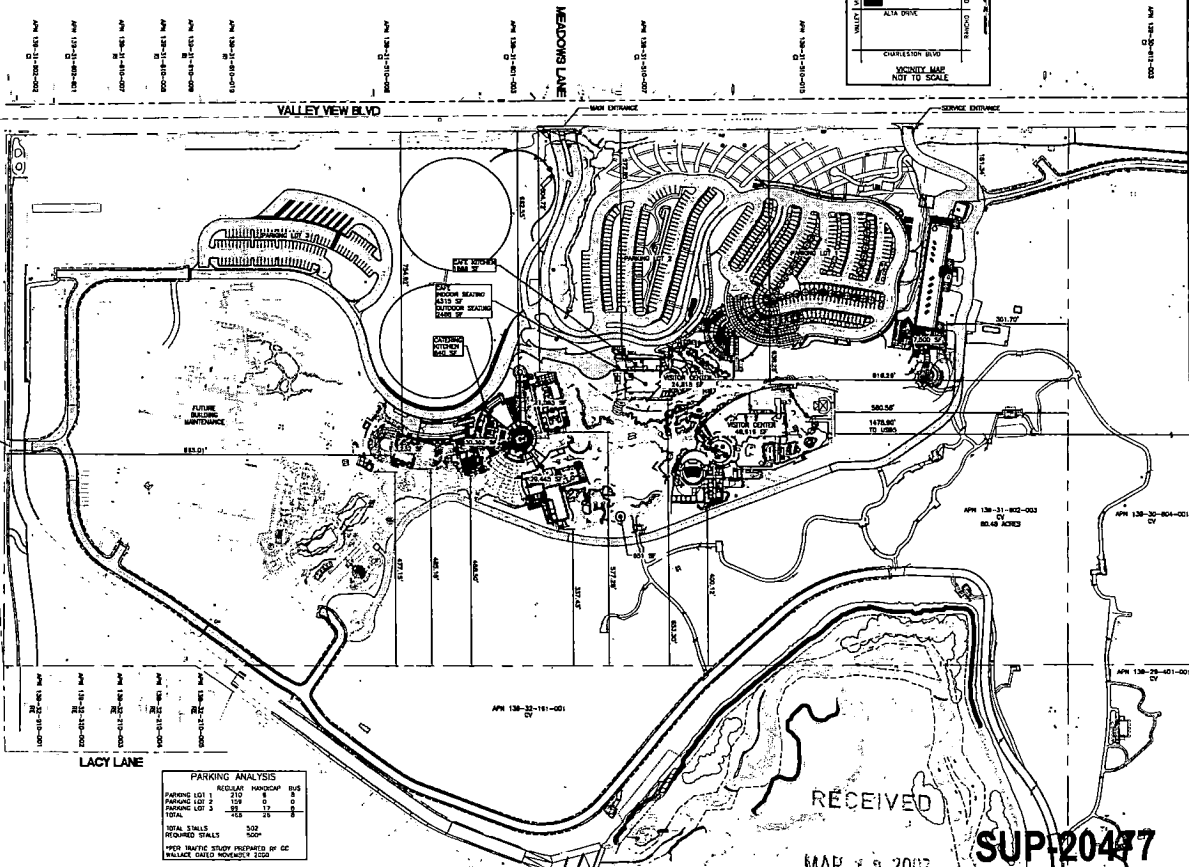
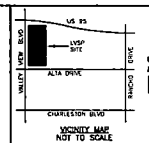


RECEIVED
CITY OF LAS VEGAS

VERIFY SCALE
1" = 100'
1" = 200'
1" = 400'

LAS VEGAS SPRINGS PRESERVE BUILDINGS

APPROVED BY: _____ DATE: _____
 PREPARED BY: _____ DATE: _____
 CHECKED BY: _____ DATE: _____
 CONTRACT NUMBER: _____
 SHEET: _____ OF _____



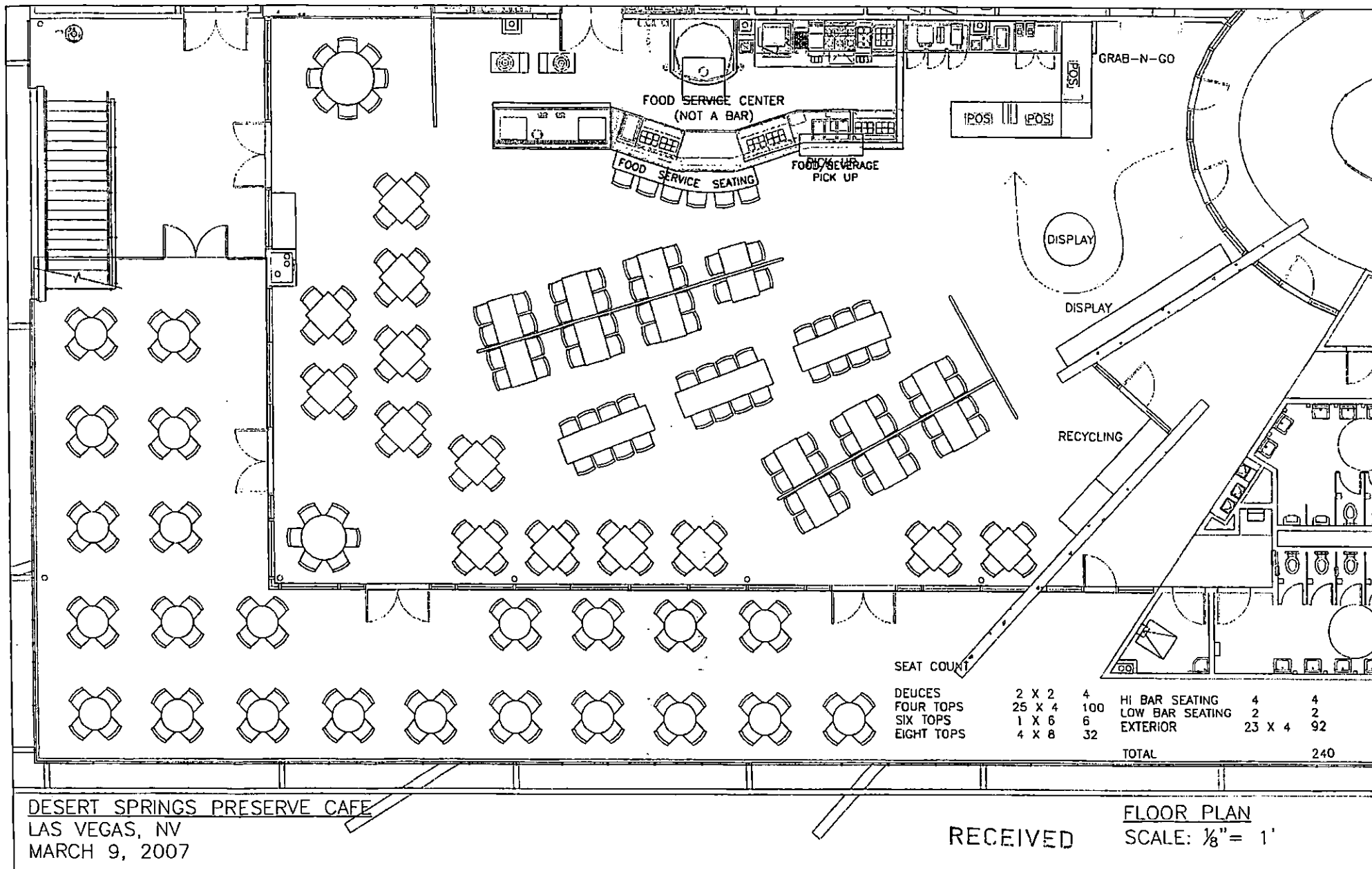
PARKING ANALYSIS

PARKING LOT	REGULAR	HANDICAP	TOTAL
PARKING LOT 1	210	0	210
PARKING LOT 2	119	0	119
PARKING LOT 3	35	0	35
TOTAL	364	0	364

TOTAL STALLS 364
REQUIRED STALLS 364
 100% SATISFACTION

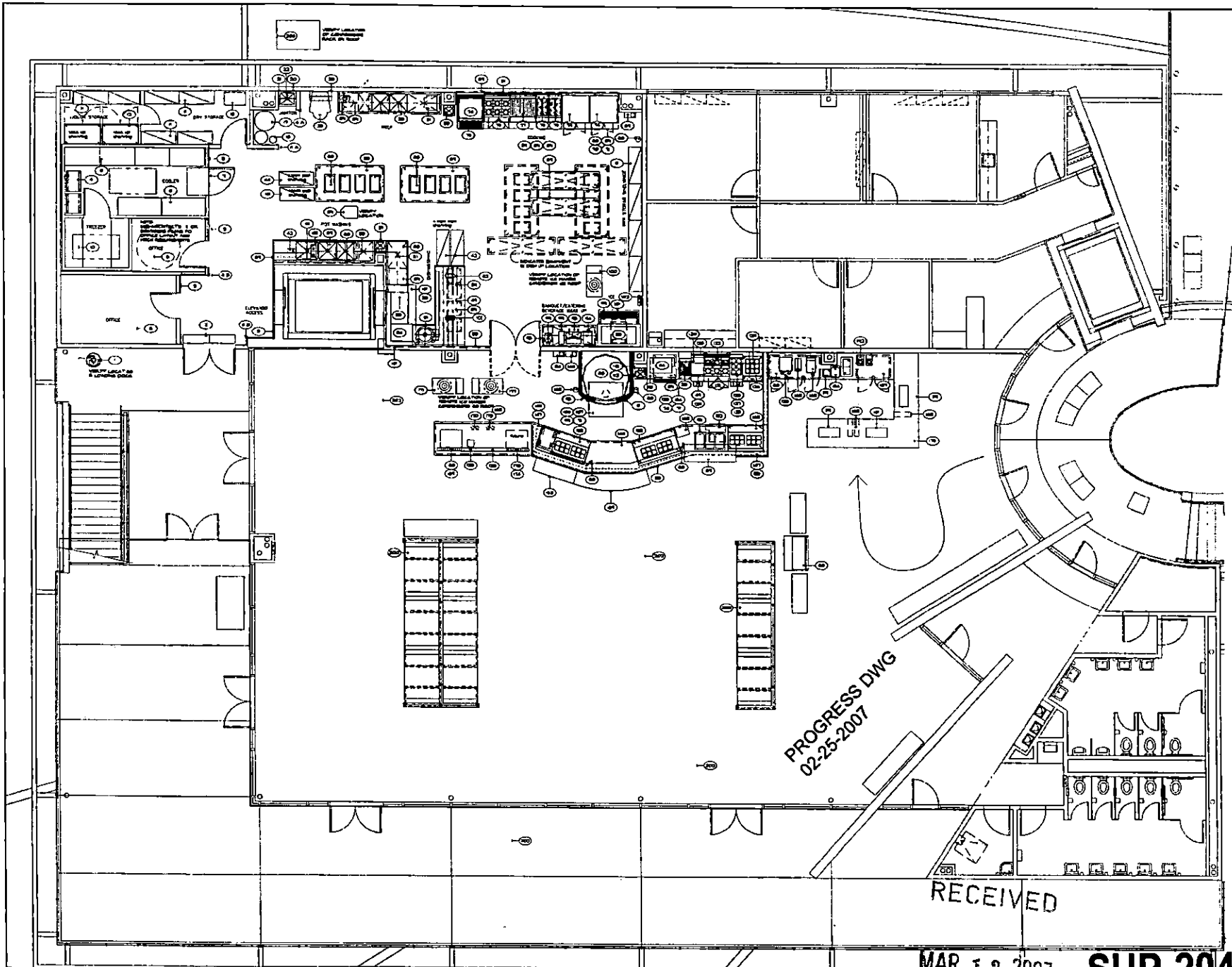
MAPS TRAFFIC STUDY PREPARED BY CC
 BALANCE, UNITED NATIONS, 1990

RECEIVED
 SUP-20437
 04/26/07 PC
 MAR 7 8 2007



MAR 13 2007

SUP-20477
04/26/07 PC



PROGRESS DWG
02-25-2007

RECEIVED

MAR 13 2007

SUP-20477

04/26/07 PC

PROJECT	F-1 WPC @ SPRINGS
DATE	02-25-2007
DESIGNER	ADAM BROWN
CHECKED BY	ADAM BROWN
SCALE	1/8" = 1'-0"
NOTES	

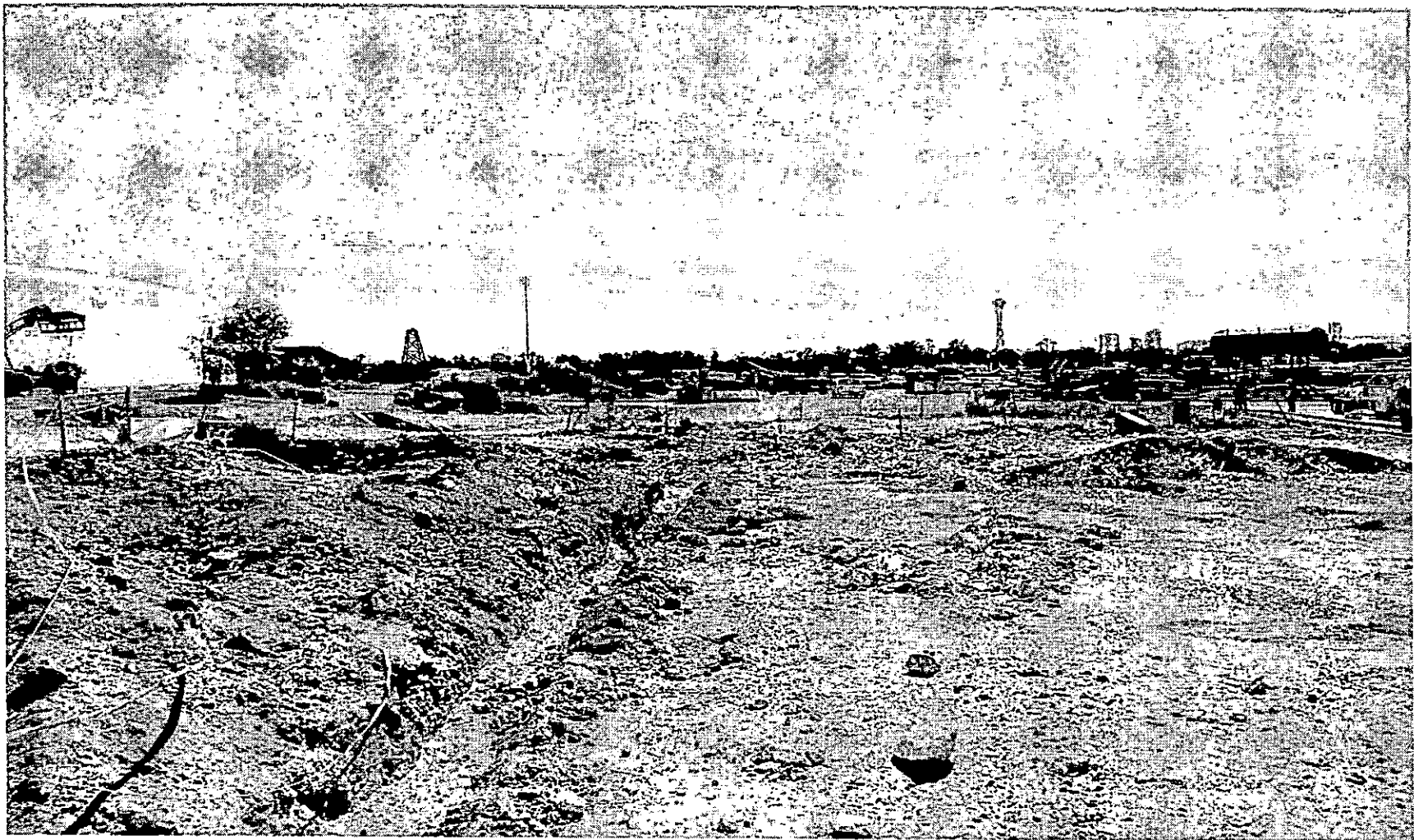
F-1.1

EQUIPMENT FLOOR PLAN
WOLFGANG PUCK EXPRESS
@ SPRINGS PRESERVE
LAS VEGAS, NEVADA



Omega Design
Designers and Suppliers to the Food
Service Industry
1000 S. MAIN ST. SUITE 100
LAS VEGAS, NV 89101
702.735.1000

Omega Design is a full-service architectural and interior design firm. We provide a wide range of services including conceptual design, schematic design, design development, construction documents, and construction administration. Our team is experienced in working with a variety of clients, from small businesses to large corporations. We are committed to providing high-quality design solutions that meet our clients' needs and exceed their expectations.



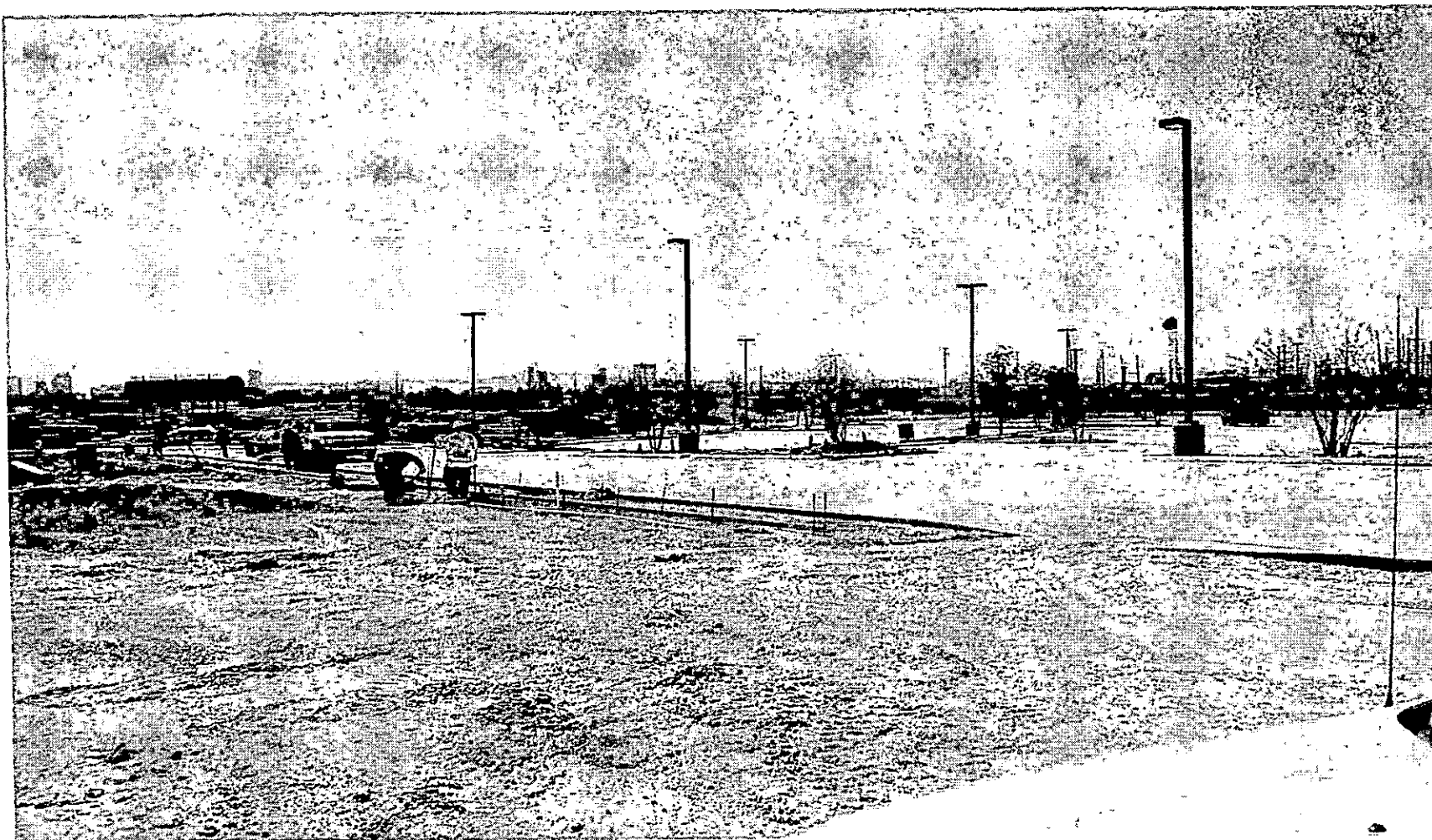
SUP-20477 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT
317 SOUTH VALLEY VIEW BOULEVARD
APRIL 26, 2007 PLANNING COMMISSION

03/29/07



SUP-20477 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT
317 SOUTH VALLEY VIEW BOULEVARD
APRIL 26, 2007 PLANNING COMMISSION

03/29/07



SUP-20477 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT
317 SOUTH VALLEY VIEW BOULEVARD
APRIL 26, 2007 PLANNING COMMISSION

03/29/07

SPRINGS PRESERVE

WWW.SPRINGSPRESERVE.ORG

March 29, 2007

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

SUBJECT: SPRINGS PRESERVE SPECIAL USE PERMIT, JUSTIFICATION LETTER

On behalf of the Springs Preserve, the Las Vegas Valley Water district (District) requests a Special Use Permit for the purpose of serving alcohol as part of the restaurant and catering operations currently planned within the Springs Preserve. The Springs Preserve is approximately 180-acres and is located on the south side of U.S. 95 and east of Valley View Boulevard, and is identified by Assessor Parcel Number 139-31-602-003. Although the entire site is 180 acres,, the restaurant and catering operations total 9,309 square feet within an 80-acre portion of the site.

The Facility is organized into four primary theme components: a Visitor Center, focusing on the history of the environment and people of the Las Vegas Valley; a natural preserve and trails system that highlights the natural and cultural artifacts and resources that remain on the site; a Desert Living Center and gardens which highlight sustainable living and water efficient landscaping; and the Nevada State Museum, which will provide a statewide context for the Springs Preserve, linking the development of Las Vegas to the history of Nevada and the settlement of the West. The Springs Preserve will host a variety of public and private events and is currently under negotiations with Wolfgang Puck Catering as the restaurant and catering operator.

The proposed café is located within the Visitor Center and it will be classifies as a tavern. The café consists of 1,866 square feet of kitchen/office space and 6,803 square feet of seating. The café will not have a wet bar. Food and alcohol will be purchased at the walk-up counter. The proposed catering preparation kitchen is located within the Desert Living Center and consists of 640 square feet of kitchen/preparation space. This kitchen will be used for catering future special events within the Desert Living Center.

At this time, we would like to request a waiver on the distance separation requirement from a church, school, childcare facility, or city park due to the fact that the entire property is 180-acres and the café will be constructed within an 80 acre portion near the center of this site.

333
S. VALLEY VIEW
BLVD.
LAS VEGAS, NV 89107
702.727.5311

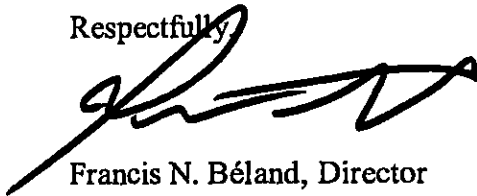
SUP-20477
04/26/07 PC

The parking requirement for this development is 500 spaces. This site is Zoned Civic and the design currently allows for 493 parking spaces. Please take into consideration that the majority of the Springs Preserve staff will be parking on the Las Vegas Valley Water District campus at Alta and Valley View.

Additionally, the parking lot at Alta and Valley View, which is in the final approval stages with the City of Las Vegas, will serve as overflow parking for any large weekend/evening events at the Springs Preserve. Based on this information we respectfully request the 493 parking spaces to be accepted.

Please contact Doa Meade at 822-8574 if you have questions.

Respectfully,

A handwritten signature in black ink, appearing to read 'Francis N. Béland', written over a horizontal line.

Francis N. Béland, Director
Springs Preserve

Executive Team

The Las Vegas Valley Water District's Executive Team oversees the district's day-to-day operations:



Patricia Mulroy
General Manager



Thomas Minwegen
Deputy General Manager,
Engineering/Operations



Richard Wimmer
Deputy General Manager,
Administration



Charles Hauser
Legal Counsel

General Manager Patricia Mulroy

Pat Mulroy oversees the operations of the Las Vegas Valley Water District, which serves more than 300,000 customers, and the Southern Nevada Water Authority, which is responsible for acquiring, treating and delivering water to local agencies that collectively serve 1.8 million residents and nearly 40 million annual visitors.

Mulroy joined the district more than 20 years ago and began serving as its general manager in 1989. She was a principal architect of the Water Authority, which has served as a model for other Western water agencies since its creation in 1991.

As general manager of one of the country's most progressive water agencies, Mulroy is exceptionally active in regional and national water issues. She currently serves on the Association of Metropolitan Water Agencies Board of Directors and is a member of the American Water Works Association. Additionally, she was the original chairperson of the Western Urban Water Coalition and served on the Colorado River Water Users Association's board of directors.

A resident of Southern Nevada for more than three decades, Mulroy is equally active in the community. She currently chairs the University of Nevada, Las Vegas College of Sciences Advisory Board and serves on the KNPR Nevada Public Radio Board of Directors. Mulroy is also actively involved with the Diocese of Las Vegas and Bishop Gorman High School. Her honors include the University and Community College System of Nevada Board of Regents' Distinguished Nevadan Award.

A native of Germany, Mulroy served as special assistant to the Clark County manager before joining the Water District. She and her husband, Robert, have two children. Mulroy's recreational interests include skiing and reading.

RECEIVED

SUP-20477
04/26/07 PC

MAR 13 2007

400 Lacy Lane
Las Vegas, Nevada 89107
16 April, 2007

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

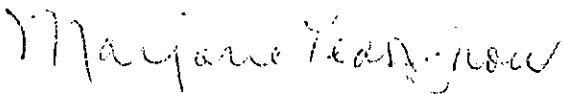
Dear Sir:

I received a letter from Mr. Andrew P. Reed of your office stating that the Las Vegas Valley Water District has requested a special use permit with a wavier allowing them to sell liquor on their property development at 317 South Valley View Boulevard.

I reside at 400 Lacy Lane and my backyard faces the water company property. I find no reason for them to be given a liquor license. The park they are creating, according to them, is to be an attraction that will attract large numbers of school children on field trips, as well as families, and the general public. They plan to have one building that will be available for schools to hold their annual proms and other student festivities. Therefore, I can see no reason, or need, for alcohol to be sold on this property.

Thank you for advising me of the Water District's plans.

Sincerely,



Marjorie Teas Snow

SUP-20447

William and Carol Stoddard
404 Lacy Lane
Las Vegas, Nevada 89107

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

Re: Objection to Application for Special Use Permit (SUP-20477)

Ladies and Gentlemen:

We have recently received the "Notice of Public Hearing" with respect to the aforementioned Application for a Special Use Permit, whereby the Applicant, the Las Vegas Valley Water District, seeks a "special use permit for a liquor establishment (tavern), with a waiver to allow a liquor establishment . . . [within specified distances of a child care center, public school and city park]". This letter is intended as an objection to this application, including both the special use permit and waiver requests.

It should first be noted that our home, where myself and my wife have resided for the past 15 years is directly adjacent to the Subject Property (the Las Vegas Valley Water District property (hereinafter the "Water District Property") currently being developed as the "Springs Preserve"). While we are currently serving as missionaries for the Church of Jesus Christ of Latter-day Saints in the Chicago area, we continue to own our home in Las Vegas (where one of our sons currently resides with his family), and will return to that home to live indefinitely when we complete our service in the summer of 2009.

Our home shares a common boundary with the Water District Property, and, therefore, we have taken a special interest in the development of this property from its commencement. For example, I have served on a citizens advisory committee, which has been involved in this project for years, and I have attended numerous meetings on this matter, often being one of only a few citizens in attendance, because I have taken such a special interest in this matter.

Part of my objection to this special use permit stems from my understanding, which I believe is a common understanding of those neighbors that have followed this project, that the Springs Preserve was intended as a place where Las Vegas area residents could visit a public park and learn about the historical and archeological significance of the Springs Preserve area. It has also been presented to us as a place where individuals

and families, including small children, could participate in recreational and educational activities.

It is our further understanding that the subject application for a special use permit is being made by the Las Vegas Valley Water District with the intention of leasing a portion of the Water District Property to a restaurant proprietor, which would serve liquor in connection with its service of food and other beverages to park visitors. While we recognize that food service has long been a planned aspect of this project, it has been our understanding that a small snack shop would serve food for the convenience of park visitors, and solely as an ancillary purpose to park visits.

It now appears that the Springs Preserve project is being commercialized in a fashion where restaurant food service, including the service of alcoholic beverages, is becoming a primary attraction for park visitors, as opposed to the educational, recreational and historical purposes that have always been represented to us as being the primary purposes of this development.

Furthermore, as direct neighbors, we have very special cause for concern with respect to matters of park security, safety, and the orderly maintenance and administration of the park itself. The service of alcohol in the park, particularly where this liquor service is being made to park visitors who may visit the park primarily for the purpose of visiting the park restaurant and consuming liquor, gives us cause to be alarmed that the Springs Preserve will not develop into the type of quiet, family-oriented park that it has always been represented it would become. Our concerns about nuisances, such as noise, park curfew violations and crowds, not to mention matters of vandalism and more serious criminal activity are made all the more real by this application.

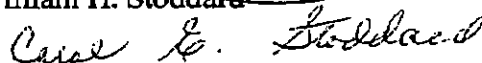
It may be argued by proponents of this application that individuals and families regularly visit restaurants and places throughout the city where liquor is served. This place, however, is different. This is a public park on land owned by the water district where different standards should apply. Neither a permit nor a waiver of development standards should be approved by this Board where that permit or waiver will detract from the primary purpose of this park, or which will cause a nuisance or risk to public safety of park residents or park neighbors.

With the foregoing concerns in mind, we hereby respectfully request that this application be denied.

Sincerely,



William H. Stoddard



Carol E. Stoddard

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-20497 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LOWE'S COMPANIES, INC. - OWNER: CAROLINE'S COURT, LLC - Request for a Special Use Permit FOR A BUILDING AND LANDSCAPE MATERIAL/LUMBER YARD at the northwest corner of El Capitan Way and Durango Drive (APNs 125-17-601-012, 017 and 125-17-202-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the May 10, 2007 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter
5. Submitted after final agenda – Abeyance request for Items 76-78 and 80 and withdrawal request for Item 79 by AMTI-Sunbelt LLP

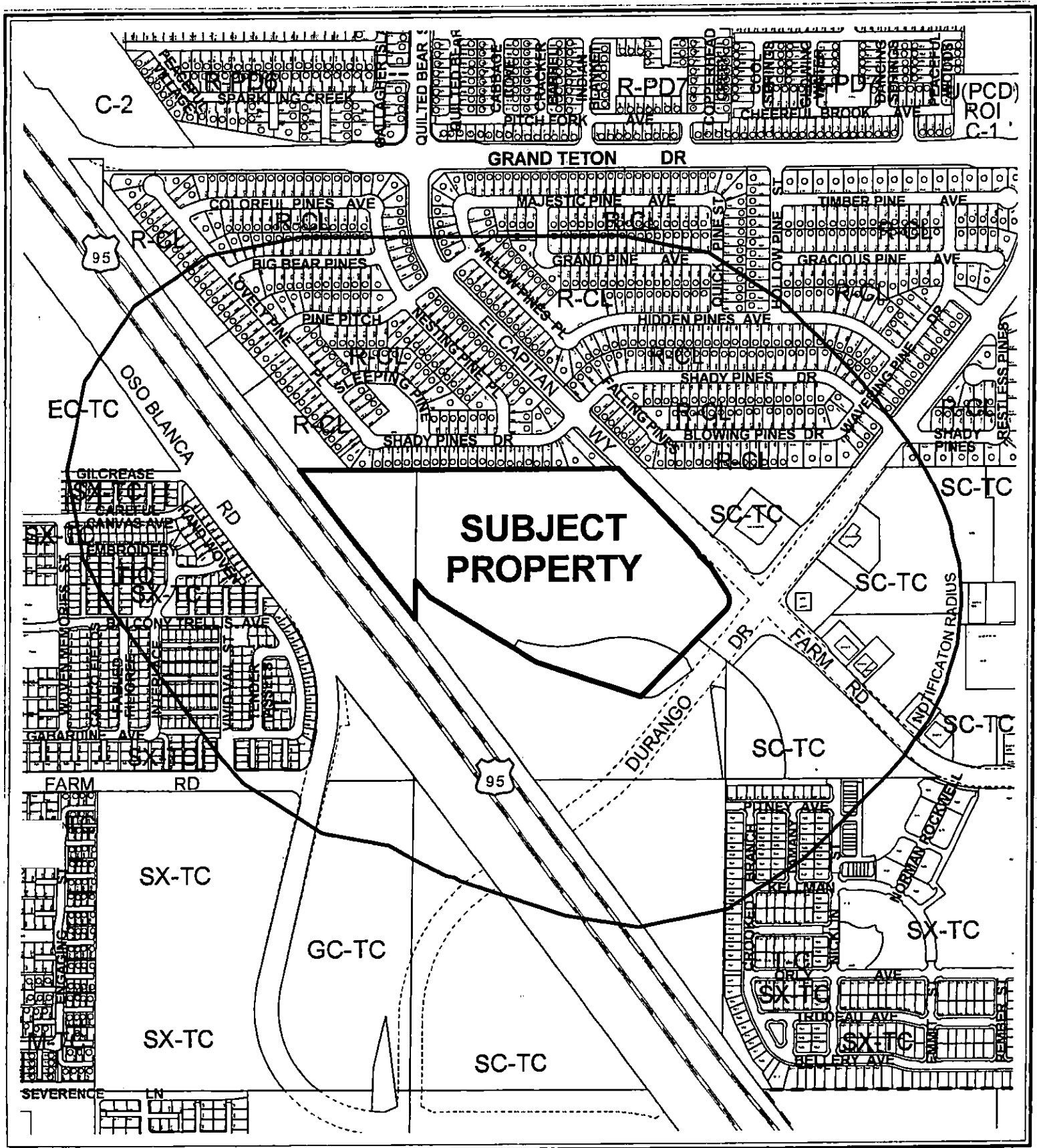
MOTION:

GOYNES – STRIKE Item 62; WITHDRAW WITHOUT PREJUDICE Item 79; TABLE Items 26-29; HOLD IN ABEYANCE Item 6-8, 31-34, 40-42, 63-67, 76-78 and 80 to 5/10/2007; Items 19-21, 35-39 and 83-84 to 5/24/2007 – UNANIMOUS

MINUTES:

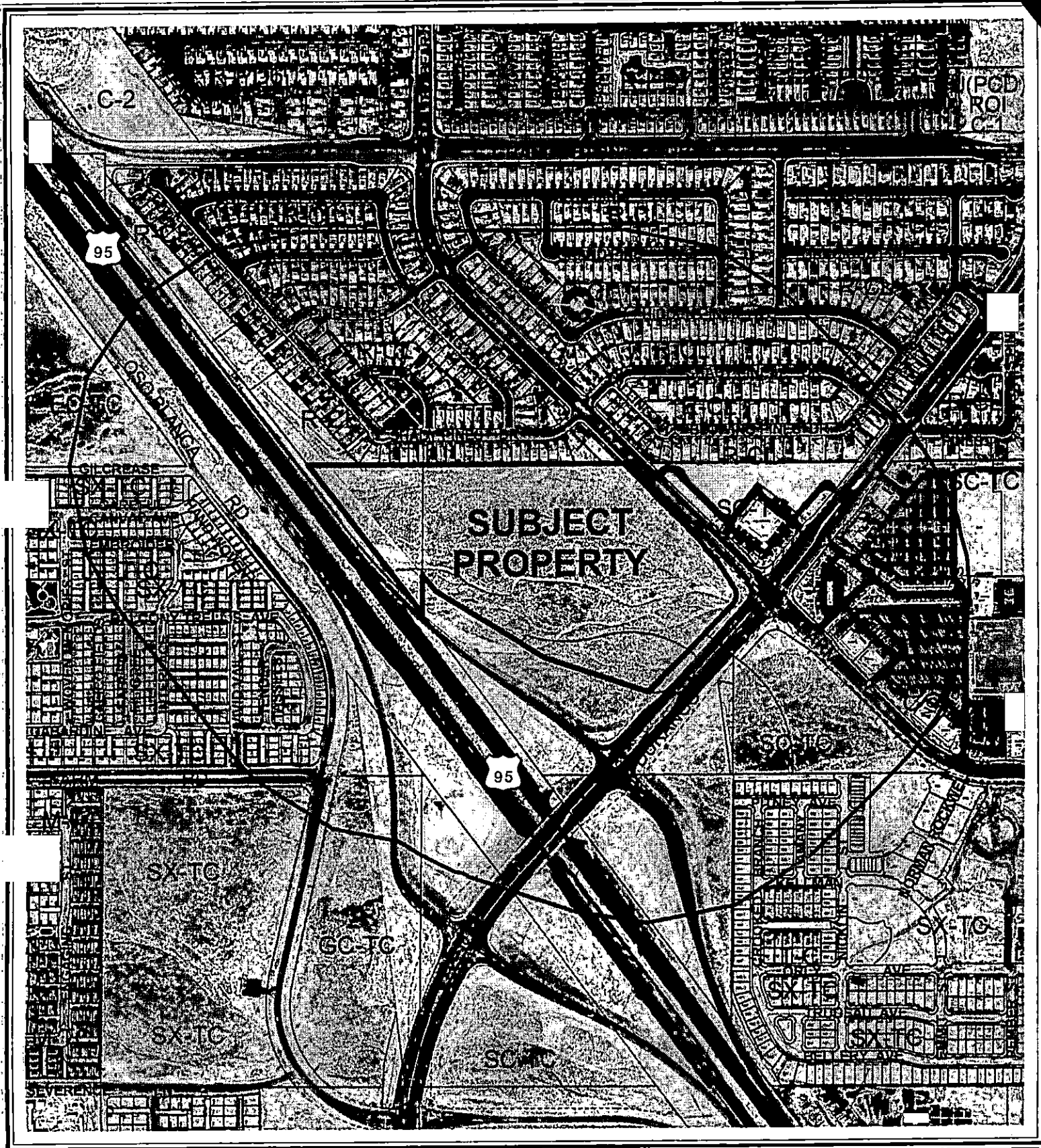
Items 76-78 were requested by the applicant to be held in abeyance to May 10, 2007 to allow public notification of a new waiver.

(6:02-6:08)



0 500 1000 Feet





CASE: SUP-20497

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 500 1000 Feet



City of Las Vegas

AGENDA MEMO

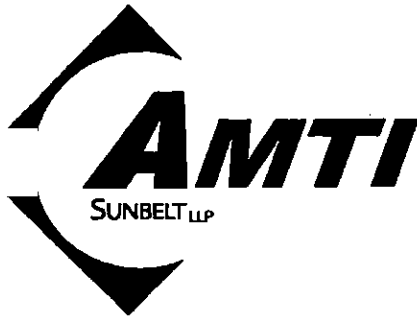
PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-20497 - APPLICANT: LOWE'S COMPANIES, INC. -

OWNER: CAROLINE'S COURT, LLC

***APPLICANT REQUESTS THIS ITEM BE
HELD IN ABEYANCE TO THE MAY 10, 2007
PLANNING COMMISSION MEETING***



720 SUSANNA WAY
HENDERSON, NEVADA 89011
PHONE (702) 242-9908
FAX (702) 242 9915

April 18, 2007

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

**RE: HOLD IN ABEYANCE – CAROLINE'S COURT
SDR-20496, SUP-20497, SUP-20498, SUP-20499
WITHDRAW ITEM: SUP-20500**

Dear Mr. Reed;

The above listed Special Use Permit Applications and Site Development Plan review are currently scheduled to be heard by the City of Las Vegas Planning Commission on April 26, 2007. AMTI-Sunbelt LLP, in behalf of the applicant, is requesting these items be held in abeyance for one cycle, to the May 10, 2007 Planning Commission.

This request for the items to be held is being done to accommodate changes to the site plan based upon review by Staff (Public Works). These changes to the site plan necessitate revisions to the Special Use Permits, and the addition of a waiver for 3 sided driveway which needs notification. Also these changes necessitate the withdraw of item SUP-20500 as it is no longer needed. Based upon our discussions with Staff, a one cycle abeyance will be sufficient.

The assistance of City Staff in working with us on this project has been greatly appreciated. Please feel free to call me at 242-9908 should there be any questions, or if additional information is needed.

Sincerely,
AMTI-Sunbelt LLP

A handwritten signature in black ink, appearing to read 'Lazell H. Preator', is written over the typed name and title.

Lazell H. Preator, PE
Principal Engineer

CC: Jacob Khakshouri, Caroline's Court LLC
Anthony E. Young, AIA, Indigo Architecture
File: SB06-123

RECEIVED
MAR 18 2007



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-20497** APN: 125-17-601-012 / 017 ; 125-17-202-001

Name of Property Owner: Caroline's Court, LLC

Name of Applicant: LOWE'S COMPANIES, INC.

Name of Representative: _____

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

☐ Yes

☒ No

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): _____

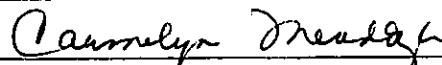
APN: _____

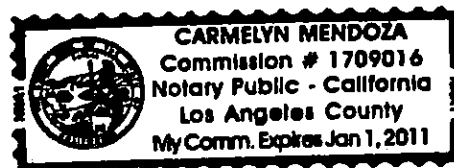
Signature of Property Owner: 

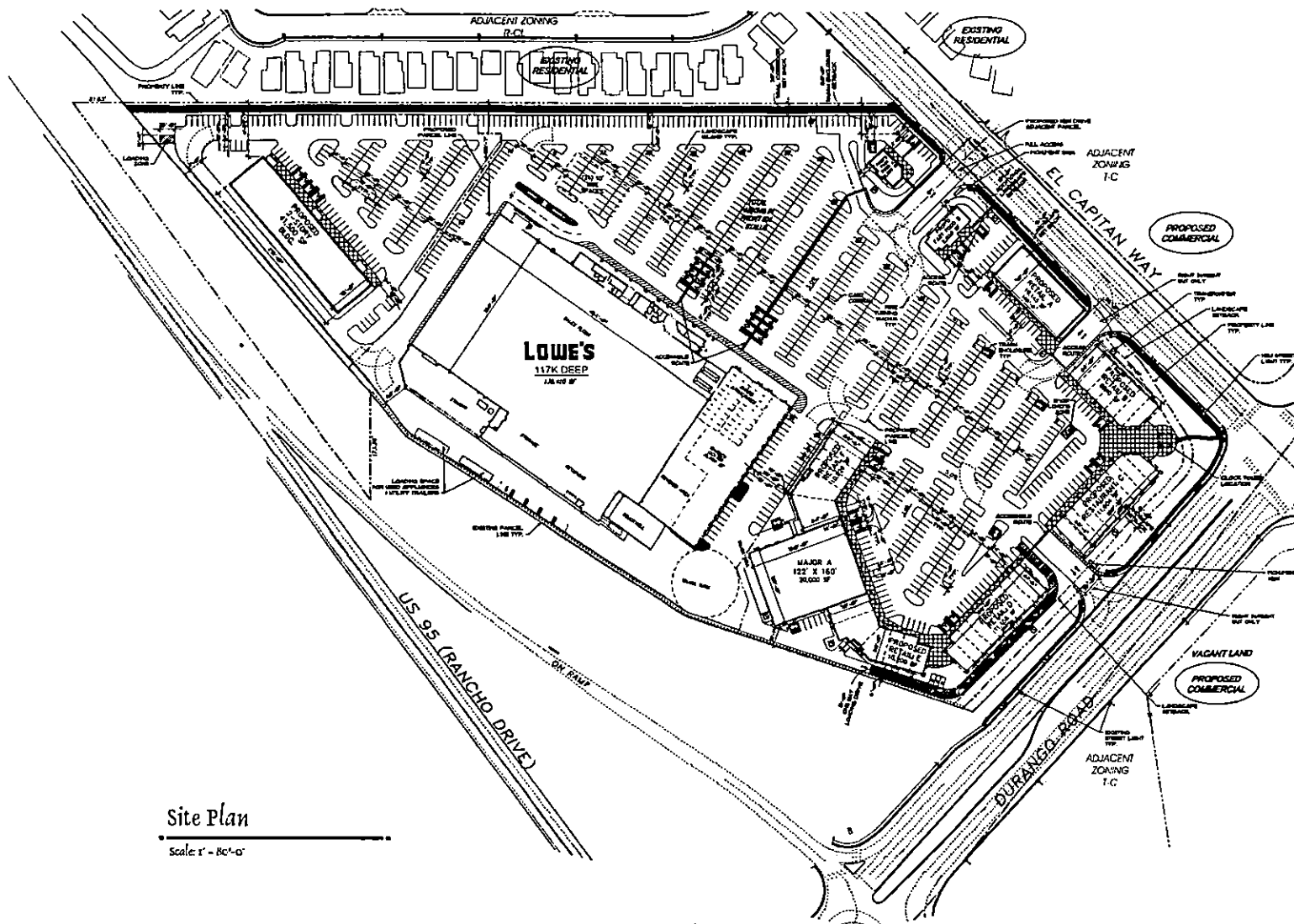
Print Name: Jacob Khakshouri
Managing Member, Caroline's Court, LLC

Subscribed and sworn before me

This 5th day of March, 20 07


Notary Public in and for said County and State





Site Plan

Scale: 1" = 80'-0"

Site Data

ASSESSORS PARCEL NUMBER (APN) 125-17 601-017
CURRENT ZONING T-C

Site Area Data

SITE GROSS +/- 23.62 ACRES 1,031,600 S.F.
BUILDING AREA GROSS 268,734 S.F. GROSS
SITE COVERAGE 26 PERCENT

2 STORY BUILDING SITE +/- 3.4 ACRES 144,638 S.F.
BUILDING AREA GROSS 41,500 S.F. GROSS
SITE COVERAGE 29 PERCENT

LOWE'S SITE +/- 11.86 ACRES 516,818 S.F.
BUILDING AREA GROSS 139,410 S.F. GROSS
SITE COVERAGE 27 PERCENT

RETAIL SITE (FAST-FOOD SITE) +/- 8.0 ACRES 369,335 S.F.
BUILDING AREA GROSS 87,824 S.F. GROSS
SITE COVERAGE 24 PERCENT

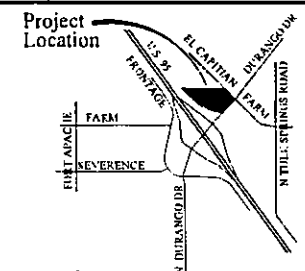
Building Open Space:

AREA REQUIRED 20% +/- 205,302 SF +/- 4.7 ACRES
AREA PROVIDED 22% +/- 227,767 SF +/- 5.2 ACRES

Parking Data:

BLDG	BLDG. AREA	REQ'D RATIO	PARKING	
			REQ'D	PROVIDED
Fast Food A	2,200 S.F.	1/250	9	22 = 8/1000
Fast Food B	2,650 S.F.	1/250	11	20 = 7 1/1000
RETAIL A & B	51,370 S.F.	1/250	206	214 = 4/1000
RESTAURANT C	11,604 S.F.	1/250	47	59 = 5 6/1000
LOWE'S	139,610 S.F.	1/250	558	571 = 4 1/1000
MAJOR A	20,000 S.F.	1/250	80	80 = 4/1000
2 STORY BLDG	41,500 S.F.	1/250	166	166 = 4/1000
Total	268,734 S.F.		1,077	4.2/1000 = 1,125

Vicinity Map



Owner / Developer

CAROLINE COURT, LLC
10677 WALSHIRE BLVD. SUITE 1407
LOS ANGELES, CA 90024
JACOB KORY MARSHCOURT (310) 268-7770
CAMEL AFTALON (310) 268-7770 EXT. 113

North

Caroline's Court

Schematic Design

Copyright © 2007 Indigo Architecture, Inc. 107

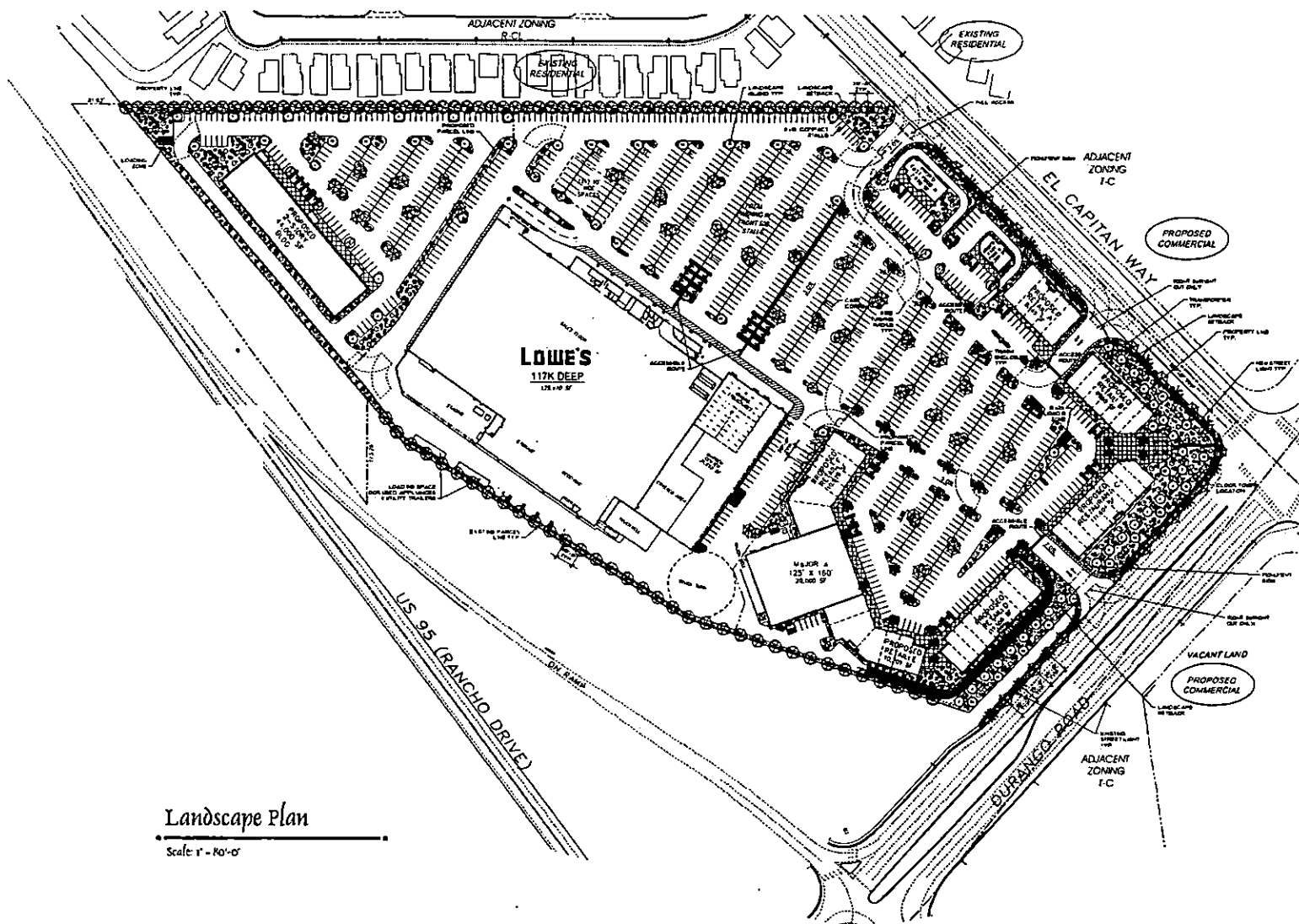
April 6, 2007

Indigo Architecture, Inc.

Indigo Architecture, Inc.

SUP-20497
REVISED
04/26/07 PC

Post 149-172



Landscape Plan

Scale: 1" = 40'-0"

Tree Legend

SYMBOL	NOTATION/COMMON NAME	SIZE	QUANTITY	REMARKS
	BRANDONIA ROBLATA AT BRD P.E. 6 IN 10' PLANT	36" DBH	37	AS SHOWN ON PLAN
	FRAXINUS VELUTINA RED BRANDED ASH	36" DBH	31	AS SHOWN ON PLAN
	QUERCUS BRANCHED DATE PALM	48" DBH	40	AS SHOWN ON PLAN
	PALE ELEGANTIA PINK	36" DBH	30	AS SHOWN ON PLAN
	PROVIDE 14 80% TREES IN PARKING LOT 1 (BLAND)			
	CATALPA TAMBORENSIS CATALPA	36" DBH	70	AS SHOWN ON PLAN
	PROVIDE 14 80% TREES IN PARKING LOT 2 (BLAND)			
	ROBINIA ARABICA PURPLE ROSE PURPLE ROSE LOCUST	36" DBH	35	AS SHOWN ON PLAN
	PROVIDE 14 80% TREES IN PARKING LOT 3 (BLAND)			

Suggested Shrub List

NOTATION/COMMON NAME	SIZE	REMARKS
1. HEDERA PALMELLA	1 GAL/ON	
2. DALEA CAPILLATA	5 GAL/ON	
3. LANTANA PUNICATA	5 GAL/ON	
4. SALICARIA SP. (SALICARIA)	5 GAL/ON	
5. SALICARIA SP. (SALICARIA)	5 GAL/ON	
6. SALICARIA SP. (SALICARIA)	5 GAL/ON	
7. SALICARIA SP. (SALICARIA)	5 GAL/ON	
8. SALICARIA SP. (SALICARIA)	5 GAL/ON	
9. SALICARIA SP. (SALICARIA)	5 GAL/ON	
10. SALICARIA SP. (SALICARIA)	5 GAL/ON	
11. SALICARIA SP. (SALICARIA)	5 GAL/ON	
12. SALICARIA SP. (SALICARIA)	5 GAL/ON	
13. SALICARIA SP. (SALICARIA)	5 GAL/ON	
14. SALICARIA SP. (SALICARIA)	5 GAL/ON	
15. SALICARIA SP. (SALICARIA)	5 GAL/ON	
16. SALICARIA SP. (SALICARIA)	5 GAL/ON	
17. SALICARIA SP. (SALICARIA)	5 GAL/ON	
18. SALICARIA SP. (SALICARIA)	5 GAL/ON	
19. SALICARIA SP. (SALICARIA)	5 GAL/ON	
20. SALICARIA SP. (SALICARIA)	5 GAL/ON	

Ground Cover

DECOMPOSED GRANITE, 1/4" PINK, 1/4" GOLD
UNDER ALL TREES AND SHRUBS

Landscape Area

100% OF LANDSCAPE AREA IS PROVIDED

General Landscape Notes

TREES SHALL BE PLANTED IN ACCORDANCE WITH CITY OF LAS VEGAS TOWN CENTER
DEVELOPMENT STANDARDS AND TITLE 16, SECTION 16.04
PLANTING AND MAINTENANCE OF LANDSCAPING SHALL COMPLY TO CITY OF LAS VEGAS
STANDARD TITLE 16, CHAPTER 16.04, CITY OF LAS VEGAS TOWN CENTER STANDARDS
TREES SHALL BE PLANTED IN ACCORDANCE WITH CITY OF LAS VEGAS TOWN CENTER STANDARDS
ADDITIONAL PLANTING SHALL BE PROVIDED TO COMPLY WITH CITY OF LAS VEGAS TOWN CENTER STANDARDS

SUP-20499 SUP-20498
SUP-20500 SUP-20497
SDR-20496 REVISED

04/26/07 PC

OWNER / DEVELOPER

CAROLINE'S COURT, LLC
10877 WILSHIRE BLVD. SUITE 1407
LOS ANGELES, CA 90024
JACOB ROBY ARCHITECTURE (310) 208 7770
CARROLL APARTMENT (310) 208 7770 EXT. 113

North

Caroline's Court

ARCHITECTURE

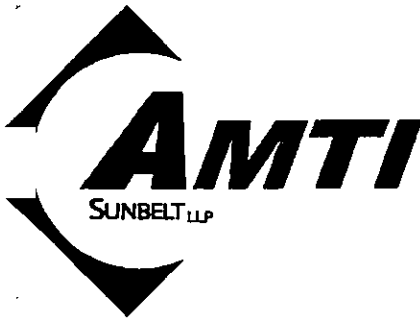
© Copyright 2007 by Caroline's Court, LLC

March 29, 2007

REVISION 1

RECEIVED

APR 13 2007



720 SUSANNA WAY
HENDERSON, NEVADA 89011
PHONE (702) 242-9908
FAX (702) 242-9915

April 5, 2007

City of Las Vegas Development Services Center
Planning and Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101

*Re: Revision to March 12 submittal for Request for Site Development
Review of Caroline's Court with associated Special Use Permits and
Waivers of Development Standards, APN's 125-17-601-012, 125-17-
601-017, and 125-17-202-001*

SITE DEVELOPMENT REVIEW

The subject property (23.62 acres) is located at the west quadrant of the intersection of Durango Road and El Capitan Way (Farm). The development lies within the Town Center Development area and is designated SC-TC defined as Service Commercial. This development is to comply with the Town Center Development Standards.

Caroline's Court comprises a commercial retail center including a Lowe's Home Improvement Center, fast food restaurants, a retail strip center with a major anchor, full service restaurants, as well as a 2-story office building. The total site area is 1,031,509 square feet with building area gross of 268,734 square feet and 1,125 parking spaces. The open space totals approximately 227,767 square feet.

The property is bounded on the north by a residential subdivision. The landscape buffer between the development and the residential subdivision has been designated as a multi-use transportation trail in compliance with the Transportation Trails Element of the City of Las Vegas Master Plan. The frontage of the property along El Capitan Way has also been designated for a multi-use transportation trail

Additionally, the bulk of the development has been placed at the far end of the property from the residential subdivision, with the nearest building being the 2-story office building. The placement of the buildings is such that the development itself helps screen the residences from the freeway. The service road for the Lowe's Home Improvement Center was purposely placed at the furthest possible location from the residences. The parking lot landscaping

**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496 REVISED**

< CIVIL ENGINEERING < SURVEYING < CONSTRUCTION STAKING < ALTA/ACSM < 2007

www.aclaimm.com 04/26/07 PC

will provide additional screening and will be an appealing amenity in the project.

SPECIAL USE PERMITS

The Caroline's Court Development will require the acquisition of 4 separate Special Use Permits (SUP) per the Town Center Development Standards, Section 4. Two permits will be for the Lowe's Home Improvement Center and two will be for fast food sales:

1) BUILDING AND LANDSCAPE MATERIAL / LUMBERYARD:

All lumber sales are conducted within the building at the Lowe's Home Improvement Center. Any outside storage of building materials will be screened from view of adjacent properties and streets within the provided "Staging Area" by approved methods referred to within the Town Center Development Standards. The Garden Center, while being an open-air facility, is completely enclosed with upgraded fencing and screening materials. Live plant displays frame the front entrance to the Garden Center with a wide variety of living seasonal colors. Additionally, all outside lighting will be designed so as not to shine directly into any abutting residential property.

2) OUTDOOR DISPLAY OF NEW MERCHANDISE:

The display of new seasonal home improvement merchandise directly adjacent to the outside perimeter of the store is an integral component of the Lowe's operation. Seasonal items such as barbeques, lawn mowers, swing sets, etc., will be displayed in a neat and orderly manner so as not to spill out into or interfere with the normal flow of pedestrians or vehicles in the parking lot. Additionally, these displays will comply with minimum standards determined by the Director of Planning and Development.

3 & 4) DRIVE-THROUGH WINDOWS:

The Fast Food restaurants shown as Fast Food "A" and Fast Food "B" will require Special Use Permits for their associated drive-through windows. These stand-alone buildings will be designed to blend in with the general architectural features of the overall development. It is understood that these SUP's will be evaluated individually.

NECESSARY WAIVERS

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**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496, REVISED
04/26/07 PC**

lanes back an additional 10 feet for more landscaping. The waivers requested with this new site plan are as follows:

1) PERIMETER LANDSCAPING ALONG THE DEDICATED TRAIL.
Since there is now an inclusion of a Multi-Use Trail Element along El Capitan Way and the north boundary line of the development, and that Trail Element is comprised of a 5' Transition Strip (landscaped), a 10' concrete sidewalk, and a 5' private landscape strip, we request the waiver of landscaping requirements called for in the Town Center Development Code along those alignments. This waiver request does not include the Fast Food Restaurants, which will have an additional 10' of landscaping along the Trail alignment, but we request that any further requirements for additional landscaping along those alignments be waived.

2) LANDSCAPE ISLAND CONFIGURATION:
The typical landscape island in the parking lots within the Town Center Development area is 6' wide and 18' long. The narrow width of these parking lot planters in this extreme desert climate is non-conducive to healthy plant growth. As a result, we have proposed many wider planter areas, typically 18' by 18', to provide landscape areas that are more likely to thrive. The same number of trees will be provided in this alternate method, but will almost certainly grow faster and hardier. If a waiver is necessary for this configuration, we respectfully request it.

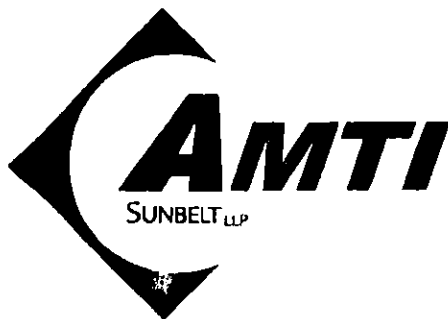
Please notify me with any further concerns as staff reviews this site as it is our goal to work with staff in order to gain their recommendation for approval of the Planning Commission.

Sincerely,
AMTI SUNBELT, LLP

Patrick Donalson, P.L.S.
Project Manager

**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496, REVISED
04/26/07 PC**

10/10
2007



720 SUSANNA WAY
HENDERSON, NEVADA 89011
PHONE (702) 242-9908
FAX (702) 242-9915

April 18, 2007

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

**RE: HOLD IN ABEYANCE – CAROLINE'S COURT
SDR-20496, SUP-20497, SUP-20498, SUP-20499
WITHDRAW ITEM: SUP-20500**

Dear Mr. Reed;

The above listed Special Use Permit Applications and Site Development Plan review are currently scheduled to be heard by the City of Las Vegas Planning Commission on April 26, 2007. AMTI-Sunbelt LLP, in behalf of the applicant, is requesting these items be held in abeyance for one cycle, to the May 10, 2007 Planning Commission.

This request for the items to be held is being done to accommodate changes to the site plan based upon review by Staff (Public Works). These changes to the site plan necessitate revisions to the Special Use Permits, and the addition of a waiver for 3 sided driveway which needs notification. Also these changes necessitate the withdraw of item SUP-20500 as it is no longer needed. Based upon our discussions with Staff, a one cycle abeyance will be sufficient.

The assistance of City Staff in working with us on this project has been greatly appreciated. Please feel free to call me at 242-9908 should there be any questions, or if additional information is needed.

Sincerely,
AMTI-Sunbelt LLP

A handwritten signature in black ink, appearing to read 'Lazell H. Preator', is written over the typed name and title.

Lazell H. Preator, PE
Principal Engineer

CC: Jacob Khakshouri, Caroline's Court LLC
Anthony E. Young, AIA, Indigo Architecture
File: SB06-123

RECEIVED

Submitted after final agenda

Date 4/26/07 Item # 76-80

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-20498 - SPECIAL USE PERMIT RELATED TO SUP-20497 - PUBLIC HEARING -

APPLICANT: LOWE'S COMPANIES, INC. - OWNER: CAROLINE'S COURT, LLC -

Request for a Special Use Permit FOR OUTDOOR STORAGE, ACCESSORY at the northwest corner of El Capitan Way and Durango Drive (APNs 125-17-601-012, 017 and 125-17-202-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the May 10, 2007 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

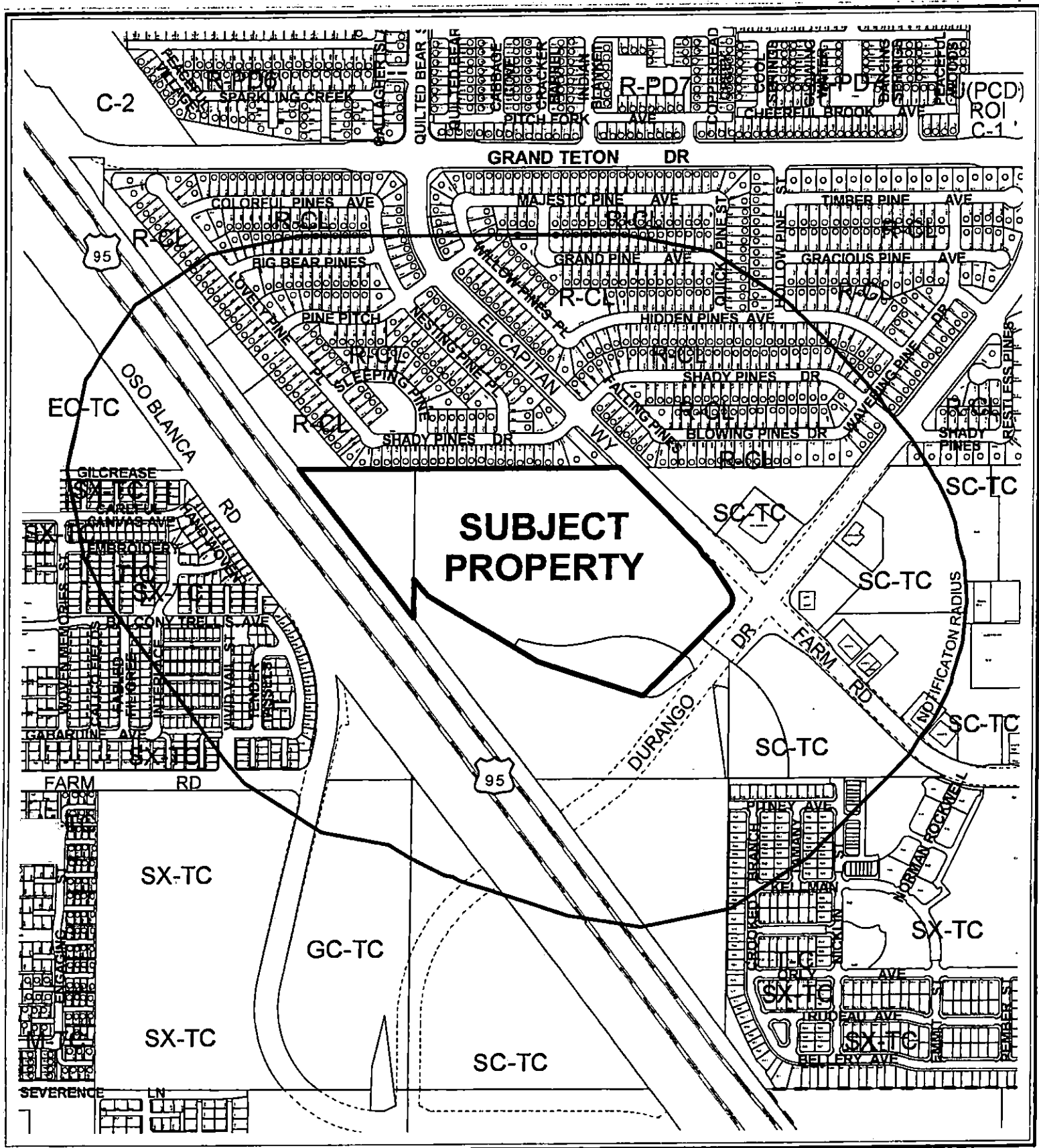
GOYNES – STRIKE Item 62; WITHDRAW WITHOUT PREJUDICE Item 79; TABLE Items 26-29; HOLD IN ABEYANCE Item 6-8, 31-34, 40-42, 63-67, 76-78 and 80 to 5/10/2007; Items 19-21, 35-39 and 83-84 to 5/24/2007 – UNANIMOUS

MINUTES:

Items 76-78 were requested by the applicant to be held in abeyance to May 10, 2007 to allow public notification of a new waiver.

(6:02 – 6:08)

1-70



CASE: SUP-20498

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

City of Las Vegas

AGENDA MEMO

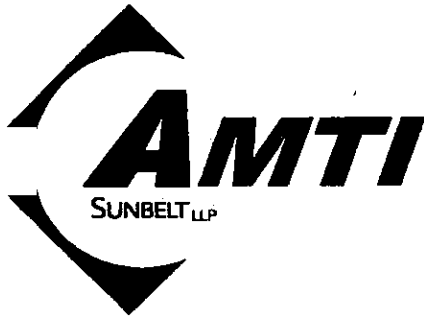
PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-20498 - APPLICANT: LOWE'S COMPANIES, INC. -

OWNER: CAROLINE'S COURT, LLC

***APPLICANT REQUESTS THIS ITEM BE
HELD IN ABEYANCE TO THE MAY 10, 2007
PLANNING COMMISSION MEETING***



720 SUSANNA WAY
HENDERSON, NEVADA 89011
PHONE (702) 242-9908
FAX (702) 242-9915

April 18, 2007

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

**RE: HOLD IN ABEYANCE – CAROLINE'S COURT
SDR-20496, SUP-20497, SUP-20498, SUP-20499
WITHDRAW ITEM: SUP-20500**

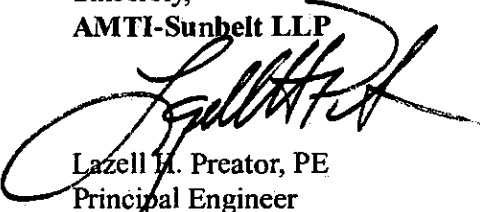
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Sincerely,
AMTI-Sunbelt LLP



Lazell M. Preator, PE
Principal Engineer

CC: Jacob Khakshouri, Caroline's Court LLC
Anthony E. Young, AIA, Indigo Architecture
File: SB06-123

RECEIVED
MAR 18 2007



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-20498** APN: 125-17-601-012 / 017 ; 125-17-202-001

Name of Property Owner: Caroline's Court, LLC

Name of Applicant: LOWE'S COMPANIES, INC.

Name of Representative: _____

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

☐ Yes

☒ No

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: _____

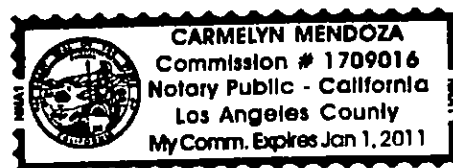
Signature of Property Owner: Jacob Khakshouri

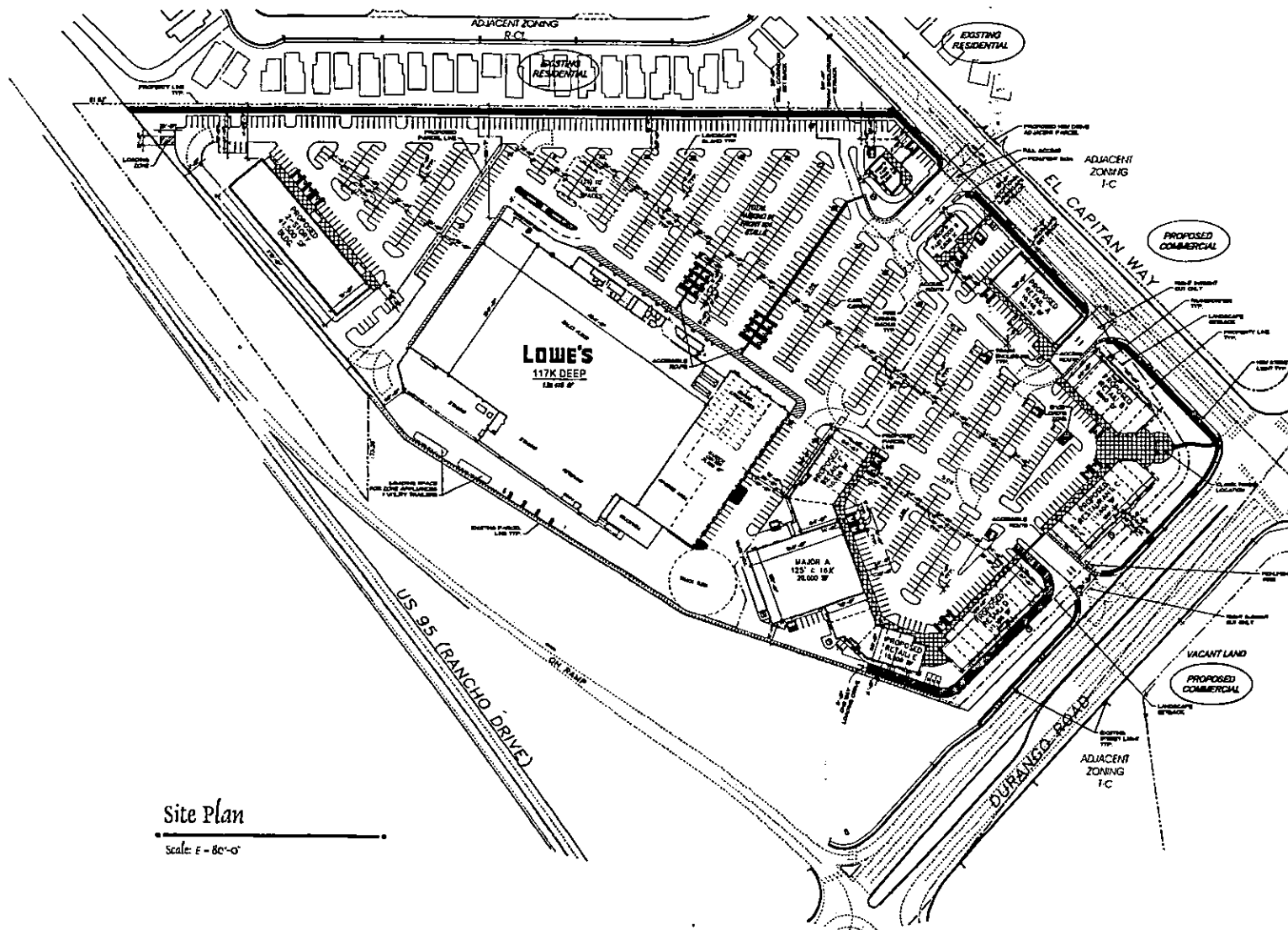
Print Name: Jacob Khakshouri
Managing Member, Caroline's Court, LLC

Subscribed and sworn before me

This 5th day of March, 20 07

Carmelyn Mendoza
Notary Public in and for said County and State





Site Plan

Scale: E = 80'-0"

Site Data

ASSESSORS PARCEL NUMBER (APN) 125-17-601-017
CURRENT ZONING I-C

Site Area Data

SITE GROSS +/- 23.62 ACRES 1,031,509 S.F.
BUILDING AREA GROSS 268,734 S.F. GROSS
SITE COVERAGE 26 PERCENT

2 STORY BUILDING SITE +/- 3.4 ACRES 144,638 S.F.
BUILDING AREA GROSS 41,500 S.F. GROSS
SITE COVERAGE 29 PERCENT

LOWE'S SITE +/- 11.66 ACRES 516,816 S.F.
BUILDING AREA GROSS 139,410 S.F. GROSS
SITE COVERAGE 27 PERCENT

RETAIL SITE / FAST FOOD SITE +/- 8.0 ACRES 329,336 S.F.
BUILDING AREA GROSS 87,624 S.F. GROSS
SITE COVERAGE 24 PERCENT

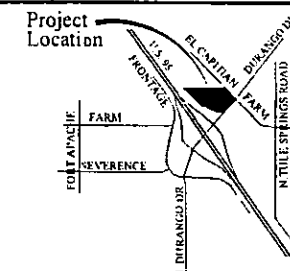
Building Open Space:

AREA REQUIRED 20% +/- 206,302 SF +/- 4.7 ACRES
AREA PROVIDED 22% +/- 227,767 SF +/- 5.2 ACRES

Parking Data:

BLDG.	BLDG. AREA	REQ'D RATIO	PARKING	
			REQ'D	PROVIDED
Fast Food A	2,200 S.F.	1/250	9	22 = 8/1000
Fast Food B	2,650 S.F.	1/250	11	70 = 7/1000
RETAIL	51,370 S.F.	1/250	206	207 = 4/1000
RESTAURANT C	11,604 S.F.	1/250	47	59 = 5/1000
LOWE'S	139,410 S.F.	1/250	558	571 = 4/1000
MAJOR A	20,000 S.F.	1/250	80	80 = 4/1000
2 STORY BLDG	41,500 S.F.	1/250	166	166 = 4/1000
Total	268,734 S.F.		1,077	2/1000 1,125

Vicinity Map



Owner / Developer

CAROLINE'S COURT, LLC
10877 WILSHIRE BLVD. SUITE 1407
LOS ANGELES, CA 90024
JACOB KOBY KHAKHOURY (310) 208-7770
CAROL ATAKHAN (310) 208-7770 EXT. 113

North

Note: This Design is Conceptual in Nature and
No Guarantee of its accuracy is implied.

Caroline's Court

Schematic Design

© Copyright 2007 Indigo Architecture, Inc.

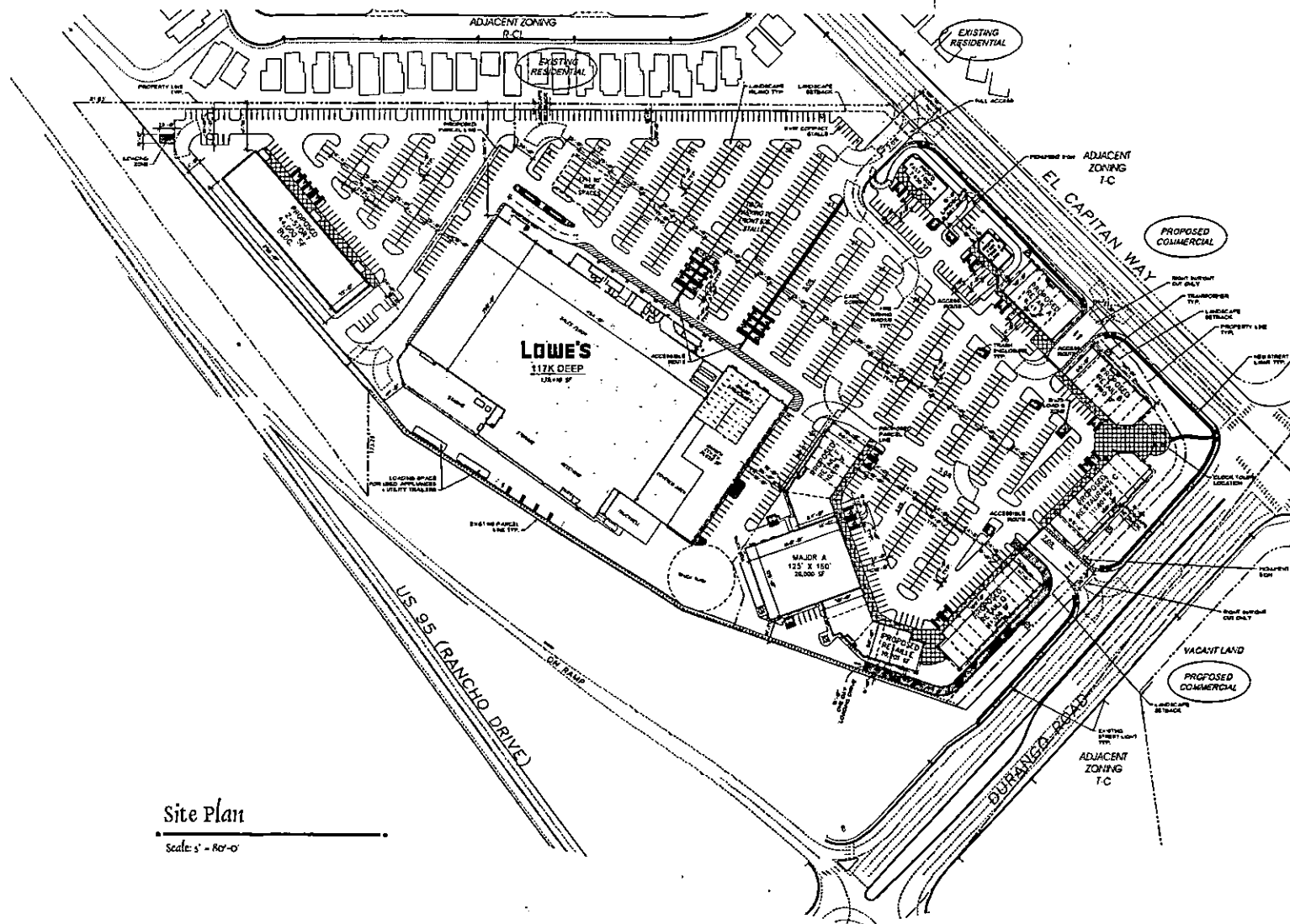
April 6, 2007

10877 Wilshire Blvd.

SUP-20498

REVISED

04/26/07 PC



Site Plan

Scale: 1" = 80'-0"

Site Data

ASSESSORS PARCEL NUMBER (APN) 125-17-601-017
CURRENT ZONING I-C

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SITE GROSS +/- 23.62 ACRES 1,031,509 S.F.
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SITE COVERAGE 26 PERCENT

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BUILDING AREA GROSS 44,000 S.F. GROSS
SITE COVERAGE 32 PERCENT

LOWES SITE +/- 11.88 ACRES 516,938 S.F.
BUILDING AREA GROSS 139,418 S.F. GROSS
SITE COVERAGE 27 PERCENT

RETAIL SITE / FASTFOOD SITE +/- 8.0 ACRES 366,323 S.F.
BUILDING AREA GROSS 85,825 S.F. GROSS
SITE COVERAGE 73 PERCENT

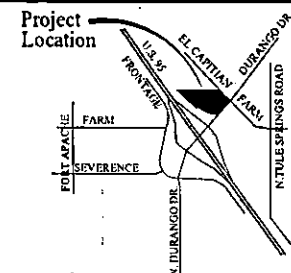
Building Open Space:

AREA REQUIRED 20% +/- 206,302 SF +/- 4.7 ACRES
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RETAIL AREA F	49,371 S.F.	1/250	198 203=4.1/1000
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LOWES	139,418 S.F.	1/250	558 566=4.1/1000
MAJOR A	20,000 S.F.	1/250	80 80=4/1000
2 STORY BLDG	44,000 S.F.	1/250	176 176=4/1000
Total	269,235 S.F.		1,079 4.2/1000 1,121

Vicinity Map



Owner / Developer

CAROLINE'S COURT, LLC
10877 WILSHIRE BLVD. SUITE 1407
LOS ANGELES, CA 90024
JACOB KOBAYASHI (310) 208-7770
CAMILL AFTALION (310) 208-7770 EXT. 113

North

Caroline's Court

Schematic Design

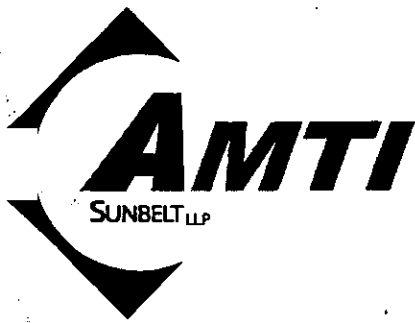
Copyright © 2007 Indigo Architecture, Inc.

March 29, 2007
TAMARA M. NICHOLS

SUP-20500 SUP-20497
SDR-20496 04/26/07 PC



(702) 455-1772



720 SUSANNA WAY
HENDERSON, NEVADA 89011
PHONE (702) 242-9908
FAX (702) 242-9915

April 5, 2007

City of Las Vegas Development Services Center
Planning and Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101

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**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496 REVISED**

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**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496, REVISED
04/26/07 PC**

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Sincerely,
AMTI SUNBELT, LLP

Patrick Donalson, P.L.S.
Project Manager

**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496, REVISED
04/26/07 PC**

1017
3 2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-20499 - SPECIAL USE PERMIT RELATED TO SUP-20497 AND SUP-20498 - PUBLIC HEARING – APPLICANT/OWNER: CAROLINE'S COURT, LLC - Request for a Special Use Permit FOR A RESTAURANT WITH DRIVE THROUGH at the northwest corner of El Capitan Way and Durango Drive (APNs 125-17-601-012, 017 and 125-17-202-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the May 10, 2007 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

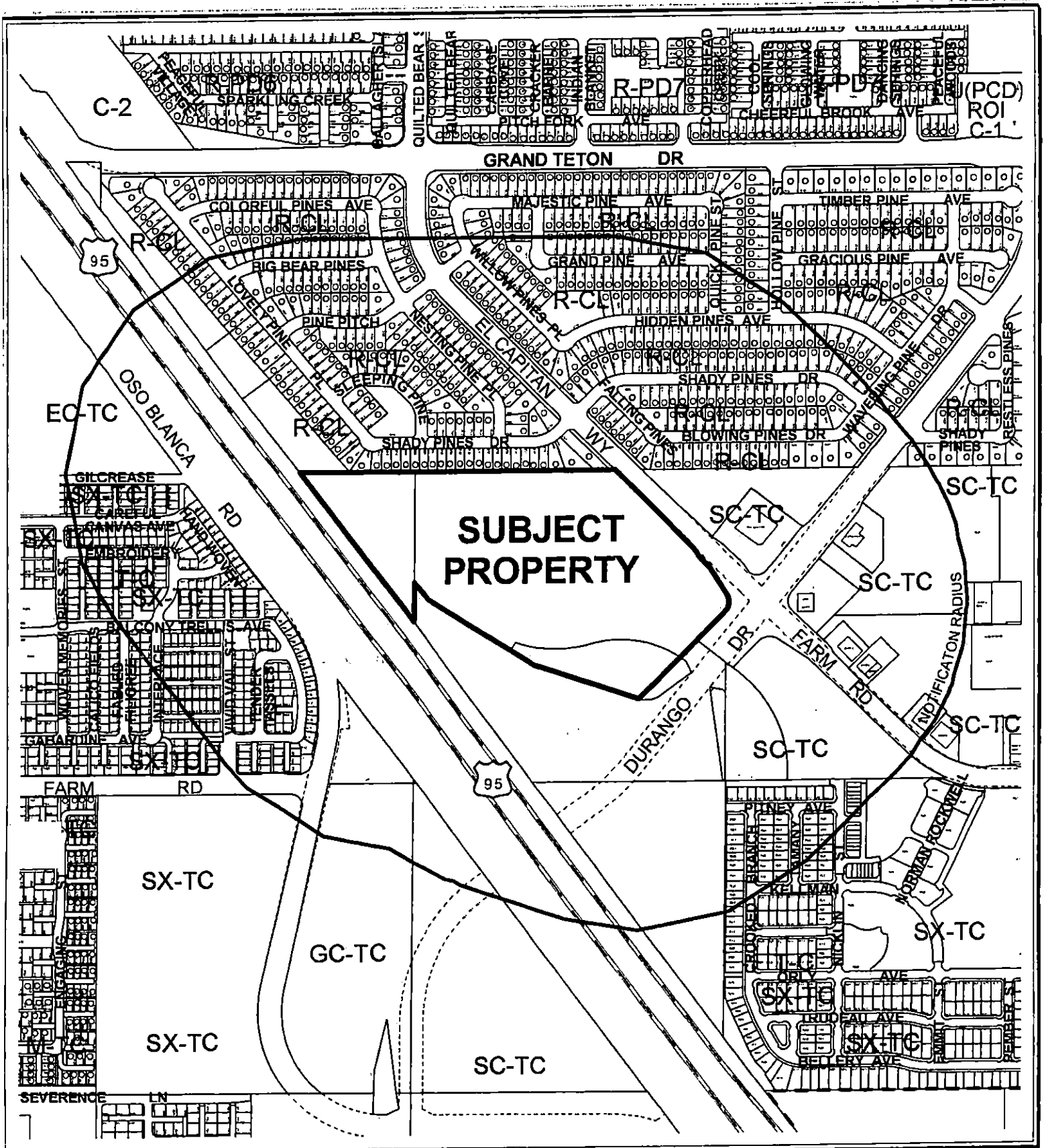
GOYNES – STRIKE Item 62; WITHDRAW WITHOUT PREJUDICE Item 79; TABLE Items 26-29; HOLD IN ABEYANCE Item 6–8, 31–34, 40–42, 63–67, 76-78 and 80 to 5/10/2007; Items 19–21, 35-39 and 83-84 to 5/24/2007 – UNANIMOUS

MINUTES:

Items 76-78 were requested by the applicant to be held in abeyance to May 10, 2007 to allow public notification of a new waiver.

(6:02 – 6:08)

1-70



CASE: SUP-20499

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 500 1000 Feet



City of Las Vegas

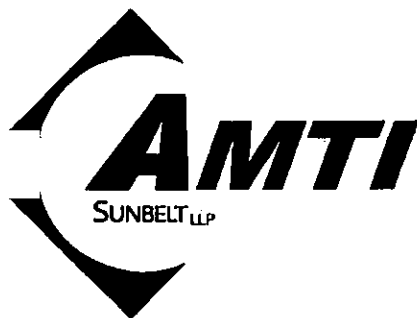
AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-20499 – APPLICANT/OWNER: CAROLINE'S COURT, LLC

***APPLICANT REQUESTS THIS ITEM BE
HELD IN ABEYANCE TO THE MAY 10, 2007
PLANNING COMMISSION MEETING***



720 SUSANNA WAY
HENDERSON, NEVADA 89011
PHONE (702) 242-9908
FAX (702) 242-9915

April 18, 2007

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

**RE: HOLD IN ABEYANCE – CAROLINE'S COURT
SDR-20496, SUP-20497, SUP-20498, SUP-20499
WITHDRAW ITEM: SUP-20500**

Dear Mr. Reed;

The above listed Special Use Permit Applications and Site Development Plan review are currently scheduled to be heard by the City of Las Vegas Planning Commission on April 26, 2007. AMTI-Sunbelt LLP, in behalf of the applicant, is requesting these items be held in abeyance for one cycle, to the May 10, 2007 Planning Commission.

This request for the items to be held is being done to accommodate changes to the site plan based upon review by Staff (Public Works). These changes to the site plan necessitate revisions to the Special Use Permits, and the addition of a waiver for 3 sided driveway which needs notification. Also these changes necessitate the withdraw of item SUP-20500 as it is no longer needed. Based upon our discussions with Staff, a one cycle abeyance will be sufficient.

The assistance of City Staff in working with us on this project has been greatly appreciated. Please feel free to call me at 242-9908 should there be any questions, or if additional information is needed.

Sincerely,
AMTI-Sunbelt LLP

A handwritten signature in black ink, appearing to read 'Lazell H. Preator', is written over the typed name and title.

Lazell H. Preator, PE
Principal Engineer

CC: Jacob Khakshouri, Caroline's Court LLC
Anthony E. Young, AIA, Indigo Architecture
File: SB06-123

RECEIVED
MAR 18 2007



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-20499** APN: 125-17-601-012 / 017 ; 125-17-202-001

Name of Property Owner: Caroline's Court, LLC

Name of Applicant: Caroline's Court, LLC

Name of Representative: Jacob Khakshouri

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: _____

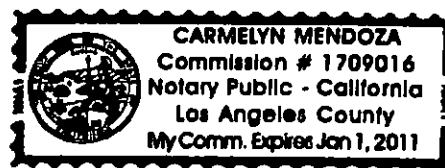
Signature of Property Owner: *Jacob Khakshouri*

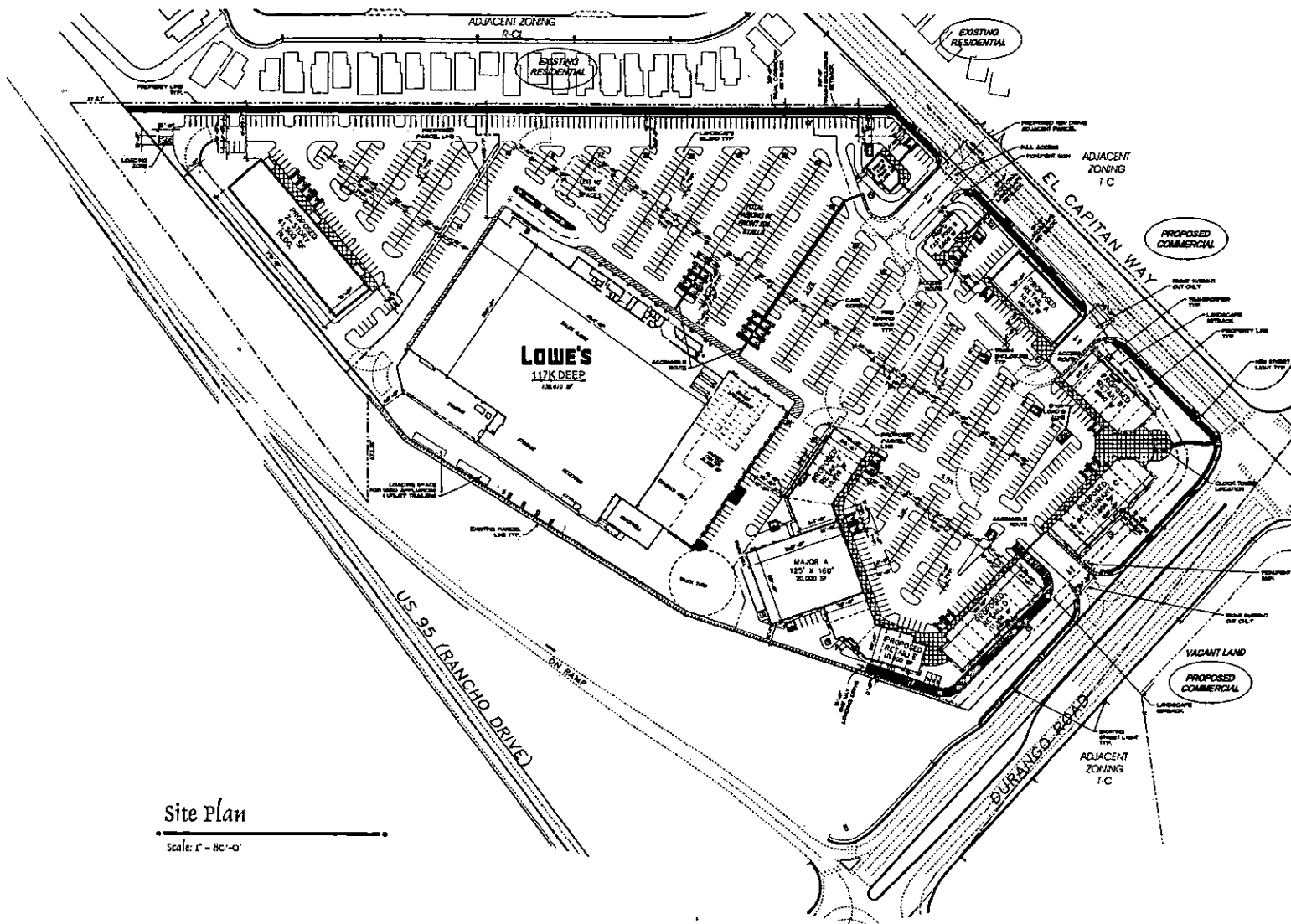
Print Name: Jacob Khakshouri
Managing Member, Caroline's Court, LLC

Subscribed and sworn before me

This 5th day of March, 20 07

Carmelyn Mendoza
Notary Public in and for said County and State





Site Plan

Scale: 1" = 80'-0"

Site Data

ASSESSOR'S PARCEL NUMBER (APN) 125-17-001-017
CURRENT ZONING T-C

Site Area Data

SITE GROSS BUILDING AREA GROSS SITE COVERAGE +/- 23.62 ACRES 1,031,509 S.F. 268,734 S.F. GROSS 26 PERCENT
2 STORY BUILDING SITE BUILDING AREA GROSS SITE COVERAGE +/- 3.4 ACRES 144,638 S.F. 41,500 S.F. GROSS 29 PERCENT
LOWE'S SITE BUILDING AREA GROSS SITE COVERAGE +/- 11.86 ACRES 516,818 S.F. 139,410 S.F. GROSS 27 PERCENT
RETAIL SITE 1 FASTFOOD SITE BUILDING AREA GROSS SITE COVERAGE +/- 8.0 ACRES 369,335 S.F. 87,824 S.F. GROSS 24 PERCENT

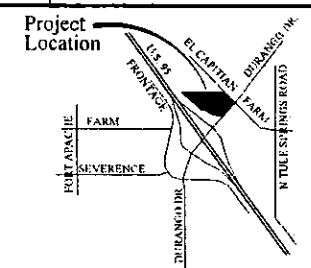
Building Open Space:

AREA REQUIRED 20% +/- 206,302 SF +/- 4.7 ACRES
AREA PROVIDED 22% +/- 227,767 SF +/- 5.2 ACRES

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Total	268,734 S.F.		1,077	4.2/1000 1,125

Vicinity Map



Owner / Developer

CAROLINE'S COURT, LLC
10877 WALSHIRE BLVD. SUITE 1407
LOS ANGELES, CA 90024
JACCO KOBAYASHI (310) 208-7770
CHAD APTAUD (310) 208-7770 EXT. 113

North

Caroline's Court

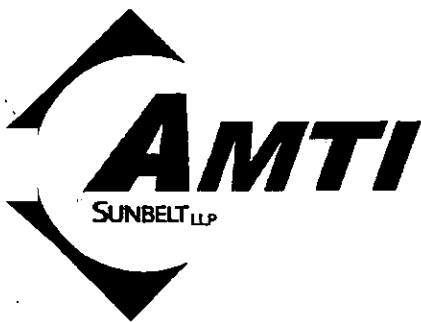
Schematic Design

Note: This Design is Conceptual in Nature and No Guarantee of its accuracy is made.

April 6, 2007

SUP-20499
REVISED
04/26/07 PC

Indigo Architecture, Inc.



720 SUSANNA WAY
HENDERSON, NEVADA 89011
PHONE (702) 242-9908
FAX (702) 242-9915

April 5, 2007

City of Las Vegas Development Services Center
Planning and Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101

*Re: Revision to March 12 submittal for Request for Site Development
Review of Caroline's Court with associated Special Use Permits and
Waivers of Development Standards, APN's 125-17-601-012, 125-17-
601-017, and 125-17-202-001*

SITE DEVELOPMENT REVIEW

The subject property (23.62 acres) is located at the west quadrant of the intersection of Durango Road and El Capitan Way (Farm). The development lies within the Town Center Development area and is designated SC-TC defined as Service Commercial. This development is to comply with the Town Center Development Standards.

Caroline's Court comprises a commercial retail center including a Lowe's Home Improvement Center, fast food restaurants, a retail strip center with a major anchor, full service restaurants, as well as a 2-story office building. The total site area is 1,031,509 square feet with building area gross of 268,734 square feet and 1,125 parking spaces. The open space totals approximately 227,767 square feet.

The property is bounded on the north by a residential subdivision. The landscape buffer between the development and the residential subdivision has been designated as a multi-use transportation trail in compliance with the Transportation Trails Element of the City of Las Vegas Master Plan. The frontage of the property along El Capitan Way has also been designated for a multi-use transportation trail

Additionally, the bulk of the development has been placed at the far end of the property from the residential subdivision, with the nearest building being the 2-story office building. The placement of the buildings is such that the development itself helps screen the residences from the freeway. The service road for the Lowe's Home Improvement Center was purposely placed at the furthest possible location from the residences. The parking lot landscaping

**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496 REVISED**

7/10

2007

will provide additional screening and will be an appealing amenity in the project.

SPECIAL USE PERMITS

The Caroline's Court Development will require the acquisition of 4 separate Special Use Permits (SUP) per the Town Center Development Standards, Section 4. Two permits will be for the Lowe's Home Improvement Center and two will be for fast food sales:

1) BUILDING AND LANDSCAPE MATERIAL / LUMBERYARD:

All lumber sales are conducted within the building at the Lowe's Home Improvement Center. Any outside storage of building materials will be screened from view of adjacent properties and streets within the provided "Staging Area" by approved methods referred to within the Town Center Development Standards. The Garden Center, while being an open-air facility, is completely enclosed with upgraded fencing and screening materials. Live plant displays frame the front entrance to the Garden Center with a wide variety of living seasonal colors. Additionally, all outside lighting will be designed so as not to shine directly into any abutting residential property.

2) OUTDOOR DISPLAY OF NEW MERCHANDISE:

The display of new seasonal home improvement merchandise directly adjacent to the outside perimeter of the store is an integral component of the Lowe's operation. Seasonal items such as barbeques, lawn mowers, swing sets, etc., will be displayed in a neat and orderly manner so as not to spill out into or interfere with the normal flow of pedestrians or vehicles in the parking lot. Additionally, these displays will comply with minimum standards determined by the Director of Planning and Development.

3 & 4) DRIVE-THROUGH WINDOWS:

The Fast Food restaurants shown as Fast Food "A" and Fast Food "B" will require Special Use Permits for their associated drive-through windows. These stand-alone buildings will be designed to blend in with the general architectural features of the overall development. It is understood that these SUP's will be evaluated individually.

NECESSARY WAIVERS

Our letter of March 12th asked for 2 waivers specific to the fast food Restaurants. Those waivers are no longer necessary. We will no longer have driveways on 3 sides of the buildings where 2 sides are allowed. Both buildings will have drives on only 2 sides. Also we have set the drive thru

**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496, REVISED
04/26/07 PC**

lanes back an additional 10 feet for more landscaping. The waivers requested with this new site plan are as follows:

1) PERIMETER LANDSCAPING ALONG THE DEDICATED TRAIL.
Since there is now an inclusion of a Multi-Use Trail Element along El Capitan Way and the north boundary line of the development, and that Trail Element is comprised of a 5' Transition Strip (landscaped), a 10' concrete sidewalk, and a 5' private landscape strip, we request the waiver of landscaping requirements called for in the Town Center Development Code along those alignments. This waiver request does not include the Fast Food Restaurants, which will have an additional 10' of landscaping along the Trail alignment, but we request that any further requirements for additional landscaping along those alignments be waived.

2) LANDSCAPE ISLAND CONFIGURATION:
The typical landscape island in the parking lots within the Town Center Development area is 6' wide and 18' long. The narrow width of these parking lot planters in this extreme desert climate is non-conducive to healthy plant growth. As a result, we have proposed many wider planter areas, typically 18' by 18', to provide landscape areas that are more likely to thrive. The same number of trees will be provided in this alternate method, but will almost certainly grow faster and hardier. If a waiver is necessary for this configuration, we respectfully request it.

Please notify me with any further concerns as staff reviews this site as it is our goal to work with staff in order to gain their recommendation for approval of the Planning Commission.

Sincerely,
AMTI SUNBELT, LLP

Patrick Donalson, P.L.S.
Project Manager

**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496, REVISED
04/26/07 PC**

FILED
2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-20500 - SPECIAL USE PERMIT RELATED TO SUP-20497, SUP-20498 AND SUP-20499 - PUBLIC HEARING – APPLICANT/OWNER: CAROLINE'S COURT, LLC - Request for a Special Use Permit FOR A RESTAURANT WITH DRIVE THROUGH at the northwest corner of El Capitan Way and Durango Drive (APNs 125-17-601-012, 017 and 125-17-202-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **WITHDRAWN WITHOUT PREJUDICE.**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

GOYNES – STRIKE Item 62; WITHDRAW WITHOUT PREJUDICE Item 79; TABLE Items 26-29; HOLD IN ABEYANCE Item 6–8, 31–34, 40–42, 63–67, 76-78 and 80 to 5/10/2007; Items 19–21, 35-39 and 83-84 to 5/24/2007 – UNANIMOUS

MINUTES:

Item 79 was requested by the applicant to be withdrawn without prejudice.

(6:02 – 6:08)

City of Las Vegas

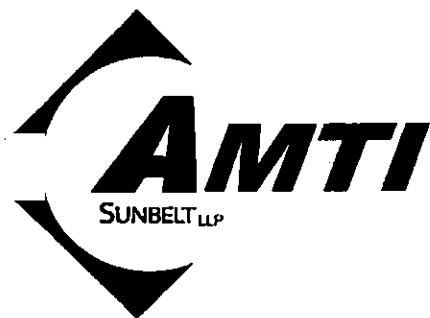
AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-20500 – APPLICANT/OWNER: CAROLINE'S COURT, LLC

***APPLICANT REQUESTS THIS ITEM BE
WITHDRAWN WITHOUT PREJUDICE***



720 SUSANNA WAY
HENDERSON, NEVADA 89011
PHONE (702) 242-9908
FAX (702) 242-9915

April 18, 2007

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

**RE: HOLD IN ABEYANCE – CAROLINE'S COURT
SDR-20496, SUP-20497, SUP-20498, SUP-20499
WITHDRAW ITEM: SUP-20500**

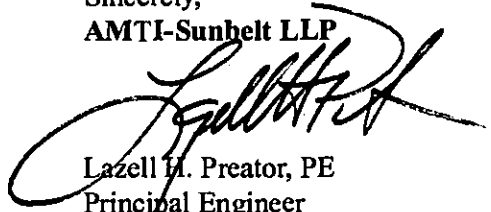
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Sincerely,
AMTI-Sunbelt LLP



Lazell H. Preator, PE
Principal Engineer

CC: Jacob Khakshouri, Caroline's Court LLC
Anthony E. Young, AIA, Indigo Architecture
File: SB06-123

RECEIVED
MAR 18 2007



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-20500** APN: 125-17-601-012 / 017 ; 125-17-202-001

Name of Property Owner: Caroline's Court, LLC

Name of Applicant: Caroline's Court, LLC

Name of Representative: Jacob Khakshouri

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

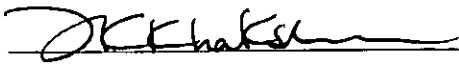
☒ No

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.

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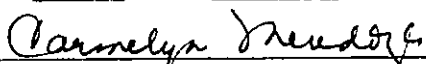
APN: _____

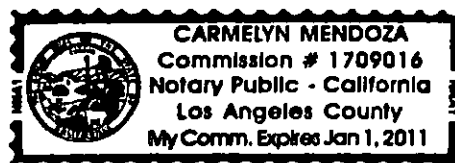
Signature of Property Owner: 

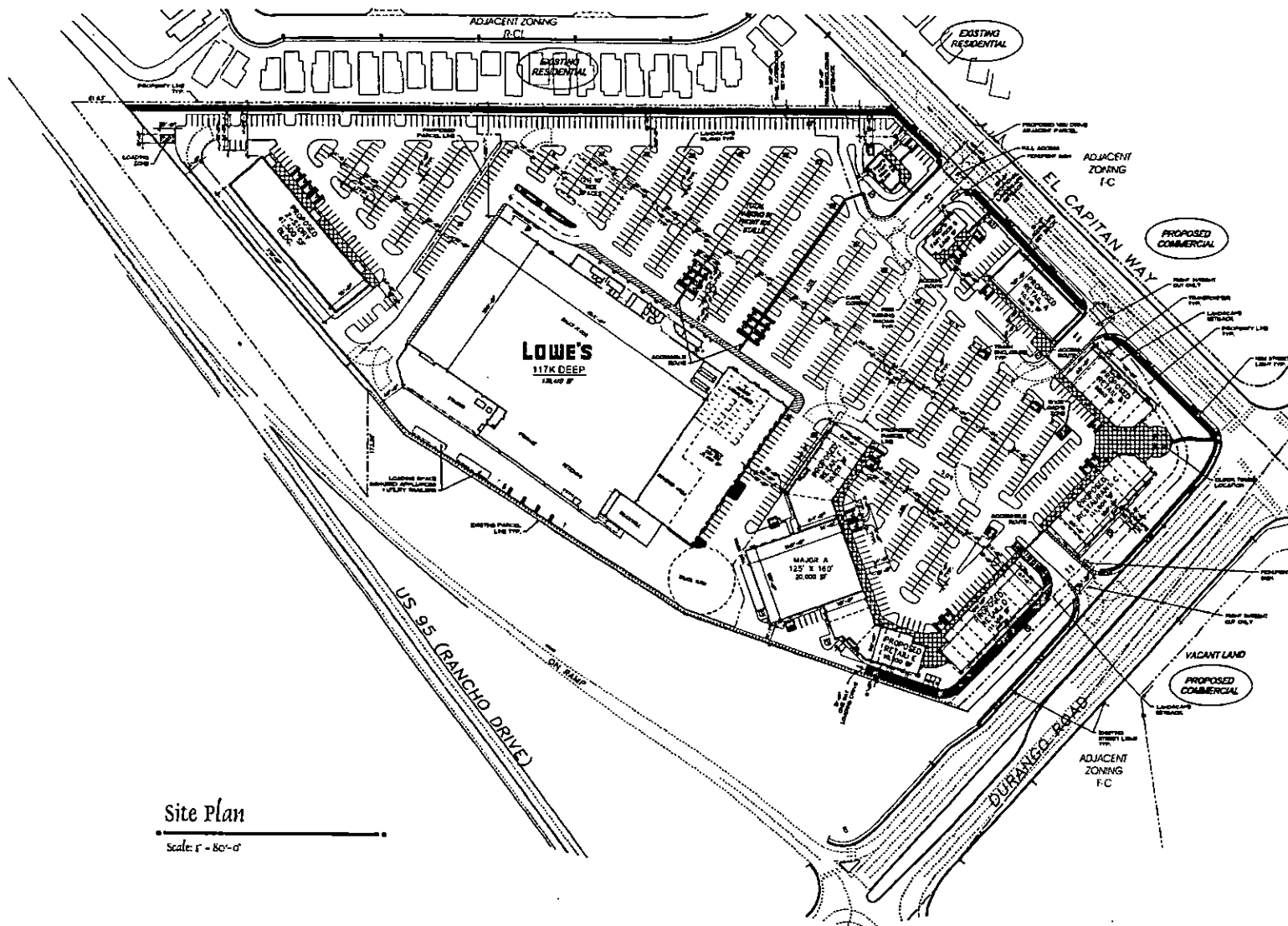
Print Name: Jacob Khakshouri
Managing Member, Caroline's Court, LLC

Subscribed and sworn before me

This 5th day of March, 2007


Notary Public in and for said County and State





Site Plan

Scale: 1" = 80'-0"

Site Data

ASSESSORS' PARCEL NUMBER (APH) 125-17-001-017
CURRENT ZONING I-C

Site Area Data

SITE GROSS BUILDING AREA GROSS 268,734 S.F. GROSS SITE COVERAGE +/- 23.62 ACRES 1,031,509 S.F. 26 PERCENT

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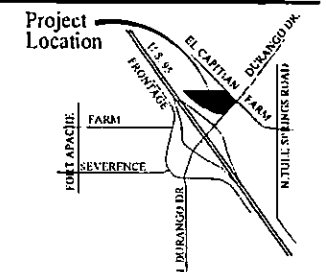
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Total	268,734 S.F.		1,077	4,211,000 1,125

Vicinity Map



Owner / Developer

CAROLINE'S COURT, LLC
10877 WILSHIRE BLVD. SUITE 1407
LOS ANGELES, CA 90024
JACOB KOBAYASHI (310) 208-7770
CAROLINE AFTALION (310) 208-7770 EXT. 113

North

Caroline's Court

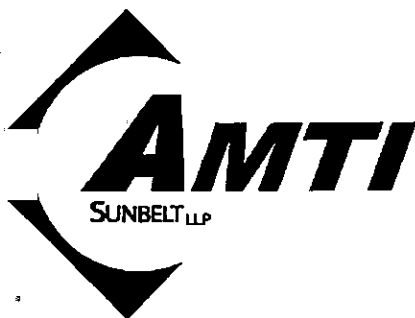
Architectural Design

Note: This Design is Conceptual in Nature and No Guarantee of its accuracy is implied.

© 2007 Indigo Architecture, Inc.

April 6, 2007

SUP-20500
REVISED
04/26/07 PC



720 SUSANNA WAY
HENDERSON, NEVADA 89011
PHONE (702) 242-9908
FAX (702) 242-9915

April 5, 2007

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**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496 REVISED**

1/17/07

2007

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**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496, REVISED
04/26/07 PC**

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Sincerely,
AMTI SUNBELT, LLP

Patrick Donalson, P.L.S.
Project Manager

**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496, REVISED
04/26/07 PC**

IVLD
3/7/07

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-20496 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-20497, SUP-20498, SUP-20499, AND SUP-20500 - PUBLIC HEARING - APPLICANT/OWNER: CAROLINE'S COURT, LLC - Request for a Site Development Plan Review FOR A PROPOSED 269,860 SQUARE FOOT COMMERCIAL CENTER AND WAIVERS TO DEVIATE FROM TOWN CENTER DESIGN STANDARDS TO ALLOW A SIX FOOT WIDE LANDSCAPE BUFFER ON THE SOUTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED AND TO ALLOW ZERO FEET OF PERIMETER LANDSCAPE BUFFER ADJACENT TO THE MULTI-USE TRANSPORTATION TRAIL ALONG THE NORTH AND WEST PROPERTY LINES WHERE 15 FEET IS REQUIRED on 23.62 acres at the northwest corner of El Capitan Way and Durango Drive (APNs 125-17-601-012, 017 and 125-17-202-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the May 10, 2007 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter
5. Protest Letter

MOTION:

GOYNES – STRIKE Item 62; WITHDRAW WITHOUT PREJUDICE Item 79; TABLE Items 26-29; HOLD IN ABEYANCE Item 6-8, 31-34, 40-42, 63-67, 76-78 and 80 to 5/10/2007; Items 19-21, 35-39 and 83-84 to 5/24/2007 – UNANIMOUS

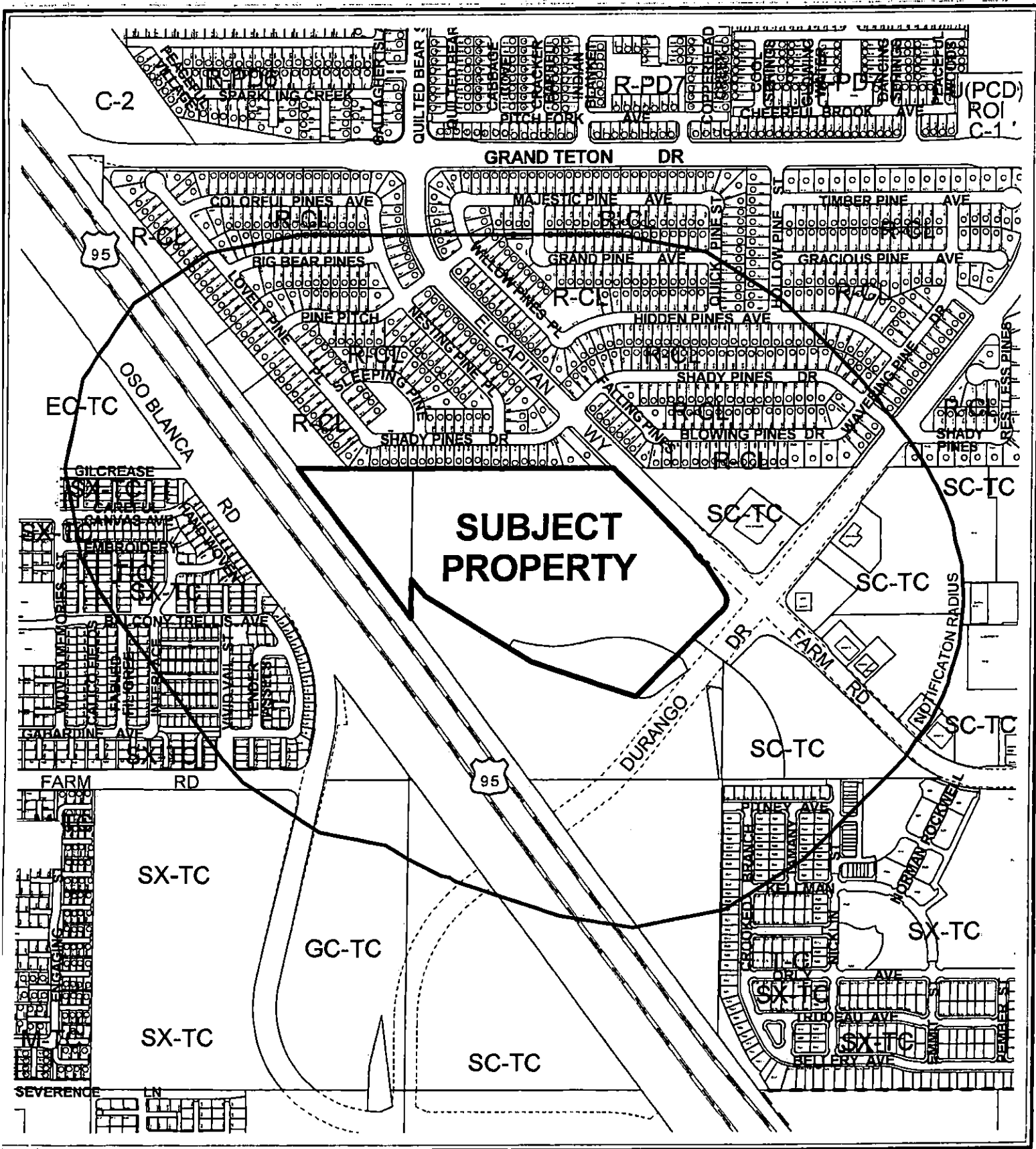
PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 80 – SDR-20496

MINUTES:

Items 6-8, 40-42, 63-65 and 80 were requested by the applicant to be held in abeyance to May 10, 2007 as revised plans were submitted.

(6:02 – 6:08)

1-70



CASE: **SDR-20496**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 500 1000 Feet



City of Las Vegas

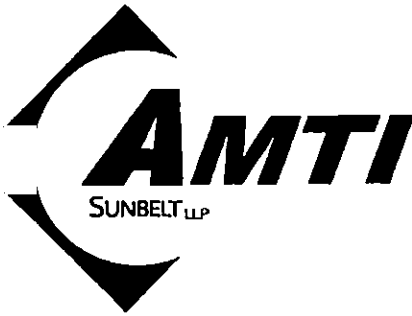
AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-20496 – APPLICANT/OWNER: CAROLINE'S COURT, LLC

***APPLICANT REQUESTS THIS ITEM BE
HELD IN ABEYANCE TO THE MAY 10, 2007
PLANNING COMMISSION MEETING***



720 SUSANNA WAY
HENDERSON, NEVADA 89111
PHONE (702) 242-9908
FAX (702) 242-9915

April 18, 2007

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

**RE: HOLD IN ABEYANCE – CAROLINE'S COURT
SDR-20496, SUP-20497, SUP-20498, SUP-20499
WITHDRAW ITEM: SUP-20500**

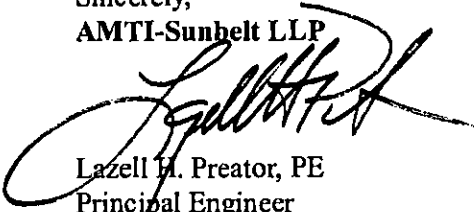
Dear Mr. Reed;

The above listed Special Use Permit Applications and Site Development Plan review are currently scheduled to be heard by the City of Las Vegas Planning Commission on April 26, 2007. AMTI-Sunbelt LLP, in behalf of the applicant, is requesting these items be held in abeyance for one cycle, to the May 10, 2007 Planning Commission.

This request for the items to be held is being done to accommodate changes to the site plan based upon review by Staff (Public Works). These changes to the site plan necessitate revisions to the Special Use Permits, and the addition of a waiver for 3 sided driveway which needs notification. Also these changes necessitate the withdraw of item SUP-20500 as it is no longer needed. Based upon our discussions with Staff, a one cycle abeyance will be sufficient.

The assistance of City Staff in working with us on this project has been greatly appreciated. Please feel free to call me at 242-9908 should there be any questions, or if additional information is needed.

Sincerely,
AMTI-Sunbelt LLP



Lazell H. Preator, PE
Principal Engineer

CC: Jacob Khakshouri, Caroline's Court LLC
Anthony E. Young, AIA, Indigo Architecture
File: SB06-123

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MAR 19 2007



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-20496** APN: 125-17-601-012 / 017 ; 125-17-202-001

Name of Property Owner: Caroline's Court, LLC

Name of Applicant: Caroline's Court, LLC

Name of Representative: Jacob Khakshouri

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

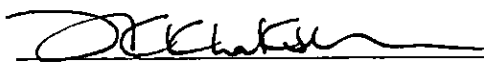
☒ No

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: _____

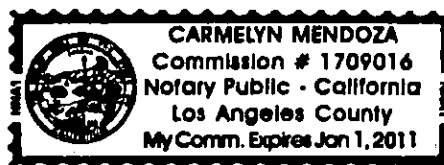
Signature of Property Owner: 

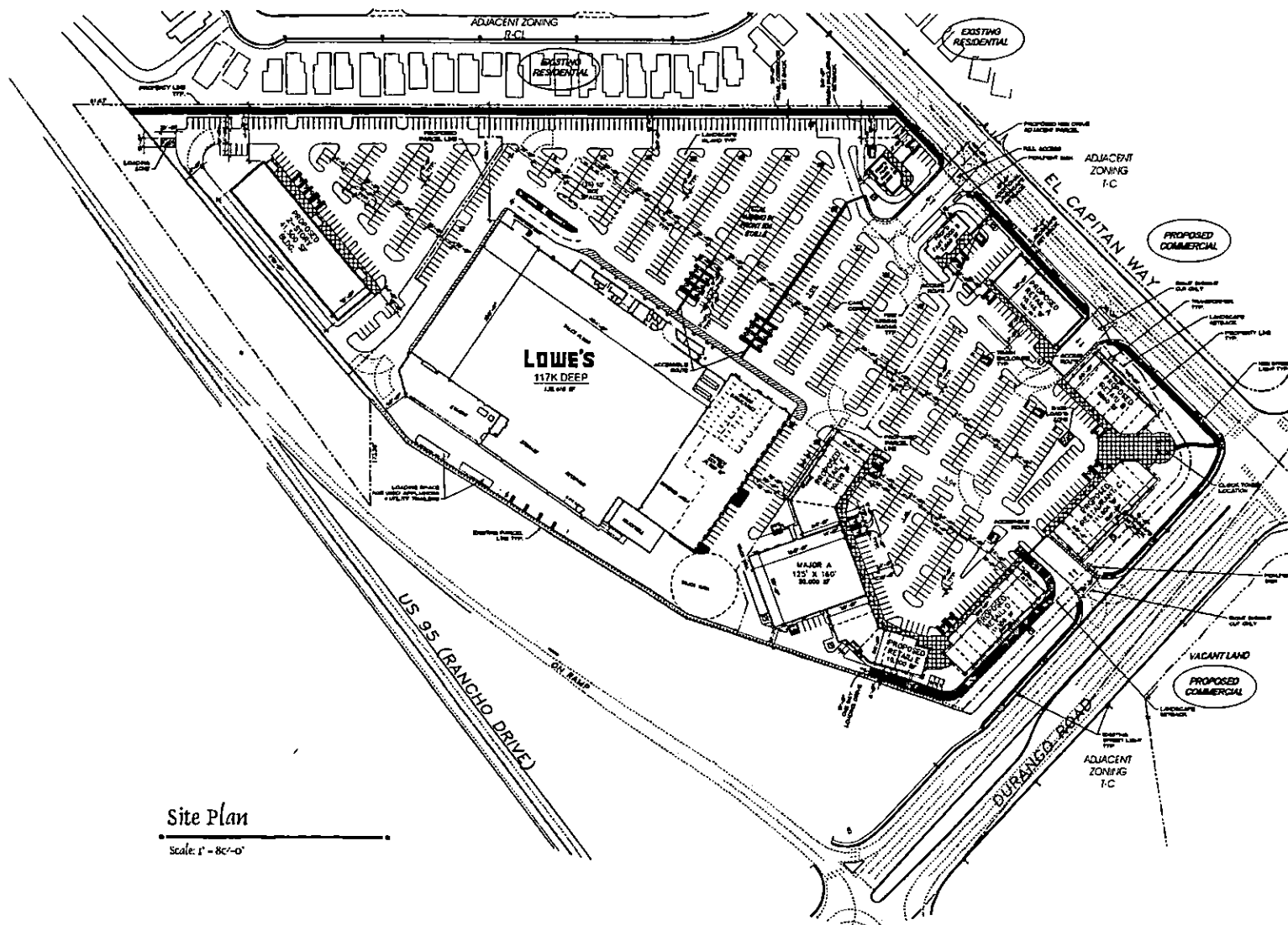
Print Name: Jacob Khakshouri
Managing Member, Caroline's Court, LLC

Subscribed and sworn before me

This 5th day of March, 20 07

Carmelyn Mendoza
Notary Public in and for said County and State





Site Plan

Scale: 1" = 80'-0"

Site Data

ASSESSORS PARCEL NUMBER (APN) 125-17-001-017
CURRENT ZONING I-C

Site Area Data

SITE GROSS +/- 23.62 ACRES 1,031,509 S.F.
BUILDING AREA GROSS 268,734 S.F. GROSS
SITE COVERAGE 26 PERCENT

2 STORY BUILDING SITE +/- 3.4 ACRES 144,636 S.F.
BUILDING AREA GROSS 41,500 S.F. GROSS
SITE COVERAGE 29 PERCENT

LOWE'S SITE +/- 11.86 ACRES 516,818 S.F.
BUILDING AREA GROSS 139,410 S.F. GROSS
SITE COVERAGE 27 PERCENT

RETAIL SITE / FASTFOOD SITE +/- 8.0 ACRES 369,335 S.F.
BUILDING AREA GROSS 87,824 S.F. GROSS
SITE COVERAGE 24 PERCENT

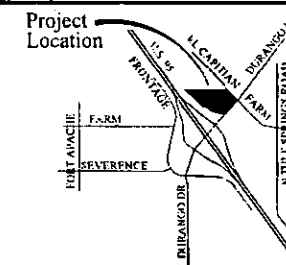
Building Open Space:

AREA REQUIRED 20% +/- 206,302 SF +/- 4.7 ACRES
AREA PROVIDED 22% +/- 227,767 SF +/- 5.2 ACRES

Parking Data:

BUILDING			PARKING	
BLDG	BLDG AREA	REQD RATIO	REQD	PROVIDED
Fast Food A	2,200 S.F.	1/250	9	22=8/1000
Fast Food B	2,650 S.F.	1/250	11	20=7.7/1000
RESTAURANT	51,370 S.F.	1/250	205	207=4/1000
RESTAURANT C	11,604 S.F.	1/250	47	59=5.6/1000
LOWE'S	139,410 S.F.	1/250	558	571=4.1/1000
MAJOR A	20,000 S.F.	1/250	80	60=4/1000
2 STORY BLDG	41,500 S.F.	1/250	166	166=4/1000
TOTAL	268,734 S.F.		1,077	4,211/1000 1,125

Vicinity Map

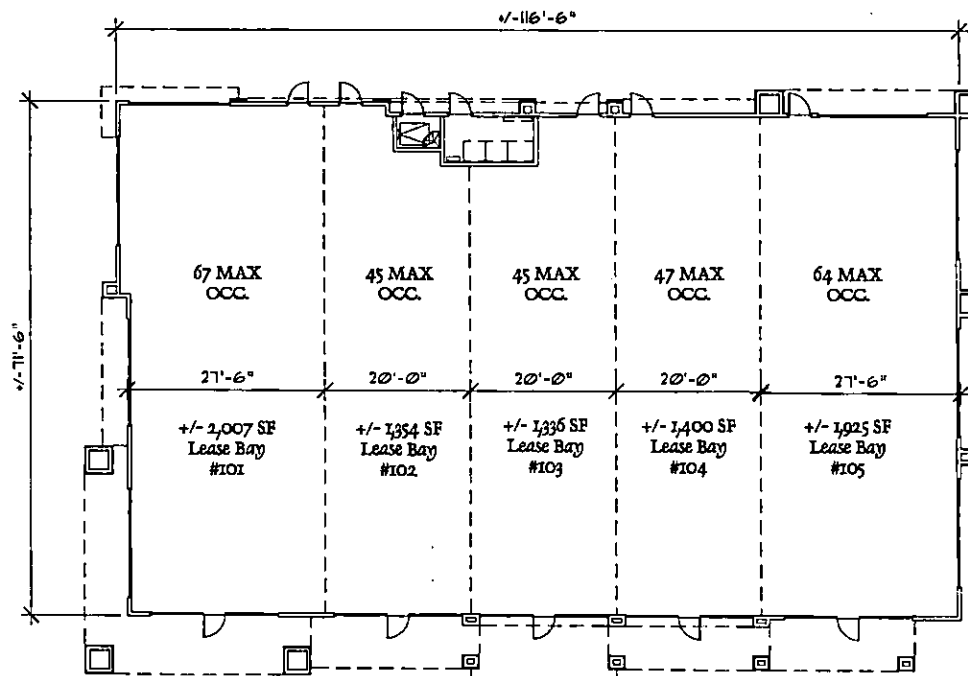


Owner / Developer

CAROLINE'S COURT, LLC
10877 WILSHIRE BLVD. SUITE 1407
LOS ANGELES, CA 90024
JACOB KOBY KHAKHOURI (310) 208-7770
CAVALL AFTALON (310) 208-7770 EXT. 113



SDR-20496
REVISED
04/26/07 PC



Floor Plan

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

FIGURE 13

MAR 13 2007

North

Note: This Design is Conceptual in Nature and No Guarantee of its accuracy is implied.

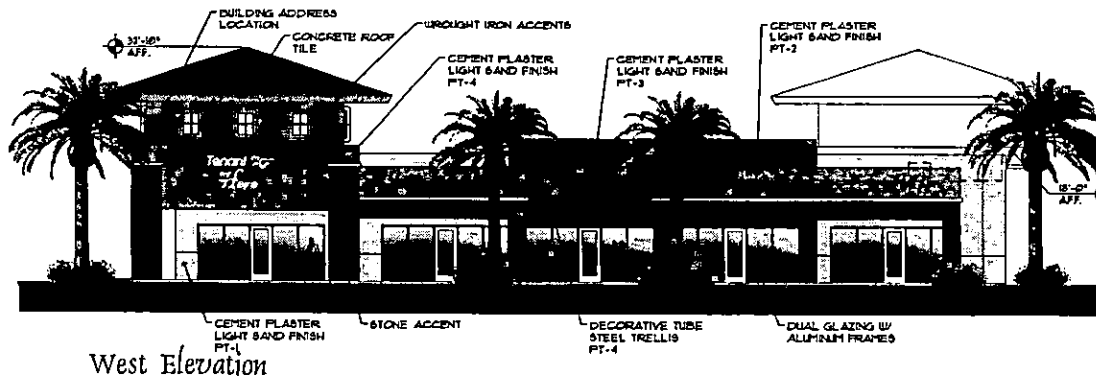
Caroline's Court (Retail Building A)

Schematic Design

March 12, 2007

Indigo Architecture, Inc.

SDR-20496
04/26/07 PC



West Elevation

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

- PT-1 Frazee: Beach Grass 7751W
- PT-2 Frazee: Tannery 7755D
- PT-3 Frazee: Contemporary Maple 7786N
- PT-4 Frazee: Antique Pine 8165D



South Elevation

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



North Elevation

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



East Elevation (El Capitan View)

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

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Caroline's Court (Retail Building A)

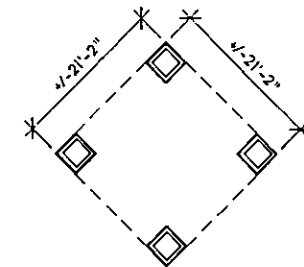
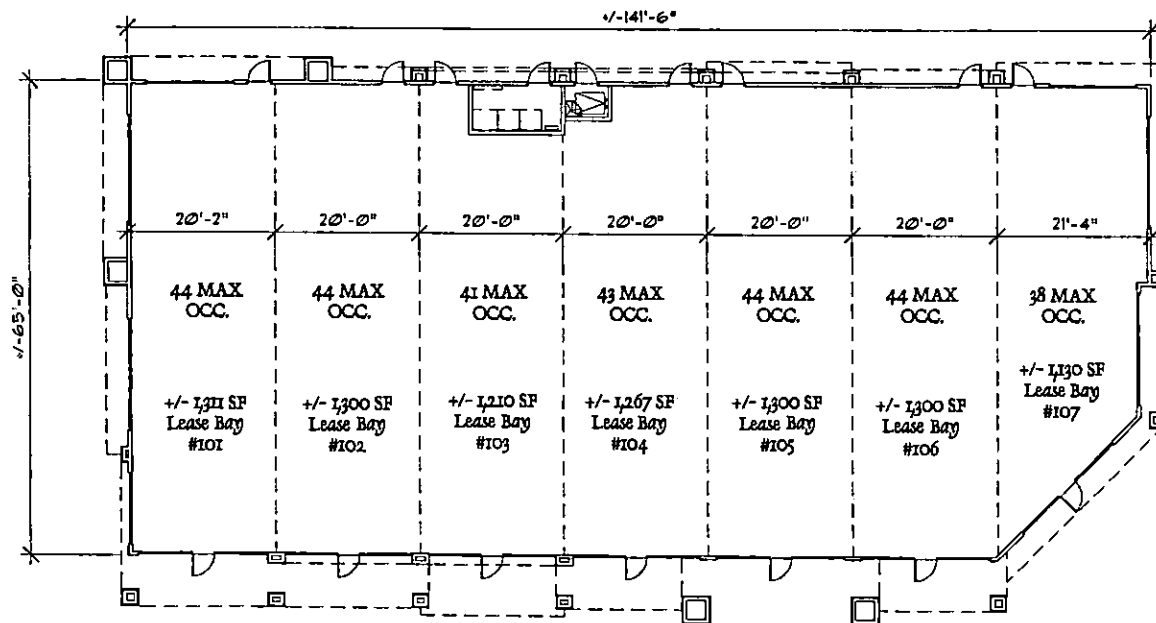
Schematic Design

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Floor Plan

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

North

Caroline's Court (Retail Building B)

Schematic Design

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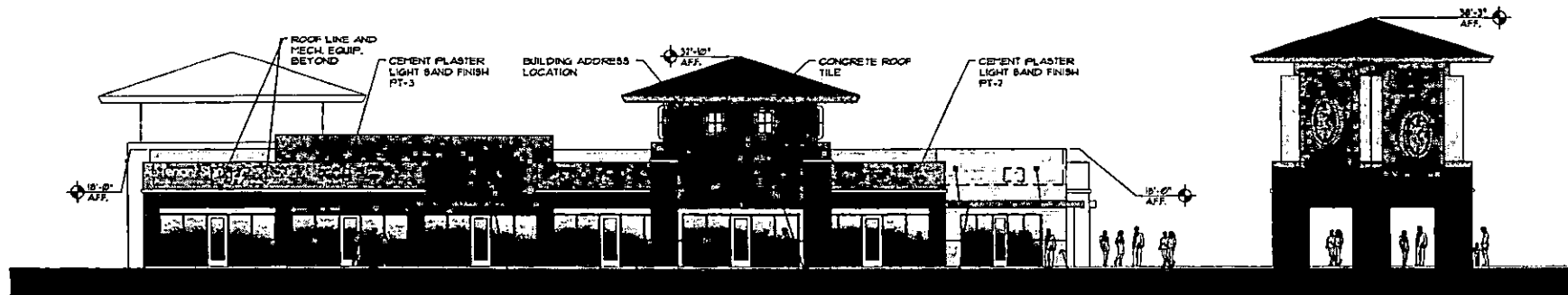
March 12, 2007

07270

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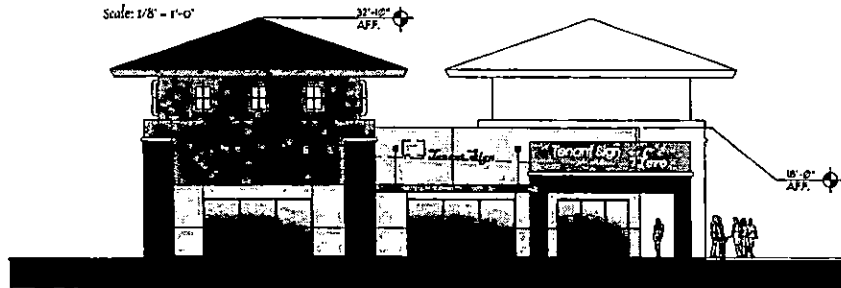
1701436-1771

SDR-20496
04/26/07 PC



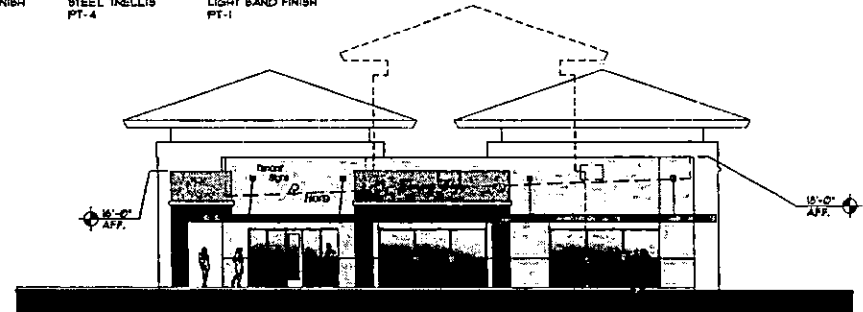
West Elevation

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



North Elevation

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



South Elevation (Courtyard View)

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

PT-1 Frazee: Beach Grass 7751W
PT-2 Frazee: Tannery 7755D

PT-3 Frazee: Contemporary Maple 7786N
PT-4 Frazee: Antique Pine 8165D

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East Elevation (Durango Road)

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

Caroline's Court (Retail Building B)

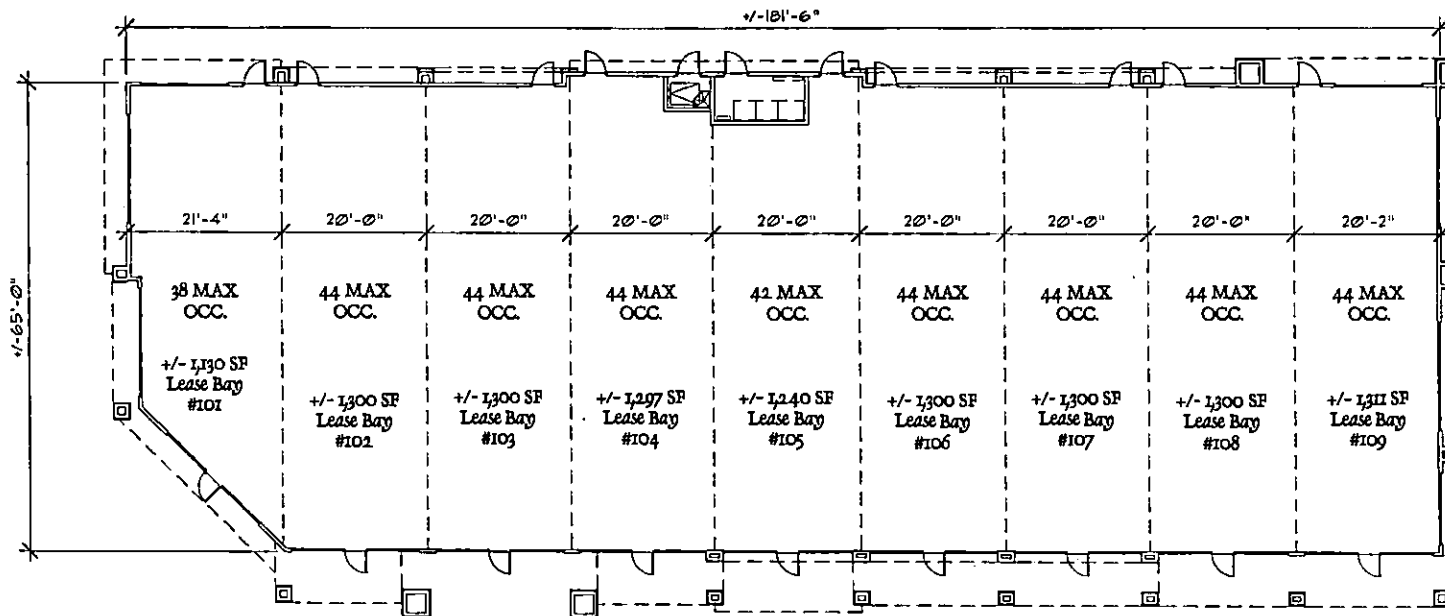
Schematic Design

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MAY 10 2007

Floor Plan

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

07170

North

Caroline's Court (Retail Building C)

Schematic Design

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March 12, 2007

SDR-20496
04/26/07 PC

Indigo Architecture, Inc.



North Elevation

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



West Elevation

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



East Elevation

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

- PT-1 Frazee: Beach Grass 7751W
- PT-2 Frazee: Tannery 7755D
- PT-3 Frazee: Contemporary Maple 7786N
- PT-4 Frazee: Antique Pine 8165D



South Elevation (Durango Road)

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

07270

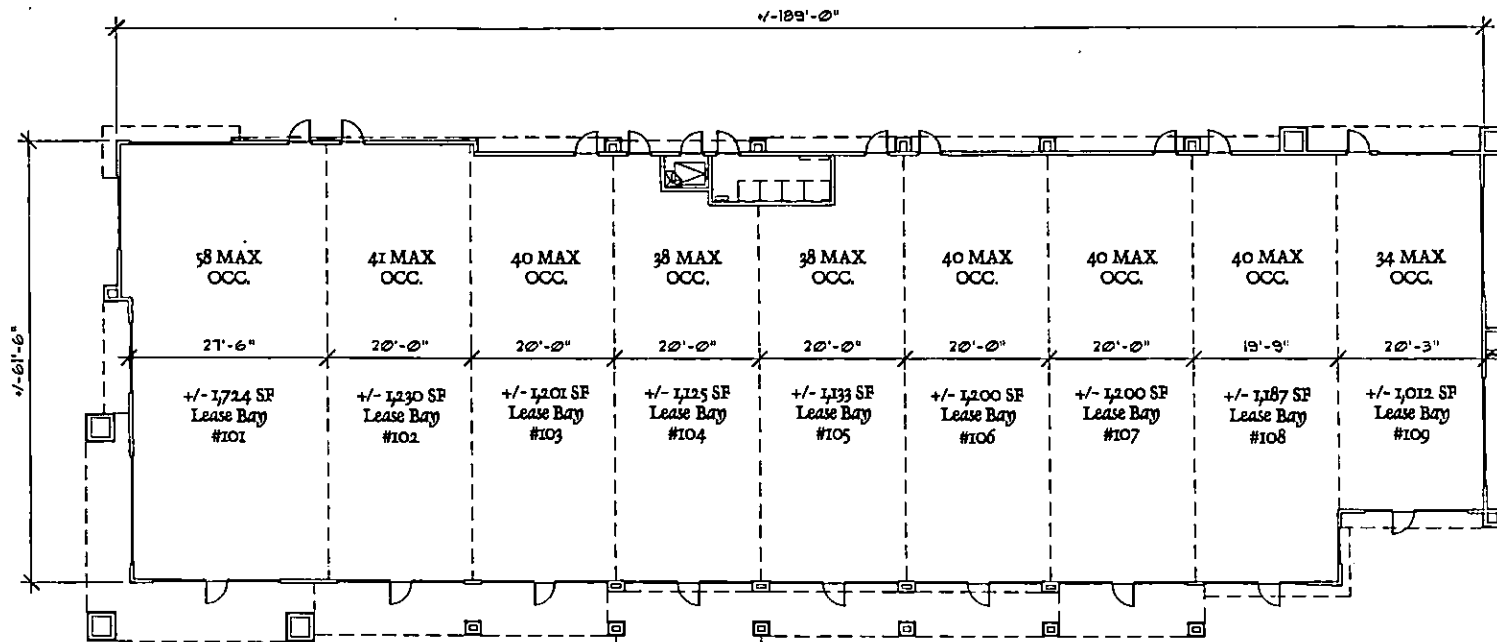
Caroline's Court (Retail Building C)

Schematic Design

Note: This Design is Conceptual in Nature and No Guarantee of its accuracy is implied.

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Floor Plan

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

07270

North

Caroline's Court (Retail Building D)

Schematic Design

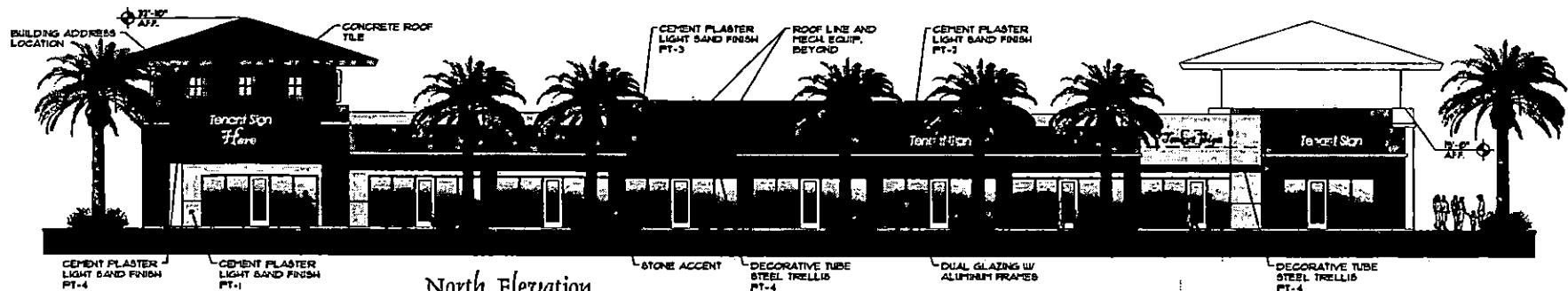
Note: This Design is Conceptual in Nature and No Guarantee of its accuracy is implied.

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North Elevation

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

PT-1 Frazee: Beach Grass 7751W
PT-2 Frazee: Tannery 7755D

PT-3 Frazee: Contemporary Maple 7786N
PT-4 Frazee: Antique Pine 8165D.



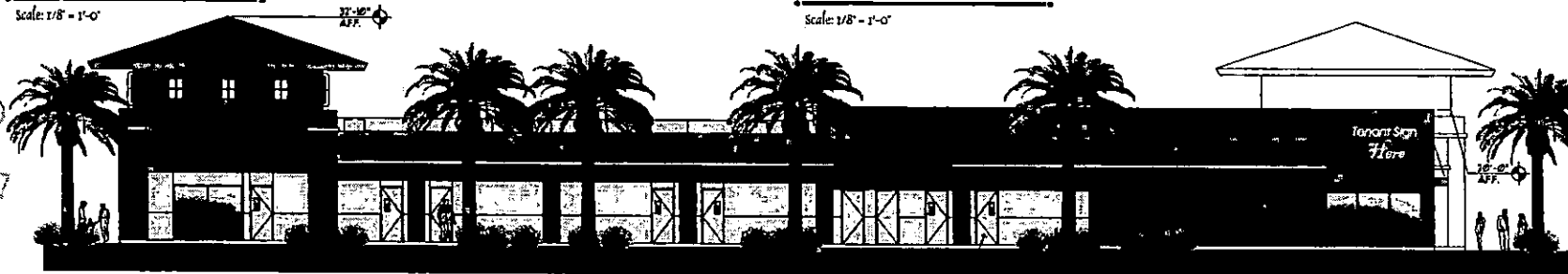
East Elevation

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



West Elevation

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



South Elevation (Durango Road)

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

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MAR 1 2007

Caroline's Court (Retail Building D)

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

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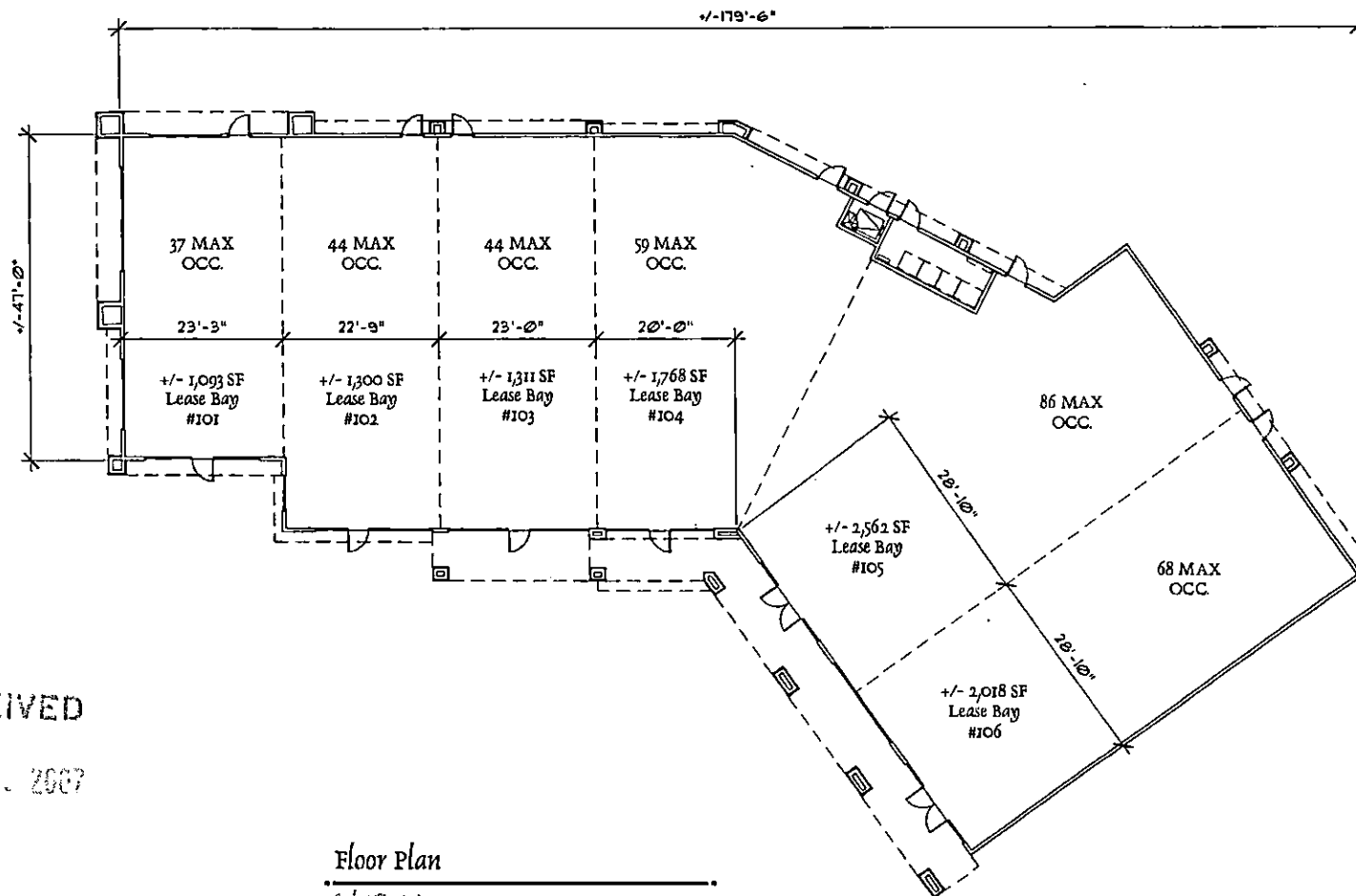
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Floor Plan

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

07170

North

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Caroline's Court (Retail Building E)

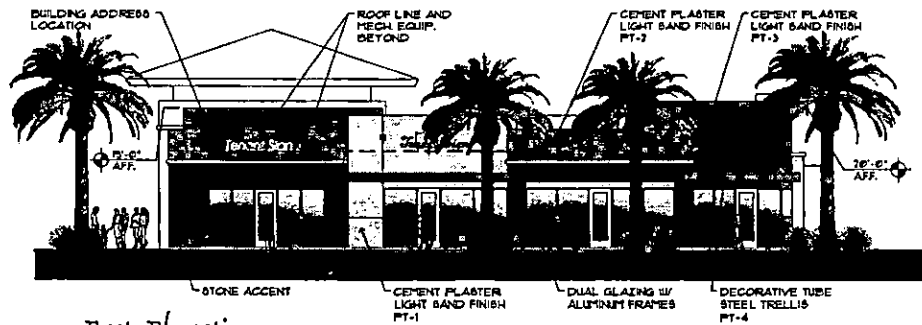
Sketch Design

March 12, 2007

Indigo Architecture, Inc.

2021 496-2772

SDR-20496
04/26/07 PC



East Elevation

Scale: 1/8" = 1'-0" 32'-0" AFF.



South Elevation

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

- PT-1 Frazee: Beach Grass 7751W
- PT-2 Frazee: Tannery 7755D
- PT-3 Frazee: Contemporary Maple 7786N
- PT-4 Frazee: Antique Pine 8165D



West Elevation (US 95 Rancho Drive)

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

Caroline's Court (Retail Building E)

Scientific Design

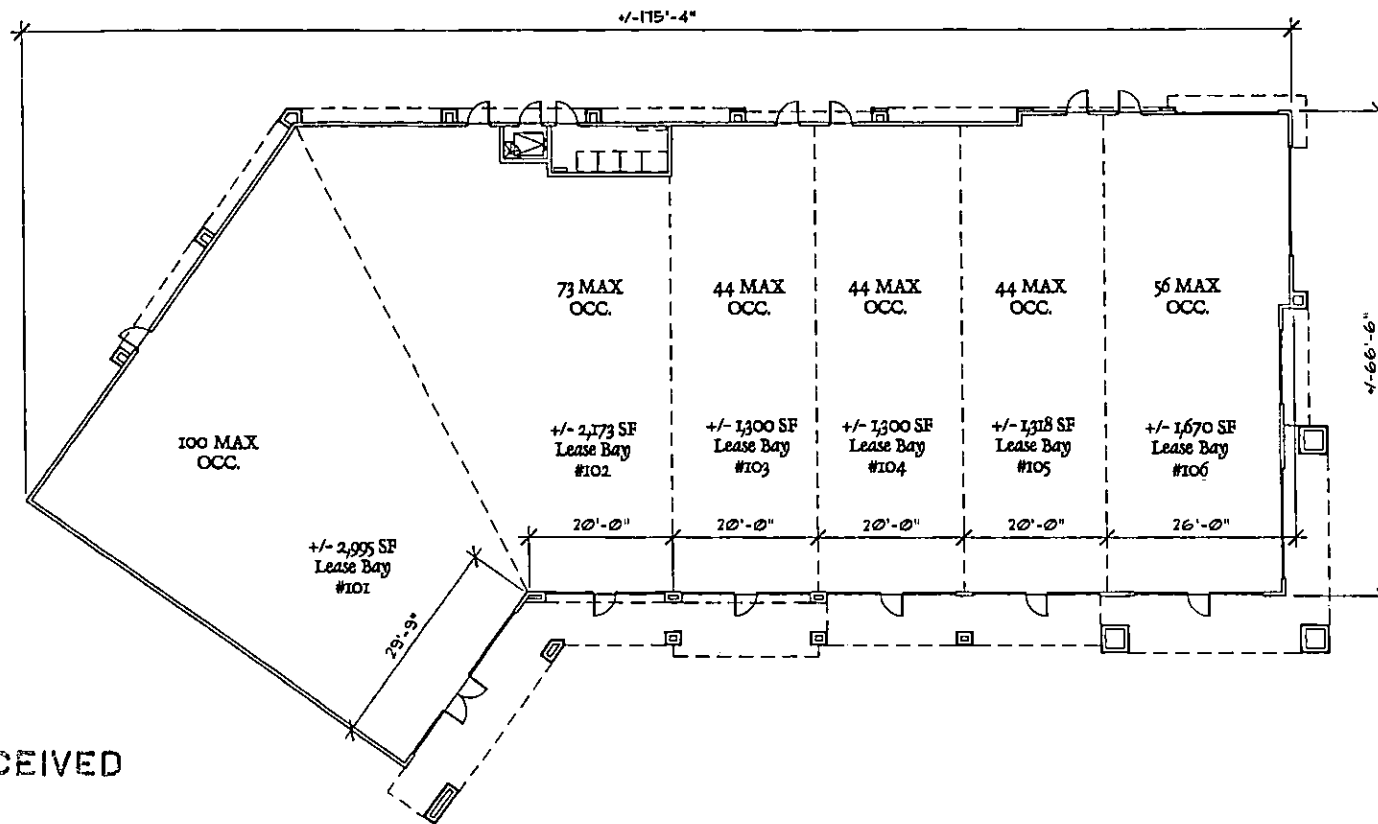
Note: This Design is Conceptual in Nature and No Guarantee of its accuracy is implied.

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SDR-20496
04/26/07 PC



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Floor Plan

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

07270

Caroline's Court (Retail Building F)

Schematic Design

March 12, 2007

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Indigo Architecture, Inc.

SDR-20496
04/26/07 PC

[02] 450-1771



South Elevation

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



East Elevation

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

- PT-1 Frazee: Beach Grass 7751W
- PT-2 Frazee: Tannery 7755D
- PT-3 Frazee: Contemporary Maple 7786N
- PT-4 Frazee: Antique Pine 8165D



North Elevation

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

Caroline's Court (Retail Building F)

Schematic Design

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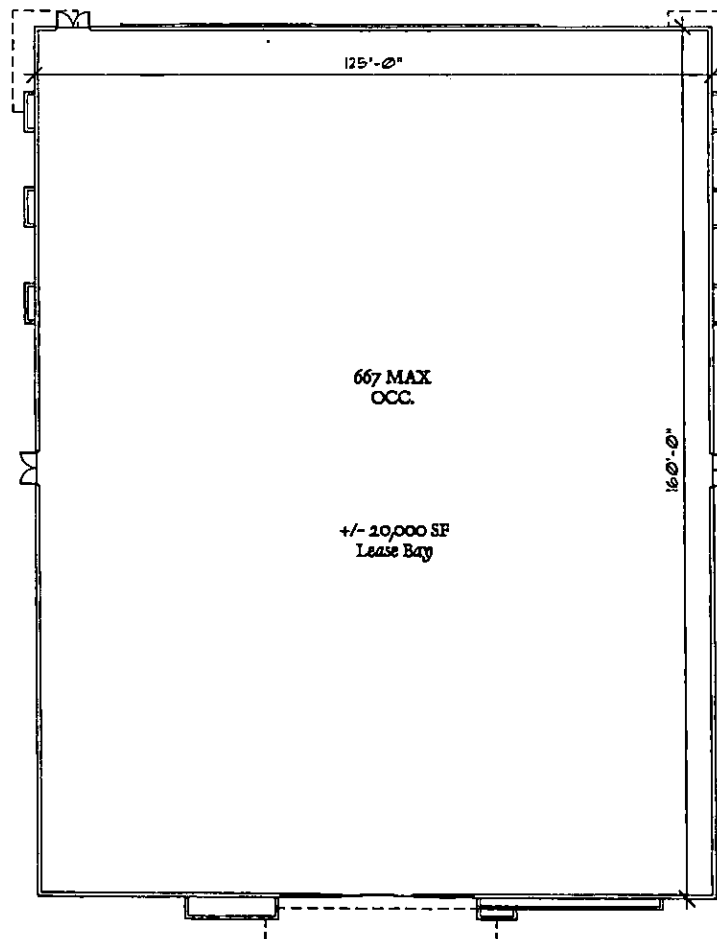
March 12, 2007

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04/26/07 PC



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Floor Plan

Scale: 3/32" = 1'-0"

07170

North

Caroline's Court (Retail Building Major A)

Site Plan

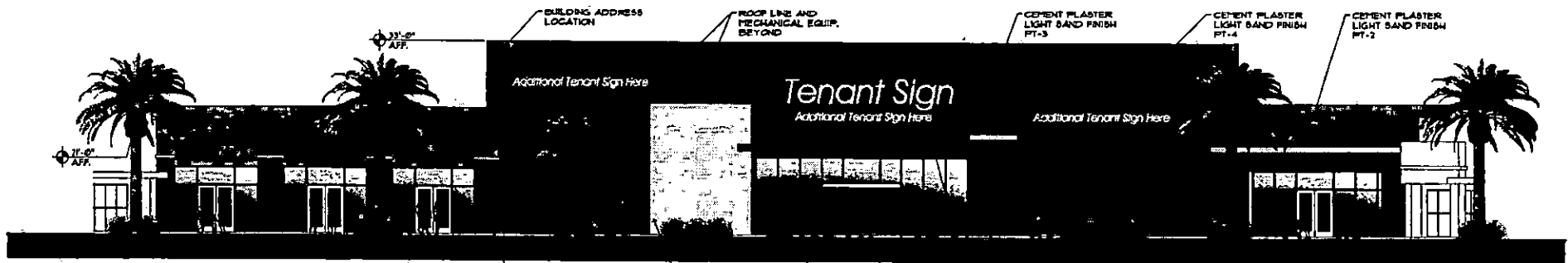
Note: This Design is Conceptual in Nature and
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March 12, 2007

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(real 49-172)

SDR-20496
04/26/07 PC



East Elevation

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

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South Elevation (Durango Road)

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



West Elevation (US 95 Rancho Drive)

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

- PT-1 Frazee: Beach Grass 7751W
- PT-2 Frazee: Tannery 7755D
- PT-3 Frazee: Contemporary Maple 7786N
- PT-4 Frazee: Antique Pine 8165D

Caroline's Court (Retail Building Major A)

Site Plan

0 10 20 30 40 50 60 70 80 90 100

MARCH 12, 2007

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07270

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SDR-20496
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Accent

(PT-4) FRAZEE: ANTIQUE PINE 8205D

Field Color/Accent

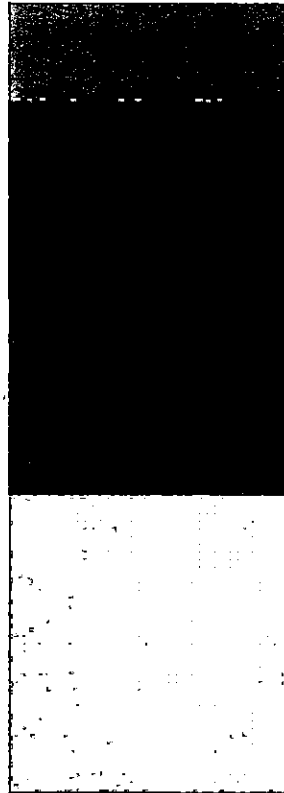
(PT-3) FRAZEE: CONTEMPORARY MAPLE 7786N

Field Color/Accent

(PT-2) FRAZEE: TANNERY 7755D

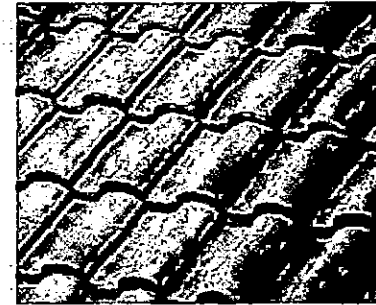
Field Color

(PT-1) FRAZEE: BEACH GRASS 7751W



Stone Accent

Coronado: Canyon Ledge, Sunset Blend



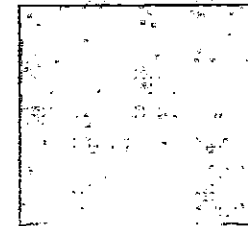
Roof Tile

Monier Lifetile: Barcelona, Sandstorm



Glass

Pilkington: Clear Glass



Glass

Pilkington: Low E Insulated

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Caroline's Court

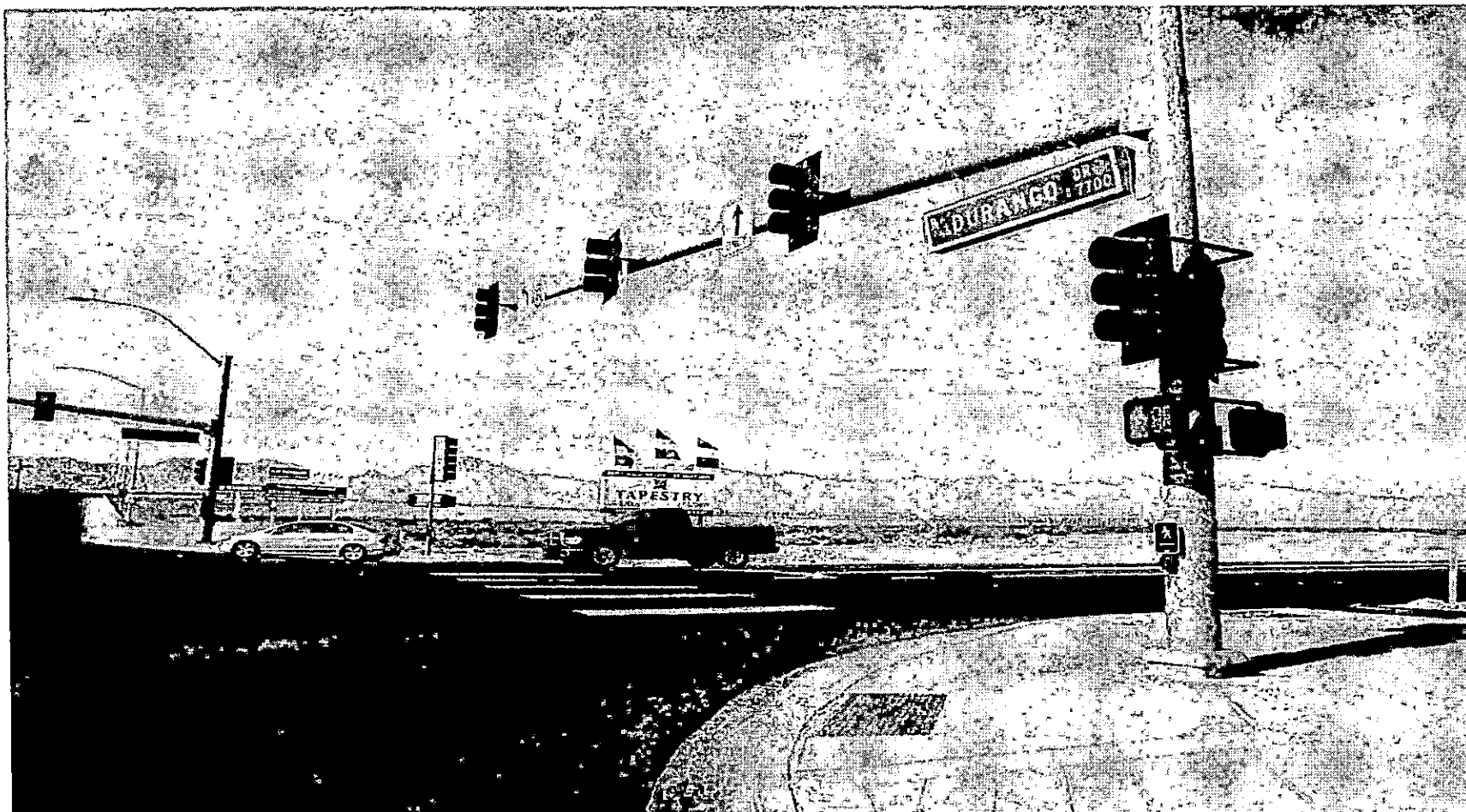
Schematic Design

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March 12, 2007
Lee V. H. H. H.

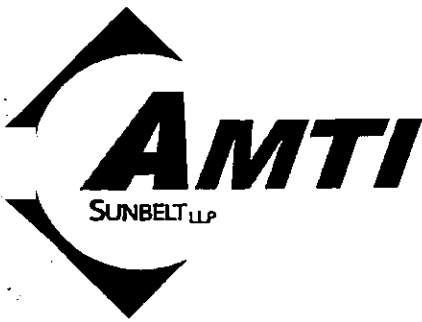
Indigo Architecture, Inc.
0001 456-2772

SDR-20496
04/26/07 PC



SUP-20497, SUP-20498, SUP-20499, SUP-20500 & SDR-20496 - APPLICANT/OWNER: CAROLINE'S COURT, LLC
NORTHWEST CORNER OF EL CAPITAN WAY AND DURANGO DRIVE
APRIL 26, 2007 PLANNING COMMISSION

03/28/07



720 SUSANNA WAY
HENDERSON, NEVADA 89011
PHONE (702) 242-9908
FAX (702) 242-9915

April 5, 2007

City of Las Vegas Development Services Center
Planning and Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101

*Re: Revision to March 12 submittal for Request for Site Development
Review of Caroline's Court with associated Special Use Permits and
Waivers of Development Standards, APN's 125-17-601-012, 125-17-
601-017, and 125-17-202-001*

SITE DEVELOPMENT REVIEW

The subject property (23.62 acres) is located at the west quadrant of the intersection of Durango Road and El Capitan Way (Farm). The development lies within the Town Center Development area and is designated SC-TC defined as Service Commercial. This development is to comply with the Town Center Development Standards.

Caroline's Court comprises a commercial retail center including a Lowe's Home Improvement Center, fast food restaurants, a retail strip center with a major anchor, full service restaurants, as well as a 2-story office building. The total site area is 1,031,509 square feet with building area gross of 268,734 square feet and 1,125 parking spaces. The open space totals approximately 227,767 square feet.

The property is bounded on the north by a residential subdivision. The landscape buffer between the development and the residential subdivision has been designated as a multi-use transportation trail in compliance with the Transportation Trails Element of the City of Las Vegas Master Plan. The frontage of the property along El Capitan Way has also been designated for a multi-use transportation trail

Additionally, the bulk of the development has been placed at the far end of the property from the residential subdivision, with the nearest building being the 2-story office building. The placement of the buildings is such that the development itself helps screen the residences from the freeway. The service road for the Lowe's Home Improvement Center was purposely placed at the furthest possible location from the residences. The parking lot landscaping

**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496 REVISED**

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2007

will provide additional screening and will be an appealing amenity in the project.

SPECIAL USE PERMITS

The Caroline's Court Development will require the acquisition of 4 separate Special Use Permits (SUP) per the Town Center Development Standards, Section 4. Two permits will be for the Lowe's Home Improvement Center and two will be for fast food sales:

1) BUILDING AND LANDSCAPE MATERIAL / LUMBERYARD:

All Lumber sales are conducted within the building at the Lowe's Home Improvement Center. Any outside storage of building materials will be screened from view of adjacent properties and streets within the provided "Staging Area" by approved methods referred to within the Town Center Development Standards. The Garden Center, while being an open-air facility, is completely enclosed with upgraded fencing and screening materials. Live plant displays frame the front entrance to the Garden Center with a wide variety of living seasonal colors. Additionally, all outside lighting will be designed so as not to shine directly into any abutting residential property.

2) OUTDOOR DISPLAY OF NEW MERCHANDISE:

The display of new seasonal home improvement merchandise directly adjacent to the outside perimeter of the store is an integral component of the Lowe's operation. Seasonal items such as barbeques, lawn mowers, swing sets, etc., will be displayed in a neat and orderly manner so as not to spill out into or interfere with the normal flow of pedestrians or vehicles in the parking lot. Additionally, these displays will comply with minimum standards determined by the Director of Planning and Development.

3 & 4) DRIVE-THROUGH WINDOWS:

The Fast Food restaurants shown as Fast Food "A" and Fast Food "B" will require Special Use Permits for their associated drive-through windows. These stand-alone buildings will be designed to blend in with the general architectural features of the overall development. It is understood that these SUP's will be evaluated individually.

NECESSARY WAIVERS

Our letter of March 12th asked for 2 waivers specific to the fast food Restaurants. Those waivers are no longer necessary. We will no longer have driveways on 3 sides of the buildings where 2 sides are allowed. Both buildings will have drives on only 2 sides. Also we have set the drive thru

**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496, REVISED
04/26/07 PC**

lanes back an additional 10 feet for more landscaping. The waivers requested with this new site plan are as follows:

1) PERIMETER LANDSCAPING ALONG THE DEDICATED TRAIL.
Since there is now an inclusion of a Multi-Use Trail Element along El Capitan Way and the north boundary line of the development, and that Trail Element is comprised of a 5' Transition Strip (landscaped), a 10' concrete sidewalk, and a 5' private landscape strip, we request the waiver of landscaping requirements called for in the Town Center Development Code along those alignments. This waiver request does not include the Fast Food Restaurants, which will have an additional 10' of landscaping along the Trail alignment, but we request that any further requirements for additional landscaping along those alignments be waived.

2) LANDSCAPE ISLAND CONFIGURATION:
The typical landscape island in the parking lots within the Town Center Development area is 6' wide and 18' long. The narrow width of these parking lot planters in this extreme desert climate is non-conducive to healthy plant growth. As a result, we have proposed many wider planter areas, typically 18' by 18', to provide landscape areas that are more likely to thrive. The same number of trees will be provided in this alternate method, but will almost certainly grow faster and hardier. If a waiver is necessary for this configuration, we respectfully request it.

Please notify me with any further concerns as staff reviews this site as it is our goal to work with staff in order to gain their recommendation for approval of the Planning Commission.

Sincerely,
AMTI SUNBELT, LLP

Patrick Donalson, P.L.S.
Project Manager

**SUP-20497, SUP-20498,
SUP-20499, SUP-20500,
SDR-20496, REVISED
04/26/07 PC**

IVB:G
5/2007

Jay Allen
8621 Hidden Pines Ave
Las Vegas, NV 89143

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

Re: SDR-20496, April 26, 2007

Please deny the request for waivers to deviate from the Town Center Design Standards for the applicant: Caroline's Court LLC (request SDR-20496.) To allow such a deviation would create a disservice to all affected by this development. Higher standards with regards to items such as landscaping, signage, parking, etc. ultimately drive higher revenue for business and help maintain residential property values.

Thank you,

Jay Allen

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-20525 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RDJD, INC. DBA CASH PLUS - OWNER: BONANZA VENTURE, LLC - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED AND A WAIVER TO ALLOW A 27-FOOT SEPARATION FROM AN EXISTING RESIDENTIAL USE WHERE A 200-FOOT SEPARATION IS REQUIRED AND A WAIVER TO ALLOW A 137-FOOT DISTANCE SEPARATION FROM AN EXISTING FINANCIAL INSTITUTION, SPECIFIED WHERE A 1,000-FOOT DISTANCE SEPARATION IS REQUIRED at 4441 East Bonanza Road, Suite #105 (a portion of APN 140-32-101-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 05/16/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

8

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Five protest letters by Doug Smith

MOTION:

GOYNES – DENIED – UNANIMOUS

This is Final Action

NOTE: CHAIRMAN DAVENPORT disclosed that he had business dealings with EDDIE ESCOBIDO over 15 years ago but his involvement should not affect his decision and he would vote on the matter.

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 81 – SUP-20525

MINUTES – Continued:

ANDY REED, Planning Supervisor, stated that the proposed site does not comply with the separation requirements and recommended denial.

JESSE DOROSHOW, 1331 Warm Springs Road, President of RDJD, Inc., described the services that Check Plus offers and stated that the business is a national franchise maintained by a corporate office in California. MR. DOROSHOW stated there are a plethora of other financial and alternative services for people that are not available at a traditional bank. He presented pictures of another Check Plus location in Henderson, Nevada to verify the quality he would maintain at the subject site and another picture highlighting the residence that is 27 feet in distance from the subject site. He acknowledged another similar business but stated that different services are offered. MR. DOROSHOW respectfully requested approval.

TODD FARLOW, 240 North 19th Street, acknowledged the reasons given for the proliferation of similar type of business but stated that the distance separation requirement is designed to prevent exactly what the applicant is requesting. He opposed the request.

TOM MCGOWAN, Las Vegas resident, inquired how many similar businesses exist throughout the entire City and what the interest rate would be for the services provided. He recommended the matter be denied.

DOUG SMITH, 4500 East Bonanza Road, appeared on behalf of the Auto Title Loan store depicted by MR. DOROSHOW. MR. SMITH described the services which his business provides which mirrors the same services proposed by the applicant. He submitted four letters of opposition from people who object the proliferation of another like business. He welcomed competition but did not agree that another similar service would benefit the community.

CHAIRMAN DAVENPORT questioned one of the signatures belonged to Eddie Escobido but MR. SMITH confirmed that he was not certain. MR. SMITH stated that another tenant previously dealt with this matter and that person was unable to address this Commission on this occasion; therefore, he stated there were many more in opposition and he knew little about the details.

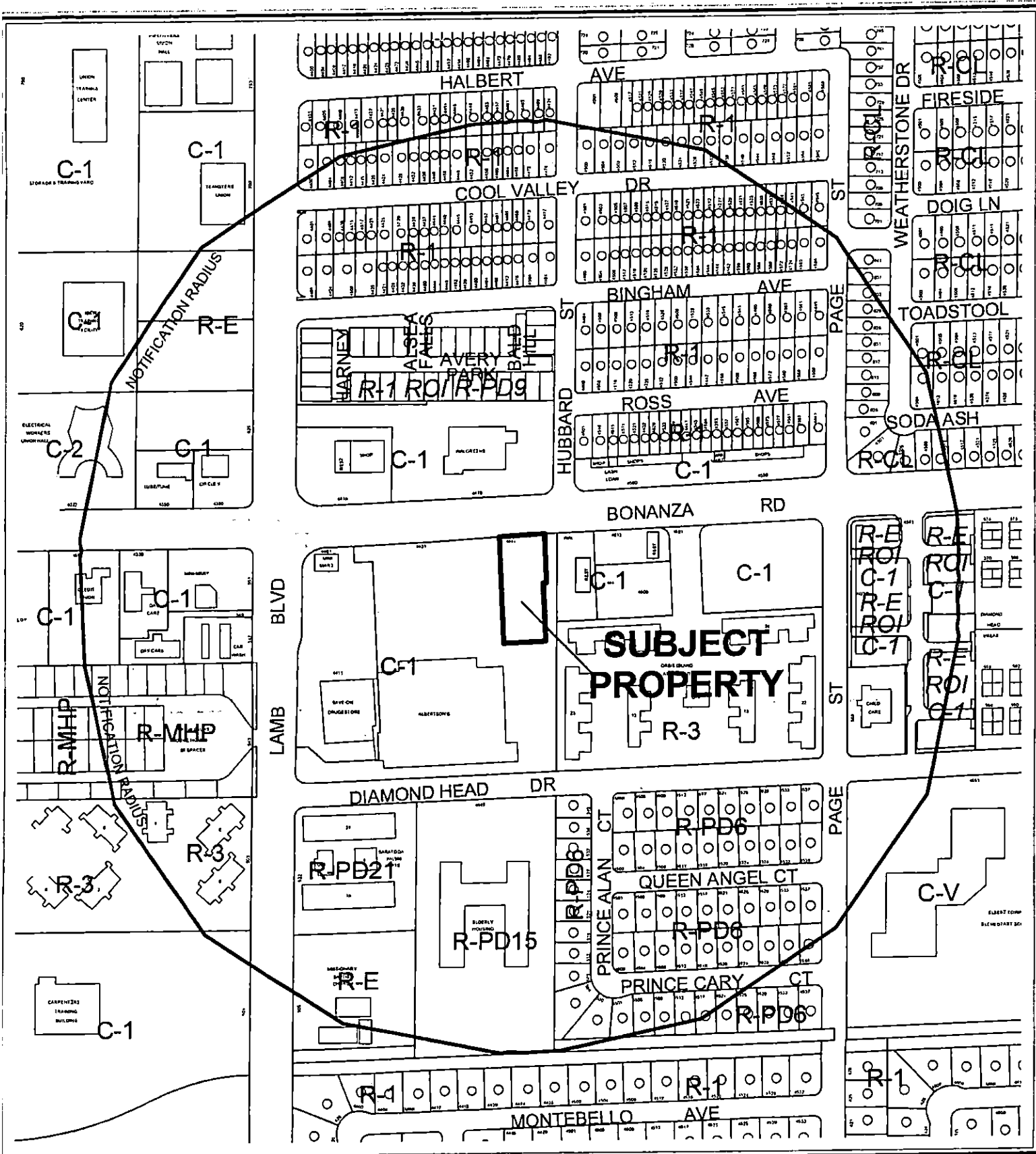
MR. DOROSHOW stated there are nearly 300 licensees for check cashing, pay-day advance and deferred deposit privileges. There are check cashing/pay-day advance companies that own 600 stores in California, proving that Nevada hosts comparatively fewer businesses.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 81 – SUP-20525

MINUTES – Continued:

DEPUTY CITY ATTORNEY JAMES LEWIS stated that the Nevada Supreme Court ruled that competitors should not have standings in zoning matters. He recommended the Commission be cognizant of that ruling when considering the submitted letters of opposition.

CHAIRMAN DAVENPORT declared the Public Hearing closed.
(11:23 – 11:36)
4-583



CASE: SUP-20525
 RADIUS: 1000 FEET
 ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 200 400 Feet





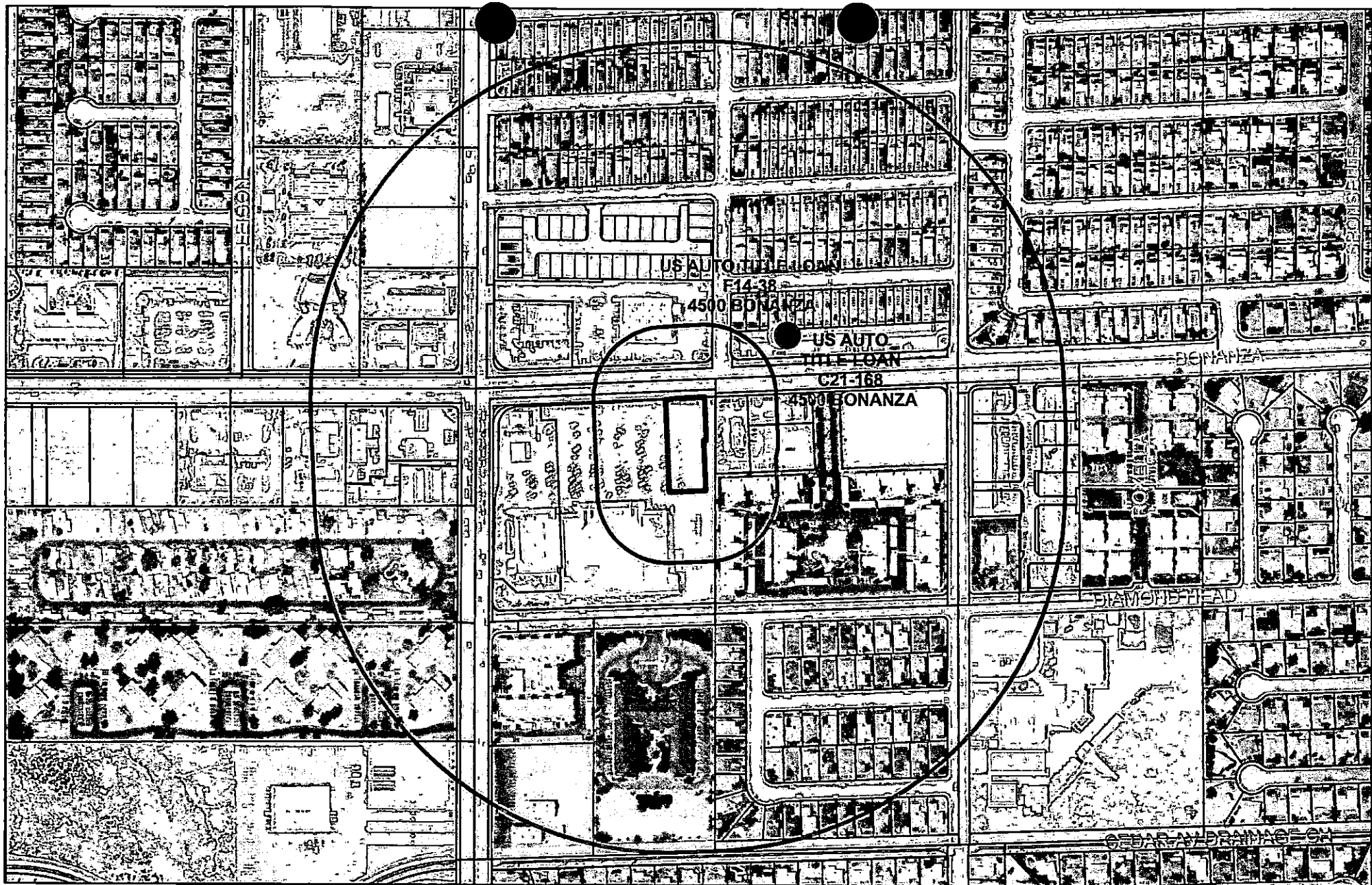
CASE: SUP-20525

RADIUS: 1000 FEET

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

0 200 400 Feet





SUP-20525

Financial Institution

Financial Business Locations

-  Financial Institution, Specified
-  Pawnshops
-  Automobile Title Loan



Subject Property



Residential Property



Buffer



0 245 490 960 Feet

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-20525 - APPLICANT: RDJD, INC. DBA CASH PLUS -

OWNER: BONANZA VENTURE, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-17302) except as amended herein.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-20525 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a Financial Institution, Specified and a Waiver to allow a 27 foot separation from an existing residential use where a 200 foot separation is required and a Waiver to allow a 137 foot distance separation from an existing Financial Institution, Specified where a 1,000 foot distance separation is required. The subject site is not physically suitable for the type and intensity of the proposed land use as it is located only 27 feet from a residential use and only 137 feet from an existing Financial Institution, Specified. Therefore, staff recommends denial.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.			
05/17/78	The City Council approved a reclassification of property (Z-0032-78) at this location for a proposed shopping center. The Planning Commission recommended approval.		
12/20/06	The City Council approved a Site Development Plan Review (SDR-17302) for an additional pad site at an existing shopping center and a Variance (VAR-17306) to allow 15 parking spaces where 25 are required. The Planning Commission recommended approval on 11/16/06 and staff recommended denial.		
Related Building Permits/Business Licenses			
NA			
Pre-Application Meeting			
Month/date/year	Description		
Neighborhood Meeting			
A neighborhood meeting is not required, nor was one held.			
Field Check			
04/05/07	A field check was conducted to visually identify the suite in which the proposed use will operate, if approved. However, construction has not yet begun on the proposed pad site, and an existing parking lot is in the location of the proposed use.		
Details of Application Request			
Site Area			
Gross Acres	0.63		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking-lot	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

RL

SUP-20525 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

<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

Per Title 19.08, the following Development Standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	110 Feet	Y
Min. Setbacks			
• Front	20 Feet	76 Feet	Y
• Side	10 Feet	15 Feet	Y
• Rear	20 Feet	77 Feet	Y
Max. Lot Coverage	50 %	23 %	Y
Trash Enclosure	50 Feet from a protected property	53 Feet	Y
Mech. Equipment	Screened	Screened	Y

Per Title 19.12, the following Landscape Standards apply:

<i>Landscape 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	7 Trees	10 Trees	Y
Buffer:				
Min. Trees	1 Tree/30 Linear Feet	3 Trees	4 Trees	Y
TOTAL			19 Trees	Y
Min. Zone Width	15 Feet right-of-way		15 Feet	Y
	8 Feet		Zero Feet	Y (per Z-32-78)

RL

SUP-20525 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Pursuant to Title 19.10, the following parking standards apply:							
Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center (existing)	96,017 SF	1:250 SF	384	7			
Retail Pad (proposed)	6,180 SF	1:250 SF	25	2			
SubTotal			409	9	360	14	
TOTAL			409		360		N
Loading Spaces			1		1		Y
Percent Deviation					12 % Deviation from requirements		

Waivers		
Request	Requirement	Staff Recommendation
Distance Separation of 27 feet from an existing residential use at 4521 East Bonanza Road.	200 Feet	Denial
Distance Separation of 137 feet from an existing Financial Institution, Specified at 4500 East Bonanza Road.	1,000 Feet	Denial

ANALYSIS

- Zoning**

The subject site is currently zoned C-1 (Limited Commercial). The Financial Institution, Specified use is permitted in C-1 (Limited Commercial) with the approval of a Special Use Permit. This application, if approved, will satisfy this requirement.

- Use**

A Financial Institution, Specified is defined by Title 19 as a business whose primary function is to lend money; cash checks or other negotiable instruments for a fee, service charge or other consideration; or provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. A Financial Institution, Specified may not provide the services of Auto Pawn or Pawn Shop establishments which are considered more intensive uses.

RL

SUP-20525 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

- **Conditions**

Title 19.04.050 lists the following conditions for the Financial Institution, Specified use, adopted by City Council April 21, 2004:

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

The proposed Financial Institution, Specified fails to meet condition #7 as it is located only 27 feet from a residential lot where a 200-foot distance separation is required, and 137 feet from an existing Financial Institution, Specified where a 1,000-foot distance separation is required. A waiver from each of these conditions would be required as a condition of approval for this request. As this proposed Financial Institution, Specified cannot be approved without a waiver to the distance separation requirement; staff recommends denial of this application.

SUP-20525 - Staff Report Page Five
April 26, 2007 - Planning Commission Meeting

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 Financial Institution, Specified use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, as the subject site fails to meet the required distance separation requirements between an Financial Institution, Specified and residential uses.

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

The subject site is not physically suitable for the type and intensity of the proposed land use as it is located only 27 feet from a residential use where a 200-foot minimum distance separation is required, and only 137 feet from an existing Financial Institution, Specified where a 1,000-foot minimum distance separation is required.

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 subject site is on Bonanza Road, a Primary Arterial as defined by the Master Plan of Streets and Highways, and; therefore, adequate to meet any demands resulting from the proposed Special Use.

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

Due to the proximity of the proposed Special Use to existing residential property and to an existing Financial Institution, Specified; the site in question is inconsistent with the public welfare and the overall objectives of the General Plan.

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

The proposed Special Use does not meet all applicable conditions per Title 19.04 as a Waiver has been requested to allow this use only 130 feet from an existing residential parcel where a minimum distance separation of 200 feet is required.

SUP-20525 - Staff Report Page Six
April 26, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

3

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 298

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-20525** APN: 140-32-101-003

Name of Property Owner: Bonanza Venture, LLC

Name of Applicant: RDJD, Inc dba Cash Plus

Name of Representative: _____

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

☐ Yes

☒ No

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): _____

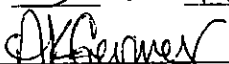
APN: _____

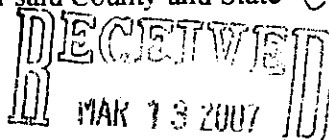
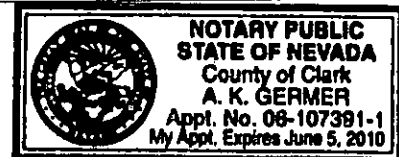
Signature of Property Owner: 

Print Name: Howard Stipe

Subscribed and sworn before me Amanda K Germer

This 13 day of March, 2007


Notary Public in and for said County and State Clark, Nevada





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-20525** APN: 140-32-101-003

Name of Property Owner: Bonanza Venture, LLC

Name of Applicant: RDJD, Inc dba Cash Plus

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

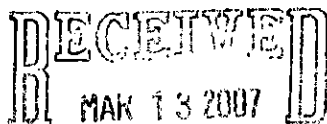
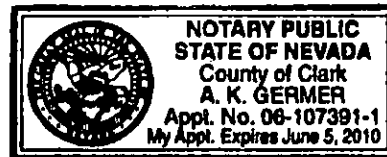
Signature of Property Owner: _____

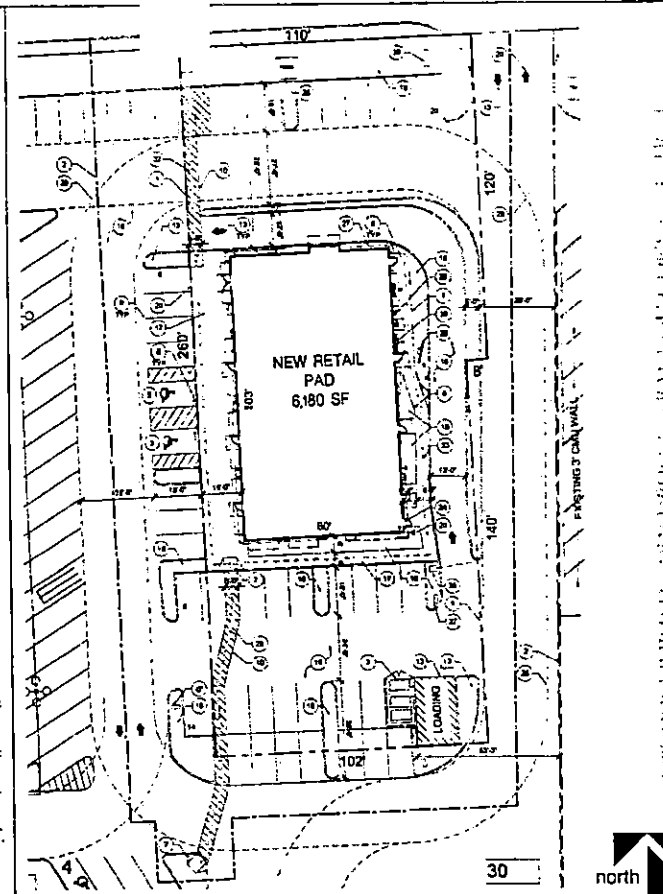
Print Name: _____

Subscribed and sworn before me Amanda K. Germer

This 13 day of March, 2007

A K Germer
Notary Public in and for said County and State Clark, Nevada





ENLARGED SITE PLAN

[illegible]

Sheet Title:
SITE PLAN

SA-1.0

SUP-20525
04/26/07 PC



BONANZA VENTURE
COMMERCIAL RETAIL BLDG.
SEC OF EDWARDS AND LAMB BLVD.
LAS VEGAS, NEVADA

Perkowitz + Ruth
ARCHITECTS
3980 Howard Hughes Pkwy Ste 400 Las Vegas NV 89169
702.882.8500 www.perkowitzruth.com

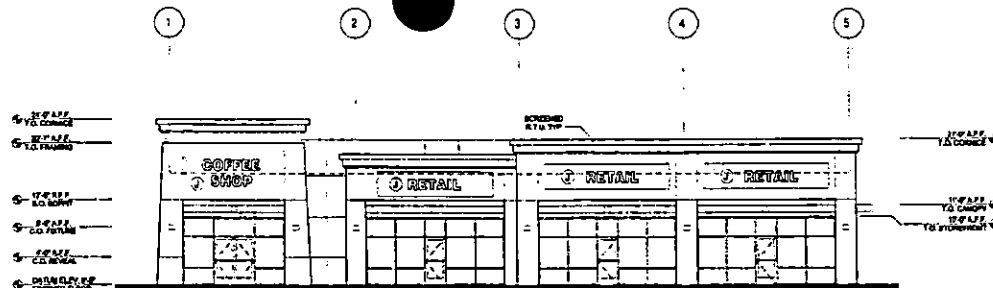
Issue Date: _____
Bid Date: _____
Revisions: _____
Project No.: 06-11525
Sheet Title:
EXTERIOR
ELEVATIONS

A2.1

MATERIAL	FINISH
EXTERIOR CEMENT PLASTER	PAINTER - EXT W/ TRADITIONAL TAP LINER
SMOOTH STUCCO FINISH	PAINTER - GR WHITE LINER
HOLLOW METAL DOOR AND FRAME SEE DETAIL 12061	PAINTER - BRN W/ WOOD SPOKE LINER
ALUMINUM RETAIL SEE DETAIL 12061	PAINTER - BRN W/ WOOD SPOKE LINER
CLEAR ALUMINUM STOREFRONT SYSTEM BY 1" INSULATING LOWE CLEAR GLASS	PAINTER - BRN W/ WOOD SPOKE LINER
UNIT FOR FUTURE SIGNAGE SIGN IS NOT IN CONTRACT	STANDARD CLEAR ALUMINUM ANODIZED
EXTERIOR LIGHT FIXTURE - REFER TO ELECTRICAL DRAWINGS	PANT TO MATCH ADJACENT WALL
17 ADDRESS IDENTIFICATION LETTERS - COLOR BLACK	
DRIVE THRU WINDOW	
METAL CANOPY - REFER TO SECTIONS FOR DETAILS & ROOF PLAN FOR CONSTRUCTION	
CANOPY DOWNPOUT	

NOTES:

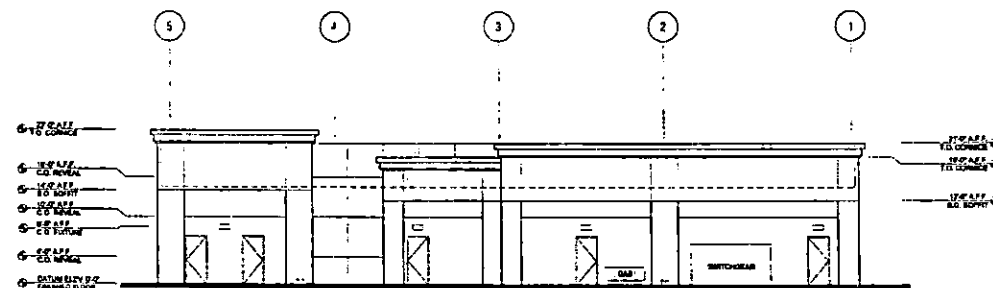
1. DRIVING SHALL BE REPRESENTED ADJACENT TO ALL DOORS AND AS NOTED ON EXISTING POINT ELEVATION DOOR AND TO REQUIRED BY CODE.
2. SPOKES TO MATCH ADJACENT STOREFRONT WALL COLOR.



WEST ELEVATION

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

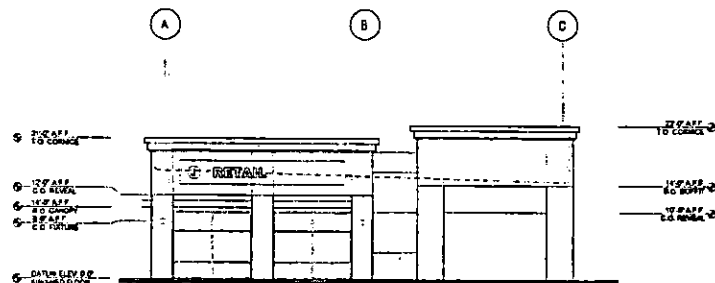
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EAST ELEVATION

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

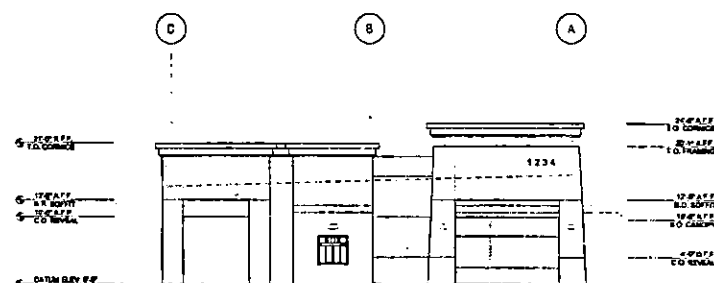
B



SOUTH ELEVATION

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

C



NORTH ELEVATION

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

D

ALL ELEVATION HEIGHTS ARE GIVEN FROM TOP OF INTERIOR CONCRETE FLOOR SLAB (0'-0") WHEN FLOOR SLAB STEPS. ELEVATION HEIGHTS ARE REFERENCED FROM THE HIGHEST SLAB.

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SUP-20525
04/26/07 PC

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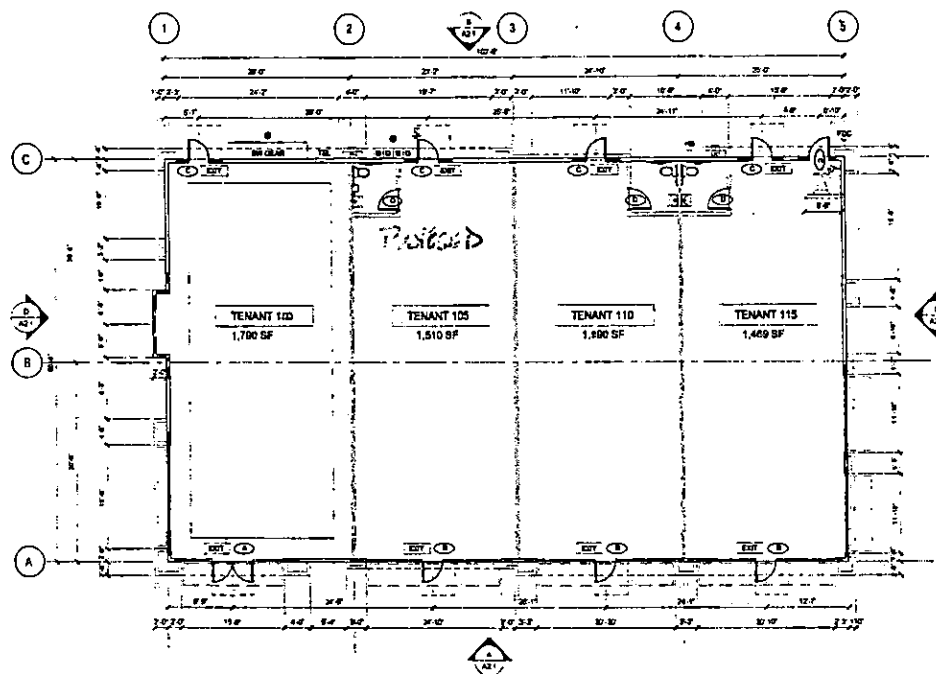
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RECEIVED
MAR 13 2007
SUP-20525
04/26/07 PC



BONANZA VENTURE
COMMERCIAL RETAIL BLDG.
SEC OF BONANZA RD AND LAMB BLVD.
LAS VEGAS, NEVADA

Perkowitz + Ruth
ARCHITECTS
3580 HUNTERS HUGHES BLVD STE 450 LAS VEGAS, NV 89169
702.592.0000 WWW.PRARCHITECTS.COM



FLOOR PLAN

SCALE 1/8" = 1'-0"

FLOOR PLAN LEGEND			FLOOR PLAN NOTES		INTERIOR FINISHES		KEY NOTES	
	GRID LINE FACE OF STUD FACE OF MACHINERY AND CENTERLINE OF COL.			WALL SECTION DETAIL				
	DETAIL IDENTIFICATION			DOOR SYMBOL (SEE SHEET 407)				
	WINDOW SYMBOL (SEE SHEET 407)			STRUCTURAL COLUMN (SEE STRUCTURAL DRAWINGS)				
	INTERIOR ELEVATION IDENTIFICATION (SEE INTERIOR FLOOR SCHEMATIC)			INTERIOR ELEVATION IDENTIFICATION (SEE INTERIOR FLOOR SCHEMATIC)				
			FLOOR PLAN NOTES		INTERIOR FINISHES		KEY NOTES	
			1. PROVIDE 1/2" WOOD STUDS AT ALL EXTERIOR WALLS AND IN WITHIN BATT INSULATION PER STRUCTURAL, FOR ADDITIONAL INFORMATION		TYPICAL RETAIL CEILING: EXPONED CONCRETE WITH SMOOTH TROWELED FINISH		CONCRETE FLOOR SLAB PER STRUCTURAL DRAWINGS	
			2. PROVIDE 1/2" METAL STUDS AT 1/2" OC FROM FLOOR SLAB TO ROOF STRUCTURE FOR ALL EXTERIOR PARTITIONS WITH BATT INSULATION UNLESS NOTED OTHERWISE ON PLANS		WALL: 1/2" WOOD STUDS AT 1/2" OC FROM FLOOR SLAB TO ROOF STRUCTURE FOR ALL EXTERIOR PARTITIONS WITH BATT INSULATION UNLESS NOTED OTHERWISE ON PLANS		CEILING: NO SLAB	
			3. PROVIDE 1/2" METAL STUDS AT 1/2" OC FOR ALL PARTITIONS AND PLUMBING WALLS TO 8' ABOVE GROUND AREA CEILING WITH BATT INSULATION		FLOOR: 1/2" WOOD STUDS AT 1/2" OC FROM FLOOR SLAB TO ROOF STRUCTURE FOR ALL EXTERIOR PARTITIONS WITH BATT INSULATION UNLESS NOTED OTHERWISE ON PLANS		5'-0" X 8'-0" MIN LEVEE AREA SEE DETAIL 5-4-1	
			4. PROVIDE FURNACE WALLS AS REQUIRED FOR ALL UTILITY AND DRAIN LINE S THAT EXTEND UP THE INTERIOR WALL SURFACE		DOOR: 1/2" WOOD STUDS AT 1/2" OC FROM FLOOR SLAB TO ROOF STRUCTURE FOR ALL EXTERIOR PARTITIONS WITH BATT INSULATION UNLESS NOTED OTHERWISE ON PLANS		STEEL ATU TENANT DEMING WALL SEE DETAIL 5-4-1	
			5. PROVIDE 1/2" WOOD STUDS AT 1/2" OC FOR ALL EXTERIOR WALLS AND IN WITHIN BATT INSULATION PER STRUCTURAL, FOR ADDITIONAL INFORMATION		WALL: 1/2" WOOD STUDS AT 1/2" OC FROM FLOOR SLAB TO ROOF STRUCTURE FOR ALL EXTERIOR PARTITIONS WITH BATT INSULATION UNLESS NOTED OTHERWISE ON PLANS		ROOF ACCESS LADDER AND HATCH ABOVE	
			6. SEE HANDBOOK PLANS FOR COLORS FINISHES, THICKNESS, SCHEDULING, CONTROL, AND EQUIPMENT JOINTS OF WALLS AND INTERIOR AREA		CEILING: EXPONED CONCRETE WITH SMOOTH TROWELED FINISH		SEE ROOFING DETAIL 8 SHEET 407	
			7. SHELL BUILDINGS NO OCCUPANT WILL BE PERMITTED WITH PROMOTION FOR SUBMITTAL FACILITIES, HVAC, HWP, REGULATIONS AND ENERGY CONSERVATION REQUIREMENTS AND MEET		WALL: 1/2" WOOD STUDS AT 1/2" OC FROM FLOOR SLAB TO ROOF STRUCTURE FOR ALL EXTERIOR PARTITIONS WITH BATT INSULATION UNLESS NOTED OTHERWISE ON PLANS		ROOF DRAINAGE RUN INTO LANDSCAPING	
			8. APPROVED SET OF PLANS FOR BUILDING, FAS SPRINKLER, FIRE ALARMS, ETC. SHALL BE FOR THE JOB SITE DURING CONSTRUCTION AND NO INSPECTIONS WILL BE MADE WITHOUT COMPLIANCE WITH THE ABOVE PROVISION		FLOOR: 1/2" WOOD STUDS AT 1/2" OC FROM FLOOR SLAB TO ROOF STRUCTURE FOR ALL EXTERIOR PARTITIONS WITH BATT INSULATION UNLESS NOTED OTHERWISE ON PLANS		SEE CIVIL DRAINAGE A ROOFING DETAIL 8 SHEET 407	
			9. PROVIDE FIRE BLOC-KING PER SEC 7		DOOR: 1/2" WOOD STUDS AT 1/2" OC FROM FLOOR SLAB TO ROOF STRUCTURE FOR ALL EXTERIOR PARTITIONS WITH BATT INSULATION UNLESS NOTED OTHERWISE ON PLANS		PROJECTING SOFT LANE ABOVE (SHOWN DASHED)	
					WALL: 1/2" WOOD STUDS AT 1/2" OC FROM FLOOR SLAB TO ROOF STRUCTURE FOR ALL EXTERIOR PARTITIONS WITH BATT INSULATION UNLESS NOTED OTHERWISE ON PLANS		PROJECTING METAL CANOPY (SEE LIA ABOVE (SHOWN DASHED)	
					CEILING: EXPONED CONCRETE WITH SMOOTH TROWELED FINISH		SEE ROOF PLANS FOR DIMENSIONS	

Issue Date:
Est Date:
Revisions:

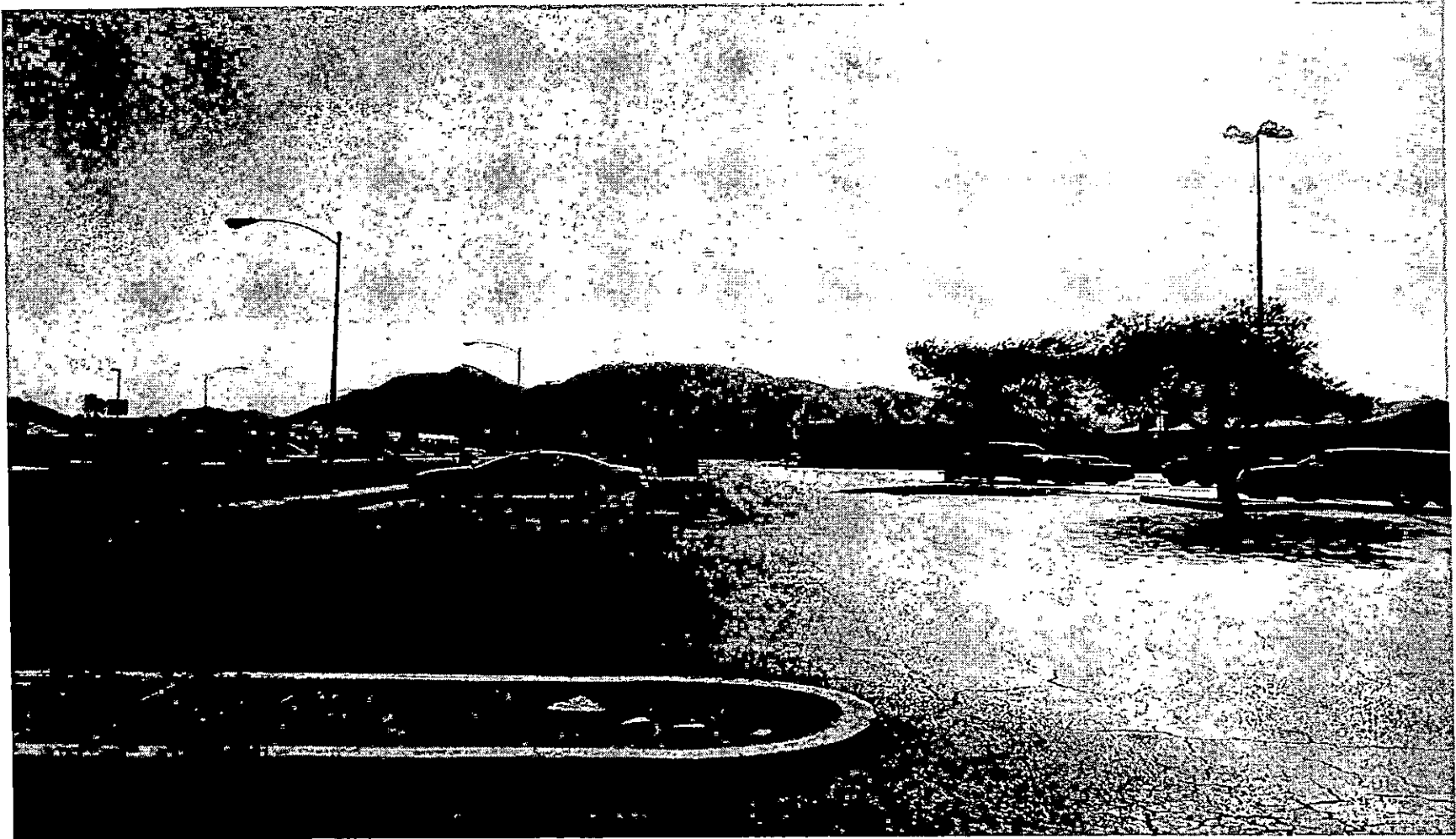
Project No: 06-115-25

Sheet Title:
BUILDING
FLOOR PLAN

A1.0

RECEIVED
MAR 13 2007

SUP-20525
04/26/07 PC



SUP-20525 - APPLICANT: RDJD, INC. DBA CASH PLUS - OWNER: BONANZA VENTURE, LLC
4441 EAST BONANZA ROAD, SUITE #105
APRIL 26, 2007 PLANNING COMMISSION

03/29/07



SUP-20525 - APPLICANT: RDJD, INC. DBA CASH PLUS - OWNER: BONANZA VENTURE, LLC
4441 EAST BONANZA ROAD, SUITE #105
APRIL 26, 2007 PLANNING COMMISSION

03/29/07



Cash Plus, Inc. is an international franchisor serving Canada and the United States of America.

The primary intended use is as follows:

Check Cashing, Deferred Deposits/Payday Advances as outlined in Nevada Codified Law, the participating city and/or county and all federal regulations and requirements.

Secondary use is as follows:

Wire transfer, foreign currency exchange, debit cards, ATM, packaging and shipping (UPS, FedEx), money orders, fax, prepaid telephone cards, prepaid telephone service, notary public, tax preparation and electronic filing, utility payment collections, computer or internet oriented financial services referrals, bus passes, and mailboxes.

The proposed use complies with all city, county, and state regulations and ordinances. Cash Plus is designed as a convenience business targeting clientele that live and work within a 1-1.5 mile radius. All adjacent uses are located in the same retail building which offers good terms of scale, operating characteristics and compatible site designs. Cash Plus has no inventory that creates any distinct odor and no machinery to create excess dust, dirt, noise or the like. Cash Plus operates with normal business hours convenient to the clientele and well-suited with the adjacent uses.

There is no impact on the availability of public safety, transportation and utility facilities to serve the subject property while maintaining sufficient levels of service to existing Development. The landlord charges a C.A.M to offer adequate assurance that continuing maintenance is being provided, and Cash Plus has agreed to those terms.

Cash Plus's use does not include services or products that have any significant adverse impact on the natural environment nor does it exceed the capacity of public services.

Sincerely,

Jesse Doroshov
RDJD, Inc. DBA Cash Plus

*I AM ALSO REQUESTING A WAIVER OF
DISTANCE SEPARATION TO ALLOW
27 FT FROM RESIDENTIAL AND
137 FROM A FINANCIAL INSTITUTION*

CASH PLUS

1331 Warm Springs Road, Suite 130
Henderson, Nevada 89014
(702) 577-3543
Fax (702) 953-9331

RECEIVED
MAR 15 2007

SUP-20525
04/26/07 PC

TO: Las Vegas Planning Commission

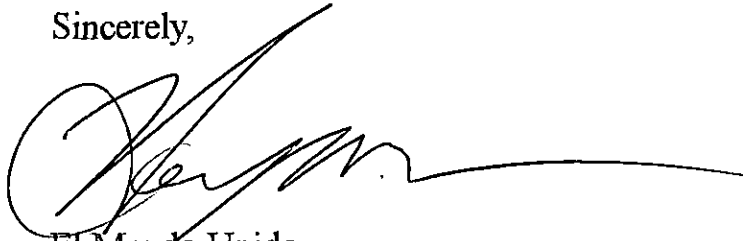
April 25, 2007

RE: SUP 20525

I am writing this letter in opposition to above referenced SUP 20525. I am asking that you uphold the 1,000 foot distance separation to another financial institution and 200 foot distance separation from a residence.

Presently our neighborhood is well served for financial services. My immigration services business provides notary services, legal proceedings, home loan service and passport service.

Sincerely,

A handwritten signature in black ink, appearing to be 'El Mundo Unido', with a long horizontal flourish extending to the right.

El Mundo Unido
4550 E. Bonanza Rd., Suite F

Submitted at Planning Commission

Date 4/26/07 Item #81

TO: Las Vegas Planning Commission

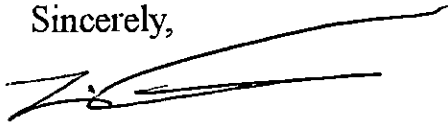
April 25, 2007

RE: SUP 20525

I am writing this letter in opposition of approval of SUP 20525.

Presently our neighborhood is well served for financial services. My mini-mart also does Money Orders, Wires Money and Cashes Checks for persons who live in the neighborhood.

Sincerely,

A handwritten signature in black ink, appearing to be 'Z. [unclear]', written over a horizontal line.

Vegas Mini Mart
4550 E Bonanza Rd.
Las Vegas, Nv. 89110

TO: Las Vegas Planning Commission

April 25, 2007

RE: SUP 20525

I am writing this letter in opposition to above referenced SUP 20525. I am asking that you uphold the 1,000 foot distance separation to another financial institution and 200 foot distance separation from a residence.

Presently our neighborhood is well served for financial services. My travel agency also does Money Wire Transfers, AFEX, INTERMEX, SIGUE, BOGO and MEXICO EXPRESS. We also provide notary service, tax preparation, prepaid phone cards , faxes and copies.

Sincerely,

A handwritten signature in black ink, appearing to be 'Miranda Travel', written over a large, loopy circular mark.

Miranda Travel

TO: Las Vegas Planning Commission

April 25, 2007

RE: SUP 20525

I am writing this letter in opposition to above referenced SUP 20525. I am asking that you uphold the 1,000 foot distance separation to another financial institution and 200 foot distance separation from a residence.

Presently our neighborhood is well served for financial services. US Auto Loan is licensed to do Title Loans, Deferred Deposit Loans, Installment Loans as well Check Cashing.

We are located just across the street from the proposed address of applicant, RDJD, DBA Cash Plus. Also there is a Wells Fargo Bank located in the same center within 100 feet of the proposed business as well as an Albertsons grocery store which has a post office within, both of which sell money orders, etc.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Smith', with a long horizontal stroke extending to the right.

US AUTO TITLE LOAN
Doug Smith, Area Manager

TO: Las Vegas Planning Commission
April 25, 2007

Re: SUP-20525

I am signing this letter in opposition to granting approval for above referenced SUP-20525. The below listed signatures and businesses are located In Bonanza-Lamb Business Park LLC located at 4500 E. Bonanza Rd., Las Vegas, Nevada.

Ana Isabel Soto
Estetica Venus.

Ritna J. Haley
Haley & Williams
a Tax & Bookkeeping Service

Helene Giambelluca
NORTHEASTERN CHIROPRACTIC CTR.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-20608 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASHBACK - OWNER: DURANGO & CENTENNIAL, LLC - Request for a Special Use Permit FOR A AUTO TITLE LOAN ESTABLISHMENT AND FINANCIAL INSTITUTION-SPECIFIED AND A WAIVER OF THE MINIMUM SQUARE FOOTAGE REQUIREMENT at 6441 North Durango Drive, Suite #120 (APN 125-20-402-008), TC (Town Center) Zone, Ward 6 (Ross).

IF APPROVED: C.C.: 05/16/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – UNANIMOUS with DUNNAM abstaining since he is the engineer of record for the subject parcel

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

ANDY REED, Planning Supervisor, stated there is no basis for support of the waiver and he recommended denial.

SCOTT SABRAW, 8610 South Eastern Avenue, appeared on behalf of the applicant and described the location of the proposed Cashback. The requested 1,070 square feet would be more than adequate to accommodate customers and to establish a queue.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 82 – SUP-20608

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, queried why there is a minimum space required and MARGO WHEELER, Director of Planning and Development Department, replied that the Code was amended so that the unit could be comparable to other retail units while also providing an adequate lobby and waiting area. MR. FARLOW appreciated the response and expressed opposition for the request.

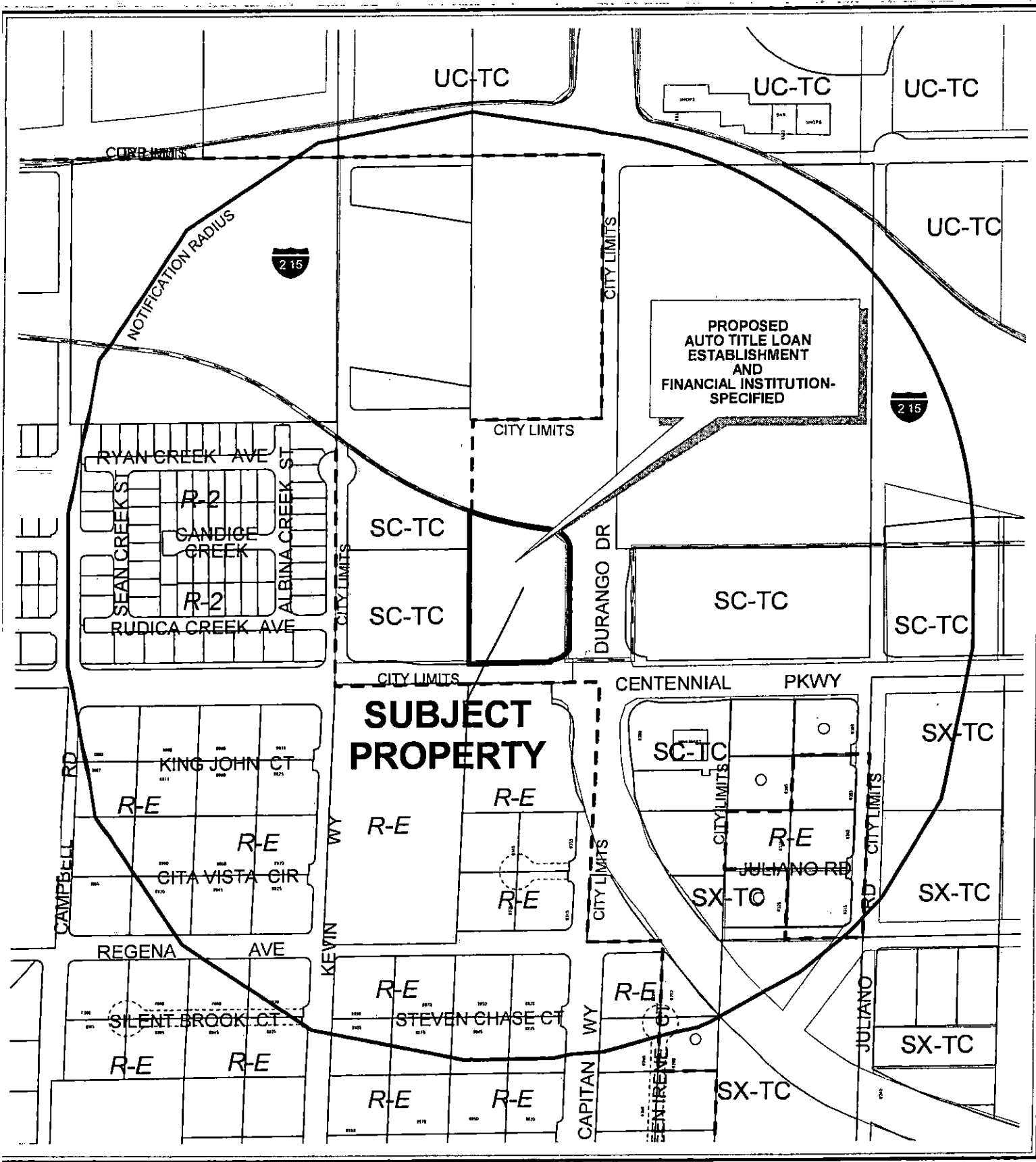
TOM McGOWAN, Las Vegas resident, inquired the corporate headquarters location. MR. SABRAW stated that the headquarters could be in Colorado but he was unable to confirm. MR. McGOWAN recommended the matter be denied.

MR. SABRAW acknowledged the requirement for the minimum square footage but disputed that for this unit, the 1,070 is more than adequate as it is not a kiosk structure in the middle of a plaza parking lot but rather within a multi-unit complex.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(11:36 – 11:42)

4-1030

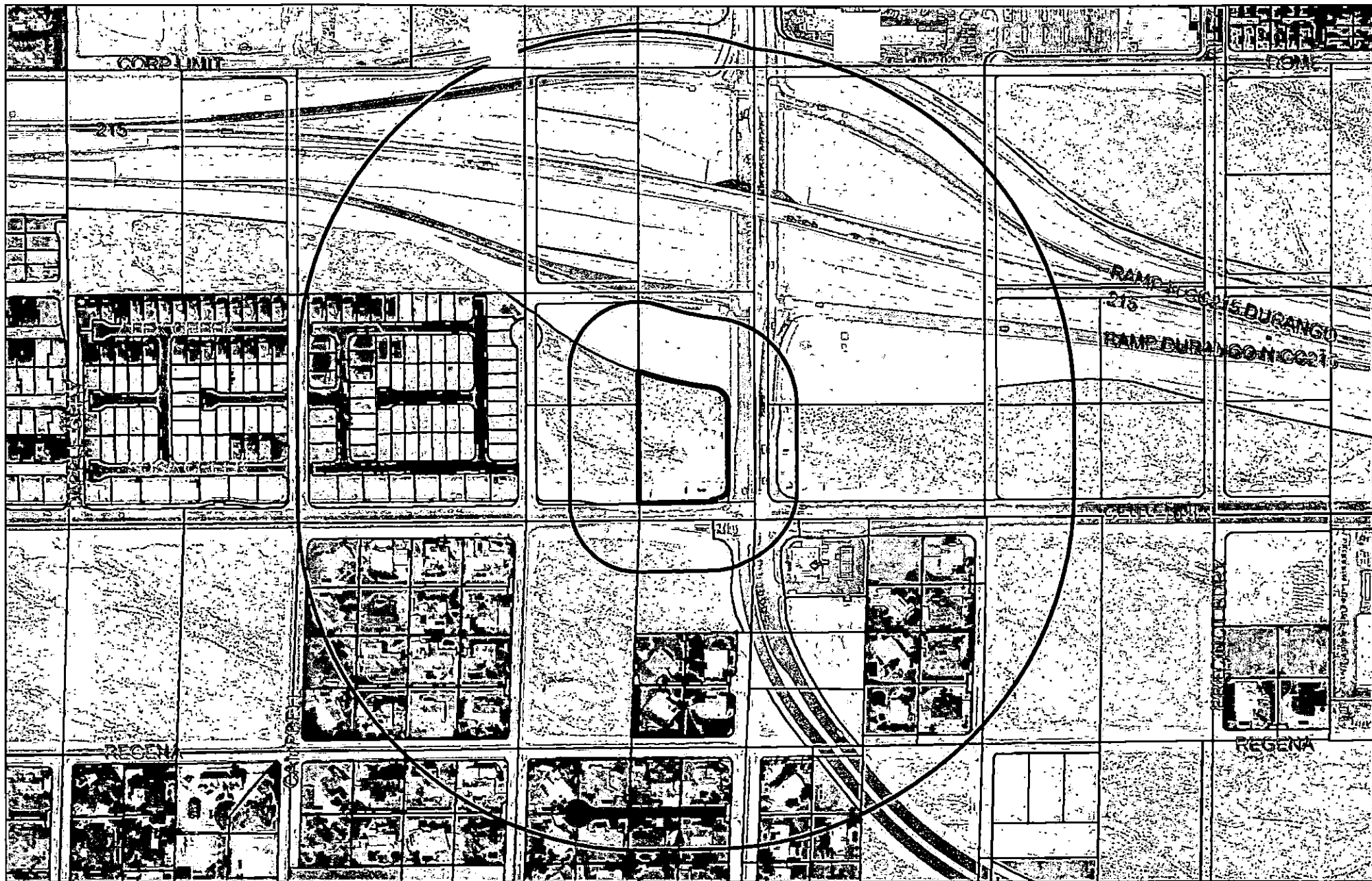


CASE: SUP-20608

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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



SUP-20608
Financial Institution

Financial Business Locations

-  Financial Institution, Specified
-  Pawnshops
-  Automobile Title Loan

-  Subject Property
-  Residential Property



Buffer

0 255 510 1,020 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-20608 - APPLICANT: CASHBACK - OWNER:
DURANGO & CENTENNIAL, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning [ZON-0076-98(18)], and Site Development Plan Review (SDR-9825) if approved.
2. This approval shall be void two years from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-20608 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

Request for a Special Use Permit for an Auto Title Loan establishment and Financial Institution-Specified, and a Waiver to allow 1,070 square feet of floor space where 1,500 square feet is the minimum square footage required, at 6441 North Durango Drive, Suite #120.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request. The Planning Commission and Staff recommended approval.
12/18/2002	The City Council approved a request for an Extension of Time (EOT-1028) of an approved Site Development Plan Review which allowed a 8,144 square foot commercial development on 2.19 acres adjacent to the northwest corner of Centennial Parkway and El Capitan Way [Proposed: Durango Drive alignment].
12/18/2002	The City Council approved a request for an Extension of Time (EOT-1036) of an approved Special Use Permit which allowed a restaurant with drive-through adjacent to the northwest corner of Centennial Parkway and El Capitan Way [Proposed: Durango Drive alignment].
12/18/2002	The City Council approved a request for an Extension of Time (EOT-1037) of an approved Special Use Permit which allowed restricted gaming in conjunction with a convenience store adjacent to the northwest corner of Centennial Parkway and El Capitan Way [Proposed: Durango Drive alignment].
12/18/2002	The City Council approved a request for an Extension of Time (EOT-1038) of an approved Special Use Permit which allowed the sale of packaged liquor for off-premise consumption in conjunction with a convenience store adjacent to the northwest corner of Centennial Parkway and El Capitan Way [Proposed: Durango Drive alignment].
12/18/2002	The City Council approved a request for an Extension of Time (EOT-1039) of an approved Special Use Permit which allowed fuel pumps in conjunction with convenience store adjacent to the northwest corner of Centennial Parkway and El Capitan Way [Proposed: Durango Drive alignment].
11/17/2004	The City Council approved a request for an Extension of Time (EOT-5436) of an approved Site Development Plan Review [Z-0076-98(18)] which allowed an 8,144 square foot commercial development on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.

SUP-20608 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

11/17/2004	The City Council approved a request for an Extension of Time (EOT-5437) of an approved Special Use Permit (U-0116-00) which allowed a restaurant with drive-through on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.
11/17/2004	The City Council approved a request for an Extension of Time (EOT-5438) of an approved Special Use Permit (U-0161-00) which allowed restricted gaming in conjunction with a convenience store on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.
11/17/2004	The City Council approved a request for an Extension of Time (EOT-5439) of an approved Special Use Permit (U-0115-00) which allowed the sale of packaged liquor for off-premise consumption in conjunction with a convenience store on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.
11/17/2004	The City Council approved a request for an Extension of Time (EOT-5440) of an approved Special Use Permit (U-0114-00) which allowed fuel pumps in conjunction with a proposed convenience store on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.
12/01/05	The Planning Commission approved a Site Development Plan Review for a proposed 18,000 square foot retail development and waivers of the Town Center Development Standards for building placement and the parking lot and perimeter landscaping requirements. Condition number one required all previously approved Special Use Permits on the subject site to be expunged.
06/07/2006	The City Council approved a request to Vacate (VAC-12542) a U.S. Government Patent Easement generally located at the northwest corner of Durango Drive and Centennial Parkway.
Related Building Permits/Business Licenses	
01/02/07	Retail Shell Building – Permit #7000405
01/29/07	Retail Shell Building C – Permit #7000406
04/03/07	TI Build out for C of O - Pending
Pre-Application Meeting	
02/27/07	Discussed application requirements and request of waiver of minimum interior square footage requirements.
Neighborhood Meeting	
N/A	A neighborhood meeting was not required, nor was one held.

Details of Application Request	
Site Area	
Gross Acres	2.02
Net Acres	1.97

SUP-20608 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial	SC-TC (Service Commercial – Town Center)	TC (Town Center)
North	R.O.W. (CC215)	R.O.W. (CC215)	R.O.W. (CC215)
South	Undeveloped	Clark County	Clark County
East	Undeveloped	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
West	Undeveloped	SC-TC (Service Commercial – Town Center)	T-C (Town Center)

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

Town Center

The site is located within the Town Center Master Planned Community. The site is designated as (SC-TC) Service Commercial. The Service Commercial designation allows for the proposed retail commercial use.

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required Parking</i>		<i>Provided Parking</i>		<i>Compliance</i>
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	12,589 sf Retail	1/175	72	5	103	5	Y

SUP-20608 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

	1260 sf Restaurant (public)	1/50	26				Y
	840 sf restaurant (prep areas)	1/200	5				Y
SubTotal							
TOTAL (including handicap)			103	5	103	5	Y
Loading Spaces					2 Loading zones		Y

Waivers		
Request	Requirement	Staff Recommendation
1,070 Square Feet	1,500 Minimum Square Footage	Denial

ANALYSIS

- Zoning**

The subject site is currently designated SC-TC (Service Commercial – Town Center) land uses. The Auto Title Loan use is permitted in that designation with the approval of a Special Use Permit. This application, if approved, will satisfy this requirement.

- Use**

An Auto Title Loan is defined by Title 19 as a business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself. An Auto Title Loan establishment is also permitted to provide services such as payday loans and check cashing typically associated with the Financial Institution, Specified or Check Cashing, Limited uses which fall below Auto Title Loan in the use hierarchy. An Auto Title Loan establishment may not provide the services of Auto Pawn or Pawn shop establishments, in which the Pawn shop takes possession of the pledged property, and are considered more intensive uses.

- Conditions**

Title 19.04.050 lists the following conditions for the Auto Title Loan use, adopted by City Council April 21, 2004.

LHM

SUP-20608 - Staff Report Page Five
April 26, 2007 - Planning Commission Meeting

1. The use shall comply with all applicable requirements of Title 6.
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
4. Window signs shall not:
 - a. Cover more than twenty percent (20%) of the area of all exterior windows;
 - b. Include flashing lights or neon lighting; or
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred (1,500) square feet, and shall have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No specified financial institution use may be located closer than two hundred (200) feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to lines of fee interest parcels and not leasehold parcels.

The proposed use does not meet the required minimum square footage. The proposed floor plan is 1,070 square feet where a minimum area of 1,500 square feet is required. The subject site is located 331 feet from the nearest residential use where a minimum distance separation of 200 feet is required, and the nearest financial institution is more than the required minimum separation distance of 1,000 feet away.

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."**

SUP-20608 - Staff Report Page Six
April 26, 2007 - Planning Commission Meeting

The proposed Auto Title Loan use is located in an approved pad site under construction in an existing shopping center. The amount of square footage provided for the business is approximately 500 square feet less than required, thus, it will be difficult to conduct the business in a manner that is harmonious and compatible with existing surrounding land uses.

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

The proposed site plan conforms to both the General Plan and the Title 19 land use designations for the site. The size of the proposed space for the Auto Title Loan, within the shopping center, does not meet the minimum 1500 square foot requirement of Title 19.

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 subject site is served by Centennial Parkway and Durango Drive Boulevard, are 100-Foot Primary Arterials on the Master Plan of Streets and Highways, and of adequate capacity to serve the proposed use.

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

This site will be subject to inspections and business licensing requirements and will not endanger the public health or general welfare.

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

The proposed use is not compliance with all conditions of Title 19.04. The site is 331 feet from the nearest residential use where a 200-foot minimum distance separation is required, and is more than 1,000-feet from the nearest Auto Title Loan or other Financial Institution Specified, where a 1,000-foot minimum distance separation is required, but the proposed space within the shopping center is only 1,070 square feet where 1,500 square feet is required. Therefore, staff recommends denial.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

3

ASSEMBLY DISTRICT 13

LHM

SUP-20608 - Staff Report Page Seven
April 26, 2007 - Planning Commission Meeting

SENATE DISTRICT 9

NOTICES MAILED 122

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-20608** APN: 125-20-402-008

Name of Property Owner: Durango Centennial LLC

Name of Applicant: Cashback

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:

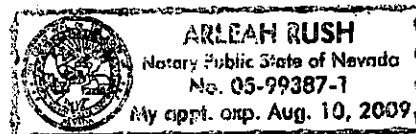
Print Name:

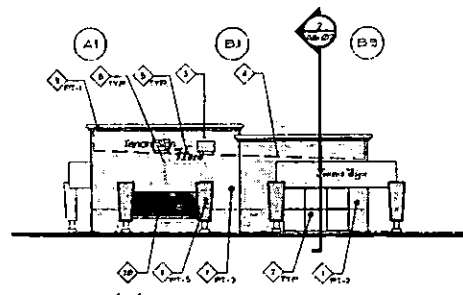
SPAN WASPFLUG

Subscribed and sworn before me

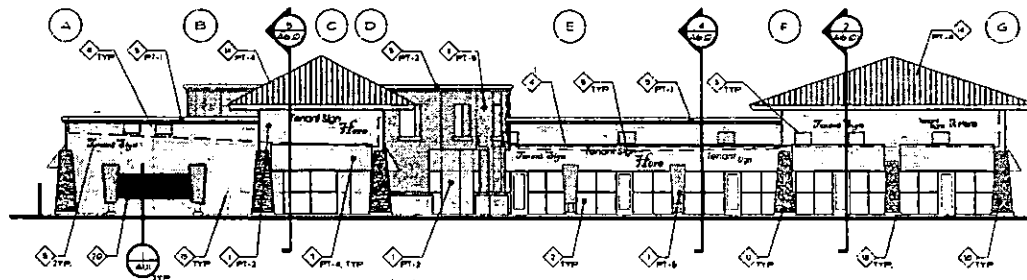
This 15th day of MARCH, 2007

Madison
Notary Public in and for said County and State

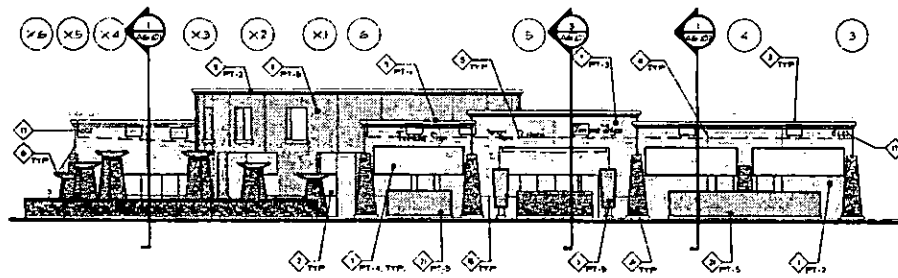




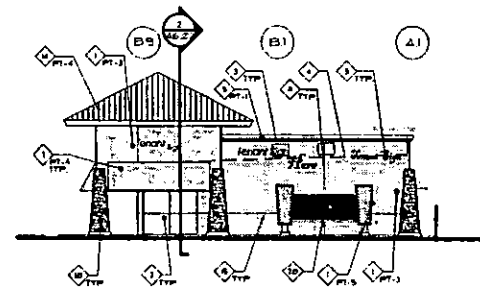
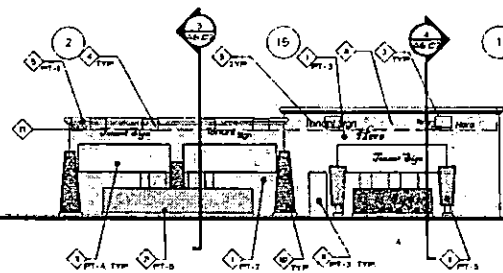
North Elevation Area C



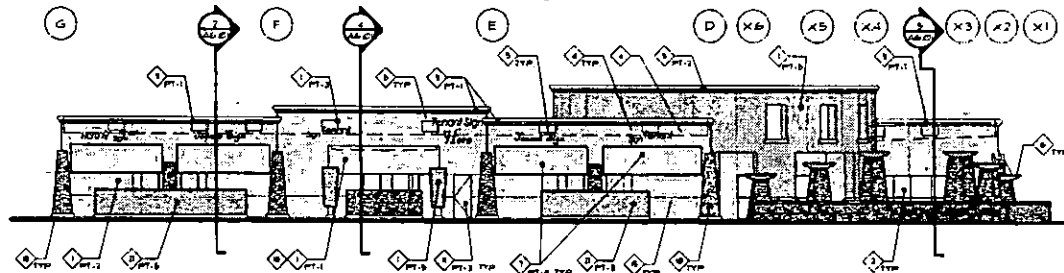
North Elevation Area A and B



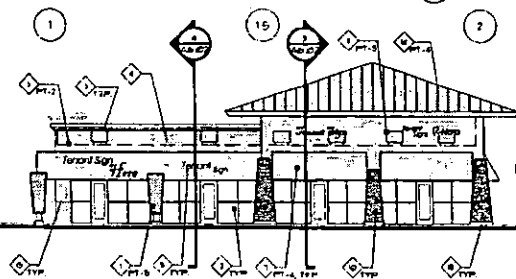
Overall East Elevation (Durango View)



South Elevation Area C



South Elevation Area A and B (Centennial View)



Overall West Elevation

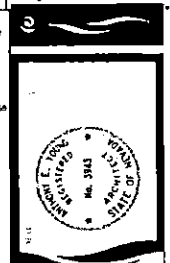
RECEIVED
MAR 21 2007

SUP-20608
04/26/07 PC

Keynotes

- 1 THREE COAT INTERIOR CEMENT PLASTER OVER PAPER BACKED METAL LATH LIGHT SAND FINISH
- 2 ALUMINUM SHOWER SYSTEM
- 3 FLOOR EQUIPMENT BEYOND
- 4 ROOF LINE BEYOND
- 5 PROVIDE JACK FOR TYPANT SIGNAGE SEE MECH AND ELEC
- 6 PLASTER SETTER 12" MODULAR PLASTER CANALS ADJACENT TO DETAILS
- 7 VERTICAL JOINT COVERED WITH TYP
- 8 COLOR TO MATCH ADJACENT WALL
- 9 REFER TO DETAIL 10-400 ALL REVEALS PAINT TO MATCH ADJACENT WALL COLOR
- 10 3 COAT INTERIOR CEMENT PLASTER OVER GYP DRYWALL
- 11 STONE VENEER ACCENT REFER TO MATERIALS & COLORS
- 12 SEAL ALL STONE TYPICAL REFER TO SPECIFICATION
- 13 COOR AND REPAIR ASSESSMENT
- 14 OVERFLOW DRAIN REFER TO PLYING DRAWINGS AND DETAIL 10-400 & 9-400 NOT USED
- 15 STANDING SEAM METAL ROOFING SYSTEM SEE DETAIL AND SPECIFICATION
- 16 HORIZONTAL JOINT PAINT TO MATCH ADJACENT WALLS REFER TO DETAIL 10-400 ALL REVEALS PAINT TO MATCH ADJACENT WALL COLOR
- 17 RETURN PAINT COLOR TO HIDE FACE BACK TO MAIN BUILDING
- 18 BUILDING ACCENT IN LOCATION PER MUNICIPALITY REQUIREMENTS
- 19 CONCRETE CURB REFER TO DETAILS 10-400 WALL JACK REFER TO ELECTRICAL DRAWINGS
- 20 DECORATIVE SCREEN
- 21 TWO COAT INTERIOR CEMENT PLASTER SYSTEM OVER GYP LATH SAND FINISH SHADOW HATCHED AREA REPRESENTS BUILDING STRUCTURE SHEET 10-01 ONLY

Indigo Architecture, Inc.



General Notes

- 1 ELEVATION REFERENCES TO NORTH SOUTH EAST AND WEST REFER TO ORIENTATION OF PLANS ON SHEET 10-01 - ALMA
- 2 SEE DETAIL FOR SHADING ELEVATIONS BEYOND FACADES

Materials & Colors

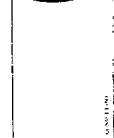
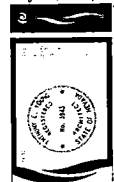
DESIGNED IS BASED ON BUT NOT LIMITED TO FOLLOWING

PAINT	PT-1 FIELD	PRIZE
	PT-1 FIELD	CRISP SANDY BROWN
	PT-2 FIELD	PRIZE
		COPPER SPRINGS BLAU
	PT-3 FIELD	PRIZE
		TATTERED BROWN ALSO
	PT-4 ACCENT	PRIZE
		CAPESTRAS BROWN
	PT-5 ACCENT	PRIZE
		CONTEMPORARY PURPLE TRIM
GLASS	GL-1	PERPETUUM - CLEAR GLASS
	GL-2	PLYING ON LOOSE INSULATED COATING ON VENT FACING GLASS ONLY
STONE	ST-1	CORONADO STONE
	ST-2	HONEY LEDGE - CARRIEL MOUNTAIN
	ST-3	DEAL ALL STONE TYP.
STANDARD ELECTRICAL	ST-4	AMERICAN TEE PANEL
		PAINTS

Durango and Centennial Center
El Capitan Way (Durango) at Centennial Parkway

Overall Exterior Elevations

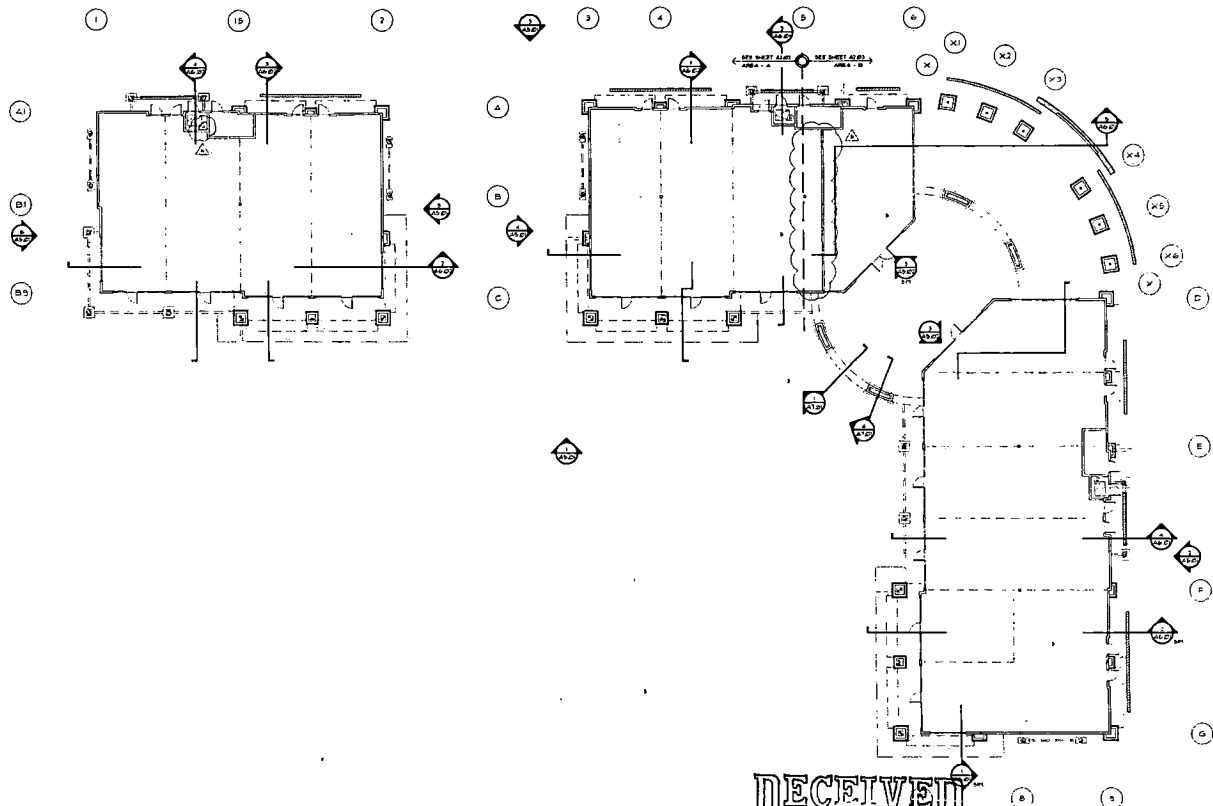
A5.01



Durango and Centennial Center
 111 Capital West through at Centennial Parkway
 Overall floor plan

Indigo Architecture, Inc.
 111 Capital West through at Centennial Parkway
 Durango and Centennial Center
 111 Capital West through at Centennial Parkway
 Overall floor plan

A2.01



Overall floor plan
 1/8" = 1'-0"

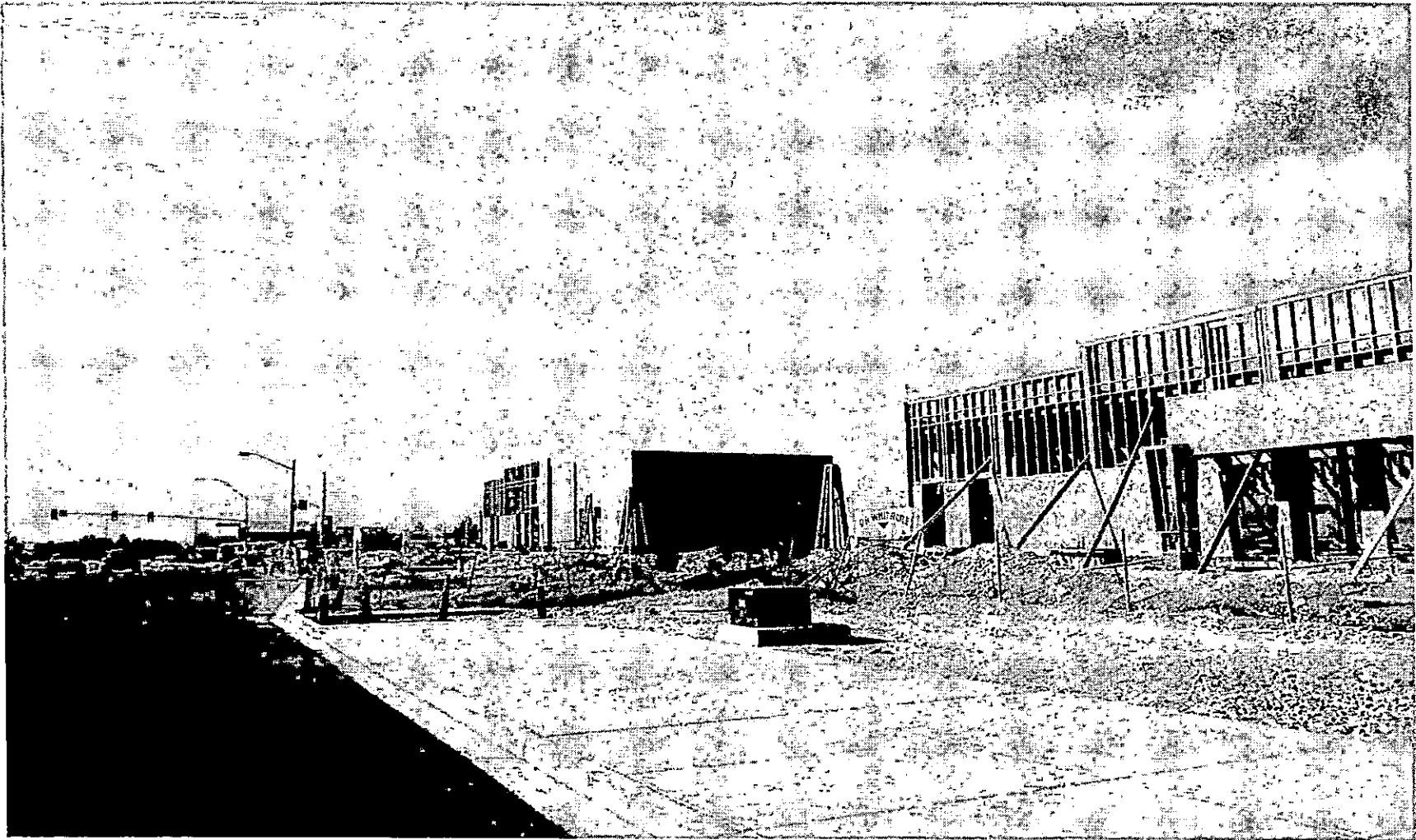
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 MAR 21 2007

SUP-20608
 04/26/07 PC



SUP-20608 - APPLICANT: CASHBACK - OWNER: DURANGO & CENTENNIAL, LLC
6441 NORTH DURANGO DRIVE, SUITE #120
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



SUP-20608 - APPLICANT: CASHBACK - OWNER: DURANGO & CENTENNIAL, LLC
6441 NORTH DURANGO DRIVE, SUITE #120
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



GREATER
NEVADA
PLANNING
INC.

Land Use Consultants

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

February 16, 2007

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

APN: 125-20-402-008
RE: 6441 N. Durango Suite 120

Dear Sir or Madam:

Please accept this letter as our request for a use permit for a financial institution, located at the northwest corner Centennial and Durango. My client would like to start an auto title loan payday loan, check cashing business. The potential site meets all the separation requirements from other similar businesses. There is more than adequate parking within the shopping center, however, additional parking is not needed for the auto title loan business. They never take possession of the cars because they feel the owner then wouldn't be able to work and wouldn't be able to pay them back. This use will be a welcome addition to the area. We are asking for a waiver for the minimum size of a business; there is 1,070 sq. ft and the requirement is 1,500 sq. ft. Thank you for your consideration in this matter. Please contact me with any questions regarding this matter.

Sincerely,

Sandra Montgomery
Associate Planner
Greater Nevada Planning, Inc.
ph.# 312-2435

RECEIVED
MAR 21 2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-20282 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: NEVADA POWER COMPANY - OWNER: CHARLES AND VIRGINIA GORMLEY - Request for a Site Development Plan Review FOR A PROPOSED ELECTRIC UTILITY SUBSTATION AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFER STANDARD TO ALLOW ZERO-FOOT WIDE LANDSCAPE BUFFERS WHERE EIGHT-FOOT WIDE LANDSCAPE BUFFERS ARE REQUIRED ALONG THE EAST AND WEST PROPERTY LINES on 2.16 acres at 7175 and 7185 West Charleston Boulevard (APN 163-03-501-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Protest Letter
6. Submitted after final agenda – Abeyance request for Items 83-84 by Nevada Power

MOTION:

GOYNES – STRIKE Item 62; WITHDRAW WITHOUT PREJUDICE Item 79; TABLE Items 26-29; HOLD IN ABEYANCE Item 6–8, 31–34, 40–42, 63–67 and 80 to 5/10/2007; Items 19–21, 35 -39 and 83-84 to 5/24/2007 – UNANIMOUS

MINUTES:

Items 19 through 21, 35, 83 and 84 were requested by the applicant to be held in abeyance to May 24, 2007.

(6:02-6:08)



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





CASE: SDR-20282

RADIUS: 1000 FT

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



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 26, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-20282 - APPLICANT: NEVADA POWER COMPANY -****OWNER: RMH TRUST**

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

1. Conformance to the Conditions of Approval for Vacation (VAC-20284) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/01/07, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow no landscaping along the east and west perimeter property lines where an eight-foot landscape buffer is 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 utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

RL

SDR-20282 - Conditions Page Two
April 26, 2007 - Planning Commission Meeting

9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off 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.
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. A Parcel Map, such as PMP-17750, shall record prior to the issuance of any permits for this site or the submittal of any construction plans, whichever may occur first.
13. Dedicate and construct a Bus Turnout in accordance with Standard Drawing #234.3 concurrent with development of this site. The westernmost driveway shall be permitted to remain as-is, and the middle driveway servicing this site shall be removed and replaced with sidewalk, curb and gutter meeting current City Standards concurrent with development of this site. Final driveway configuration shall meet the approval of the City Traffic Engineer and the Nevada Department of Transportation.
14. Landscape and maintain all unimproved right-of-way, if any, within the Holmby Avenue alignment adjacent to this site.
15. Submit an Encroachment Agreement for all landscaping, if any, located in the Holmby Avenue public right-of-way adjacent to this site prior to occupancy of this site.
16. 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, or the submittal of any construction drawings for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
17. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site.

SDR-20282 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Site Development Plan Review for a proposed Electric Utility Substation and a Waiver of the perimeter landscape buffer standard to allow zero-foot wide landscape buffers where eight-foot wide landscape buffers are required along the east and west property lines at 7175 and 7185 West Charleston Boulevard. A companion application for a Vacation of a Patent Reservation will be considered along with this proposed site plan. No landscape buffers will separate the subject site from the properties to the east and the west, and therefore staff recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/23/89	The Board of Zoning Adjustment approved a Variance (V-0163-88) to allow an office and storage addition to an existing restaurant with 98 spaces where the use requires 209 spaces.
1/26/98	The City Council approved a request to amend the General Plan (GPA-0065-97) on property located at 7185 W. Charleston Boulevard from ML (Medium-Low Density Residential) to SC (Service Commercial). The Planning Commission recommended approval of the General Plan Amendment on 12/18/97.
1/26/98	The City Council approved a request for a Rezoning (Z-0121-97) on property located at 7185 W. Charleston Boulevard from U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] and C-1 (Limited Commercial) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) Zone. The Planning Commission recommended approval of the proposed Rezoning on 12/18/97.
11/07/02	The Planning Commission recommended approval of a Site Development Plan Review (SDR-1014) This application is a request for a Site Development Plan Review and a reduction of the on-site perimeter landscaping requirements for a proposed restaurant on a 4.9 acre parcel at 7185 West Charleston Boulevard that includes the subject site. Staff recommended approval.
11/30/06	A Parcel Map (PMP-17750) was administratively denied by the Planning and Development Department, and will be reconsidered once the specified conditions are addressed.
04/26/07	A Vacation (VAC-20284) of a patent easement will be considered concurrently with this application.

RL

SDR-20282 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Related Building Permits/Business Licenses	
04/02/86	Application first filed for a Business License (R09-0025-6-030783) for Restaurant - Seating 45 or more for The Hush Puppy Restaurant adjacent to the proposed Substation.
01/24/91	Active Business License (F09-00018-3-095215) first issued for Food Wholesale & Delivery to Scotties Food adjacent to the proposed Substation.
02/06/90	Active Business License (L16-00207-4-000691) first issued for a Tavem to The Hush Puppy adjacent to the proposed Substation.
07/19/91	Active Business Licenses (G01-01455-4-000530) for Gaming Restricted and (C20-01455-7-000530) for Convention Hall Gaming Tax first issued to The Hush Puppy adjacent to the proposed Substation.
04/11/05	Building Permits issued for a drive thru and pole sign for the expansion of the Hush Puppy Restaurant to the north of the subject site.

Pre-Application Meeting	
11/07/06	A pre-application meeting was held to discuss the proposed electric substation. The discussion focused largely on on-site and off-site improvements, necessary street improvements and access agreements.
02/20/07	A follow-up meeting was held in order to further discuss progress on the required street improvements and site access issues.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	

Field Check	
03/22/07	A field check was conducted in order to ascertain site conditions as they pertain to the proposed Electric Utility Substation and related Vacation.

Details of Application Request	
Site Area	
Gross Acres	4.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped, Proposed Electric Substation	SC (Service Commercial)	C-1 (Limited Commercial)
North	Restaurant, Tavem, Retail, Office	SC (Service Commercial)	C-1 (Limited Commercial)
South	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Apartments	M (Medium Density Residential)	C-1 (Limited Commercial)
West	Office	SC (Service Commercial)	R-PD19 (Residential Planned Development - 19 Units Per Acre)

RL

SDR-20282 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

<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 19.08, the following Development Standards Apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	126,000 SF	Y
Min. Lot Width	100 Feet	300 Feet	Y
Min. Setbacks			
• Front	20 Feet	21.7 Feet	Y
• Side	10 Feet	49.4 Feet	Y
• Rear	20 Feet	36 Feet	Y

Pursuant to Title 19.12, the following Landscaping Standards Apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer:				
Min. Trees				
North	1 Tree/30 Linear Feet	11 Trees	11 Trees	Y
South	1 Tree/20 Linear Feet	17 Trees	17 Trees	Y
Driveway	1 Tree/20 Linear Feet	17 Trees	19 Trees	Y
Charleston Blvd	1 Tree/30 Linear Feet	0 Trees	7 Trees	Y
East	1 Tree/20 Linear Feet	14 Trees	0 Trees	N*
West	1 Tree/30 Linear Feet	10 Trees	0 Trees	N*
TOTAL		70 Trees	54 Trees	N*
Min. Zone Width				
• North	8 Feet		8 Feet	
• South	15 Feet		15 Feet	Y
• East	8 Feet		0 Feet	Y
• West	8 Feet		0 Feet	N*
• Charleston Blvd.	15 Feet		15 Feet	N*
• East of Driveway	8 Feet		25 Feet	Y
Wall Height	15 Feet		15 Feet	Y

* Waiver requested, see below.

SDR-20282 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
No perimeter landscape buffer along east property line.	8 foot buffer and 14 trees	Denial.
No perimeter landscape buffer along west property line.	8 foot buffer and 10 trees	Denial.

ANALYSIS

- Zoning

The subject site is located in the C-1 (Limited Commercial) zone. An Electric Utility Substation is a permitted use in this zone.

- Site Plan

The site plan depicts a standard Electric Utility Substation with access from Charleston Boulevard. A driveway shared with the adjacent restaurant provides this access.

Title 19.10 does not contain any Parking Standards for Electric Utility Substations as the facility is not open to the public and contains only equipment. No buildings are part of the application request. Nevada Power personnel will park within the facility or on the paved driveways outside the access gate when visiting the site.

- Landscape Plan

Fifty-four trees are provided on the site where 70 are required. The landscape plan indicates that no landscaping will be provided on the east or west property lines between the perimeter wall of the substation and the perimeter walls of the adjacent properties. However, sufficient landscaping is provided along Charleston Boulevard as well as the Holmby flood channel. The landscaping that is provided meets the requirements of Title 19. The selected trees and shrubs are appropriate for the surrounding area.

- Waivers

The applicant requests a Waiver to allow no perimeter landscape buffer along the east property line where an eight-foot buffer is required, and a Waiver to allow no perimeter landscape buffer along the west property line where an eight-foot buffer is required.

SDR-20282 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

FINDINGS

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

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

The proposed development is not compatible with adjacent development as no buffer will be provided between the proposed substation and existing apartments to the east and existing offices to the west.

- 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 development does offer additional landscaping along Charleston Boulevard, it does not meet Title 19 landscape standards because no landscaping is to be located along the east or west perimeter boundaries of the proposed substation.

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

With an approved Parcel Map with approved access to the proposed substation from a public right-of-way, site access and circulation will not negatively impact adjacent roadways or neighborhood traffic, and in fact, improvements will be made to the Charleston Boulevard right-of-way. Nevertheless, the proposed development is not compatible for reasons mentioned above, and therefore staff does not support this request.

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

The building and landscape materials depicted are appropriate for the area and for the city; however, with no landscape buffer provided for development to the east and west of the proposed substation, this application is not appropriate.

- 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 design characteristics are not harmonious and compatible with the development to the east and west of the proposed substation as no landscape buffers are provided.

SDR-20282 - Staff Report Page Six
April 26, 2007 - Planning Commission Meeting

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

Appropriate measures are not taken to secure and protect the general welfare in that no landscape buffers are provided adjacent to the east and west property lines of the proposed substation.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 237 [Mailed with VAC-20284]

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-20282** APN: 163-03-501-003

Name of Property Owner: Charles & Virginia Ghormley, Trustees of the RMH Trust

Name of Applicant: Nevada Power Company

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

☐ Yes

☒ 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 _____

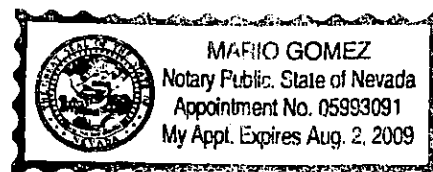
Signature of Property Owner: *Charles Ghormley*

Print Name: Charles Ghormley

Subscribed and sworn before me

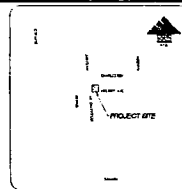
This 22 day of February, 2007

Mario Gomez
Notary Public in and for said County and State

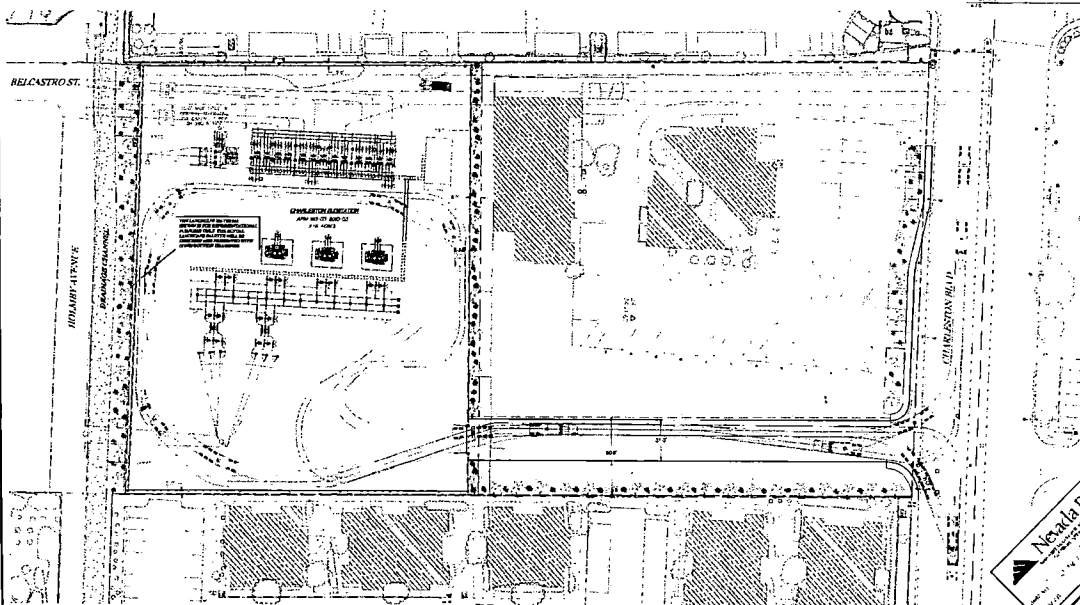


THESE DRAWINGS ARE CONCEPTUAL IN NATURE AND
DO NOT PROVIDE INFORMATION FOR PLANNING AND LAND-USE
SUBMITTAL PURPOSES ONLY. FINAL ENGINEERING
DESIGN DRAWINGS MAY VARY DUE TO SITE-SPECIFIC
CONSTRANTS OR CITY OF LAS VEGAS SPECIFICATIONS.

LANDSCAPE MATERIAL SCHEDULE					
QTY	DESCRIPTION	BOTANICAL NAME	QUANTITY	SYMBOL	COMMENT
2' HED	COLD GRANITE WALKER	N/A	25.00 M		2' HED
8 IN.	RED PEG	HEPATICACEAE PHELODENDRON	100 EA		
2' HED	REDWOOD TREE PLANT	REDWOOD TREE PLANT	50 EA		2' HED 100' HED



WCHIT: MAP



CHARLESTON, S.C. 29403

STRENGTH



Fig 1
2
RECEIVED

SDR-20282
04/26/07 PC

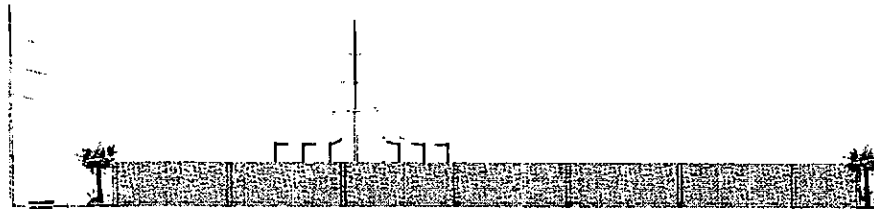
10/4/98 03:20C7



NORTH WALL ELEVATION
(View Looking South from Charleston)



HOLMRY AVENUE (SOUTH) ELEVATION
(View Looking North)



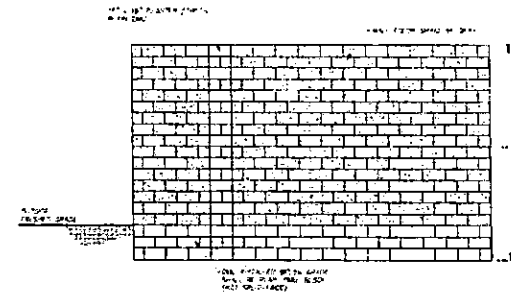
EAST WALL ELEVATION
(View Looking West)



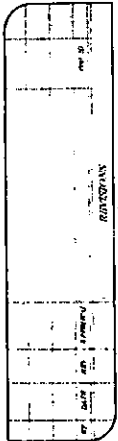
WEST WALL ELEVATION
(View Looking East)



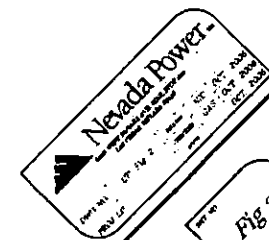
DOUBLE SWING GATE ELEVATION



BLOCK WALL DETAIL



CHARLESTON SUBSTATION
ELEVATION VIEW



SDR-20282
04/26/07 PC

MAR 01 2007



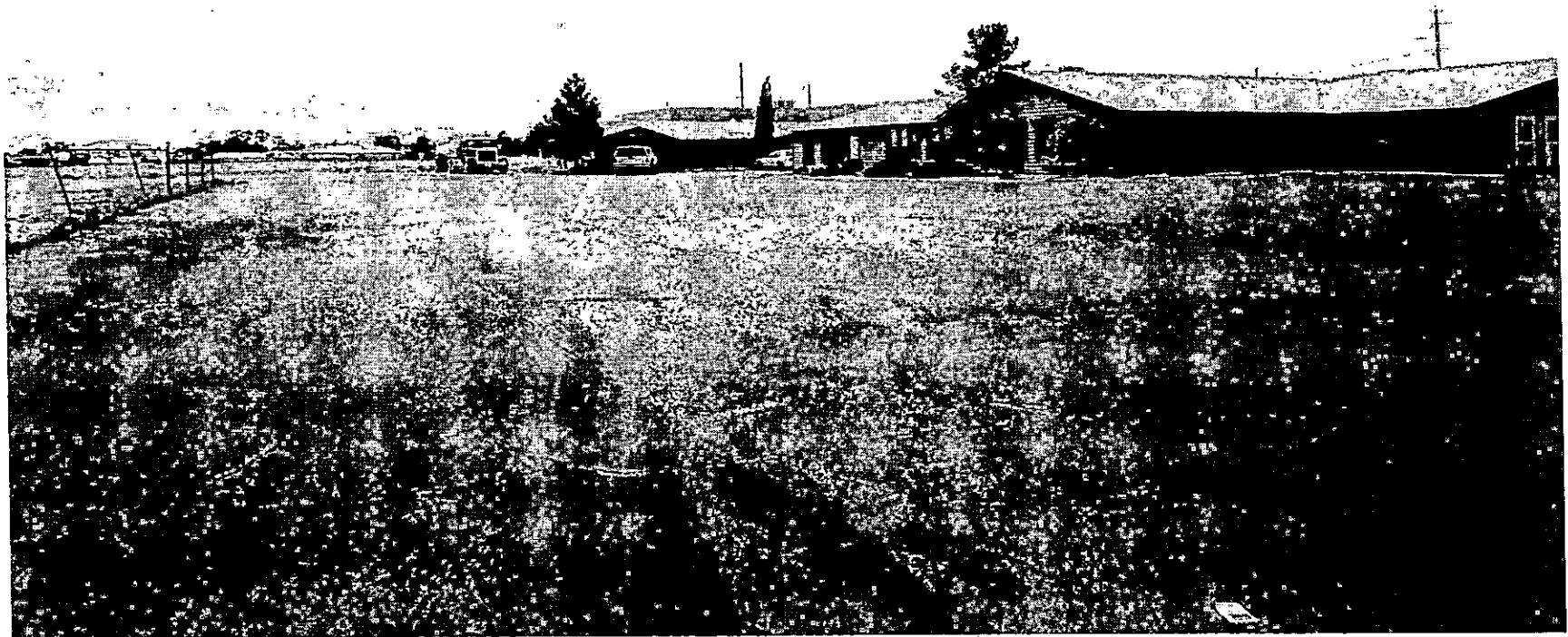
VAC-20284 & SDR-20282 - APPLICANT: NEVADA POWER COMPANY - OWNER: RMH TRUST
7175 AND 7185 WEST CHARLESTON AVENUE
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



VAC-20284 & SDR-20282 - APPLICANT: NEVADA POWER COMPANY - OWNER: RMH TRUST
7175 AND 7185 WEST CHARLESTON AVENUE
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



VAC-20284 & SDR-20282 - APPLICANT: NEVADA POWER COMPANY - OWNER: RMH TRUST
7175 AND 7185 WEST CHARLESTON AVENUE
APRIL 26, 2007 PLANNING COMMISSION

03/26/07

February 28, 2007

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

Re: Charleston Substation Site Design Review, including wall height and landscaping waiver request

To Whom It May Concern:

To meet the growing electrical demands of the Las Vegas Valley, Nevada Power Company (NPC) is requesting Site Design Review approval for the construction of the Charleston Substation. The proposed substation will be located on a parcel of land that is zoned C-1, and which NPC is in the process of purchasing from the current owner. The parcel of land is the vacant 2.16 acres directly south of the Hush Puppy Restaurant and is separated from homes by a public drainage channel and an existing 69 kV electrical transmission line. With the addition of two poles within the corridor, said transmission line will be utilized to bring power to the proposed substation.

The proposed substation will be constructed pursuant to NPC's reduced visual impact standards utilizing low profile equipment. Nevada Power Company is proposing to construct a 15' high decorative split face block wall; whereas the 15' is measured from finished grade to the top of wall. Approximately 14' will be visible from outside the substation. ***Nevada Power Company is respectfully requesting a waiver in accordance with Title 19.08.050(D) (3) to allow a 15' wall where 8' is allowed.*** The additional height will not only help screen the equipment within the substation, but it will also help discourage the public from climbing into the facility. Due to the constraints of the narrow parcel of land and National Electrical Safety Code (NESC) regulations, taller 22' dead-end structures are required within the substation; however, most of the remaining equipment should be screened by the decorative block wall.

Access to the substation will be through a newly designed shared driveway along the east side of the Hush Puppy parking lot. Ample landscaping will be installed along Charleston from the edge of the west driveway to the east property line and along the easterly perimeter of the Hush Puppy Parking lot. Nevada Power Company will also be installing ample landscaping along the north and south walls of the proposed substation. The landscaping along the south wall of the proposed substation will be within the dedicated right of way as discussed with Bart Anderson and Gina Venglass at the November 7, 2006 Pre-Application meeting. The constraints of the parcel of land to the east and west and the NESC regulations for vehicular clearance require that ***Nevada Power Company respectfully request a waiver of the landscaping on the east and west sides of the substation in accordance with Title 19.08.050(G).***

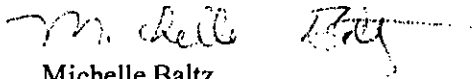
A Public Open House to inform the neighborhood of the proposed substation was held November 16, 2006. Although invitations were sent to all affected property owners in the area, with the exception of NPC staff, City staff and the property owners of the Hush Puppy Restaurant, none of the neighbors attended the event.

The Parcel Map is in the process of getting entity approval. An application for the vacation of patent reservations has been filed concurrently with this application and Nevada Power Company is respectfully requesting approval of the substation site design review.

SDR-20282
04/26/07 PC

We believe the project as presented complies with relevant City of Las Vegas development code regulations and is in conformance with the Master Plan. Should you have any questions, or be in need of any further assistance, please feel free to call me at 227-2421.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michelle Baltz", followed by a horizontal line.

Michelle Baltz,
Sr. Land Use Consultant

SDR-20282
04/26/07 PC

April 17, 2007

To: City Council (702) 474-0852
Planning & Development dept

From: Engeline R. Arce (property owner)
6959 Peggy DR,
Las Vegas, NV 89145

RE: SDR-20282 & VAC 20284
(4-26 PC) (4-26 PC)

I support VAC 20284

I do not support SDR-20282

The city needs as much
landscaping as it can get.

Please require landscape buffer.

Thank you.

Engeline R Arce

cell # 858.361.3884

Mailing Address: P.O. Box 22221
San Diego CA
92192

P1

April 25, 2007

Via Facsimile 702-385-7268 and e-mail

Doug Rankin,
Planning Manager
731 South Fourth Street
Las Vegas, NV 89101

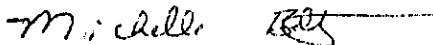
RE: SDR-20282 and VAC 20284

Dear Doug;

Due to some un-resolved issues with the proposed Parcel Map, PMP-17750, Nevada Power Company (NPC) is respectfully requesting that the above referenced items scheduled for the 4-26-07 Planning Commission Meeting be held until the May 24, 2007 Planning Commission Meeting. Nevada Power Company is anticipating filing a Variance for the building set back requirement in support of the SDR plans.

Should you have any questions, please feel free to call me at 227-2421.

Sincerely,



Michelle Baltz, SR/WA
Sr. Land Use Consultant

Submitted after final agenda

Date 4/26/07 Item # 83-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**VAC-20284 - VACATION RELATED TO SDR-20282 - PUBLIC HEARING -
APPLICANT: NEVADA POWER COMPANY - OWNER: RMH TRUST -** Petition to vacate a patent reservation generally located north of the Holmby Avenue alignment commencing at the centerline of the Holmby Avenue and Belcastro Street alignments, Ward 1 (Tarkanian).

SET DATE: 05/02/07

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Approval Letter

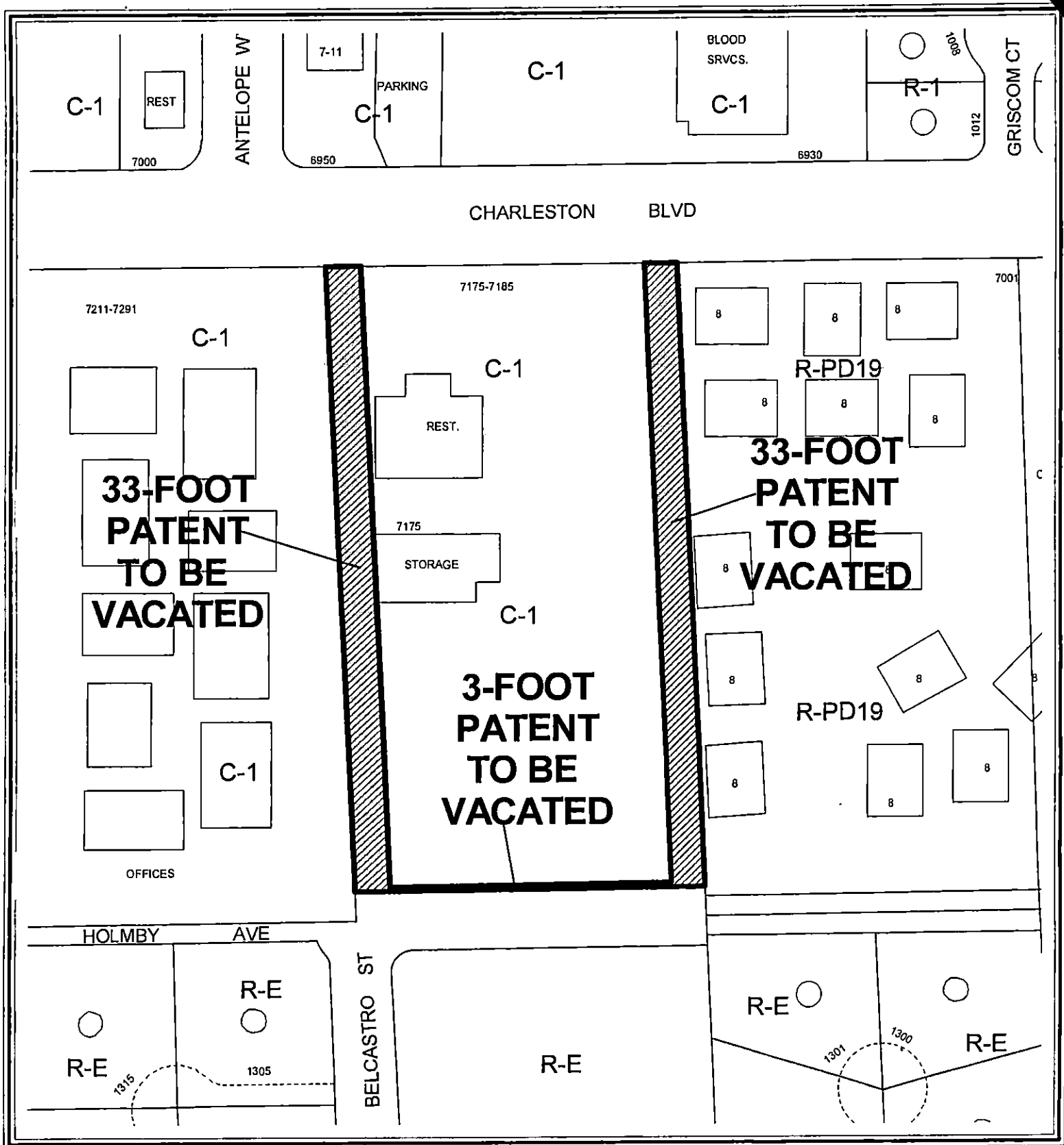
MOTION:

GOYNES – STRIKE Item 62; WITHDRAW WITHOUT PREJUDICE Item 79; TABLE Items 26-29; HOLD IN ABEYANCE Item 6–8, 31–34, 40–42, 63–67 and 80 to 5/10/2007; Items 19–21, 35 –39 and 83-84 to 5/24/2007 – UNANIMOUS

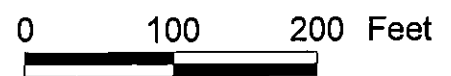
MINUTES:

Items 19 through 21, 35, 83 and 84 were requested by the applicant to be held in abeyance to May 24, 2007.

(6:02-6:08)



CASE: VAC-20284





CASE: VAC-20284

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 26, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-20284 - APPLICANT: NEVADA POWER COMPANY -****OWNER: RMH TRUST**

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

1. All existing public improvements, if any, adjacent to and in conflict with this Vacation Application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

VAC-20284 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a petition to vacate a patent reservation generally located north of the Holmby Avenue alignment commencing at the centerline of the Holmby Avenue and Belcastro Street alignments. The applicant requests this vacation as the patent reservations are no longer needed for utility access, and the vacation is necessary in order to construct the perimeter walls for a proposed Electric Substation. The proposed substation is to be reviewed concurrently as Site Development Plan Review (SDR-20282). As the proposed substation does not meet Title 19.12 landscape requirements, staff recommends denial of both applications.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/23/89	The Board of Zoning Adjustment approved a Variance (V-0163-88) to allow an office and storage addition to an existing restaurant with 98 spaces where the use requires 209 spaces.
1/26/98	The City Council approved a request to amend the General Plan (GPA-0065-97) on property located at 7185 W. Charleston Boulevard from ML (Medium-Low Density Residential) to SC (Service Commercial). The Planning Commission recommended approval of the General Plan Amendment on 12/18/97.
1/26/98	The City Council approved a request for a Rezoning (Z-0121-97) on property located at 7185 W. Charleston Boulevard from U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] and C-1 (Limited Commercial) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) Zone. The Planning Commission recommended approval of the proposed Rezoning on 12/18/97.
11/07/02	The Planning Commission recommended approval of a Site Development Plan Review (SDR-1014) This application is a request for a Site Development Plan Review and a reduction of the on-site perimeter landscaping requirements for a proposed restaurant on a 4.9 acre parcel at 7185 West Charleston Boulevard that includes the subject site. Staff recommended approval.
11/30/06	A Parcel Map (PMP-17750) was administratively denied by the Planning and Development Department, and will be reconsidered once the specified conditions are addressed.
04/26/07	A Site Development Plan Review (SDR-20482) for an Electric Substation will be considered concurrently with this application.

VAC-20284 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Related Building Permits/Business Licenses	
04/02/86	Application first filed for a Business License (R09-0025-6-030783) for Restaurant - Seating 45 or more for The Hush Puppy Restaurant adjacent to the proposed Substation.
01/24/91	Active Business License (F09-00018-3-095215) first issued for Food Wholesale & Delivery to Scotties Food adjacent to the proposed Substation.
02/06/90	Active Business License (L16-00207-4-000691) first issued for a Tavern to The Hush Puppy adjacent to the proposed Substation.
07/19/91	Active Business Licenses (G01-01455-4-000530) for Gaming Restricted and (C20-01455-7-000530) for Convention Hall Gaming Tax first issued to The Hush Puppy adjacent to the proposed Substation.
04/11/05	Building Permits issued for a drive thru and pole sign for the 2003 expansion of the Hush Puppy Restaurant to the north of the subject site.

Pre-Application Meeting	
11/07/06	A pre-application meeting was held to discuss the proposed electric substation. The discussion focused largely on on-site and off-site improvements, necessary street improvements and access agreements.
02/20/07	A follow-up meeting was held in order to further discuss progress on the required street improvements and site access issues.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	

Field Check	
03/22/07	A field check was conducted in order to ascertain site conditions as they pertain to the proposed Electric Utility Substation and related Vacation.

Details of Application Request	
Site Area	
Gross Acres	4.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped, Proposed Electric Substation	SC (Service Commercial)	C-1 (Limited Commercial)
North	Restaurant, Tavern, Retail, Office	SC (Service Commercial)	C-1 (Limited Commercial)
South	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Apartments	M (Medium Density Residential)	C-1 (Limited Commercial)
West	Office	SC (Service Commercial)	R-PD19 (Residential Planned Development - 19 Units Per Acre)

VAC-20284 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

<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

ANALYSIS

- **Planning and Development**

The applicant seeks to vacate a Patent Reservation consisting of three portions of Government Lot 10 lying within the Northeast ¼ of Section 3, Township 21 South, Range 60 East, M.D.M, in order to accommodate a proposed Electric Substation on the subject site. While the Patent Reservation is no longer necessary, staff recommends denial as it cannot support the related application for the Electric Substation.

- **Public Works**

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability?
- C. Does it appear that the vacation request involves only excess right-of-way?
- D. Does this vacation request coincide with development plans of the adjacent parcels?
- E. Does this vacation request eliminate public street access to any abutting parcel?
- F. Does this vacation request result in a conflict with any existing City requirements?
- G. Does the Department of Public Works have an objection to this vacation request?

VAC-20284 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 237 [Mailed with SDR-20282]

APPROVALS 1

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-20284** APN: 163-03-501-003

Name of Property Owner: Charles & Virginia Ghormley, Trustees of the RMH Trust

Name of Applicant: Nevada Power Company

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

☐ Yes

☒ 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: _____

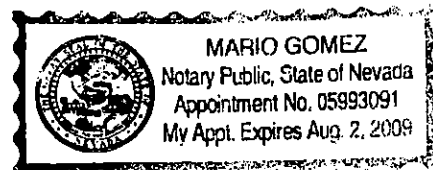
Signature of Property Owner: Charles Ghormley

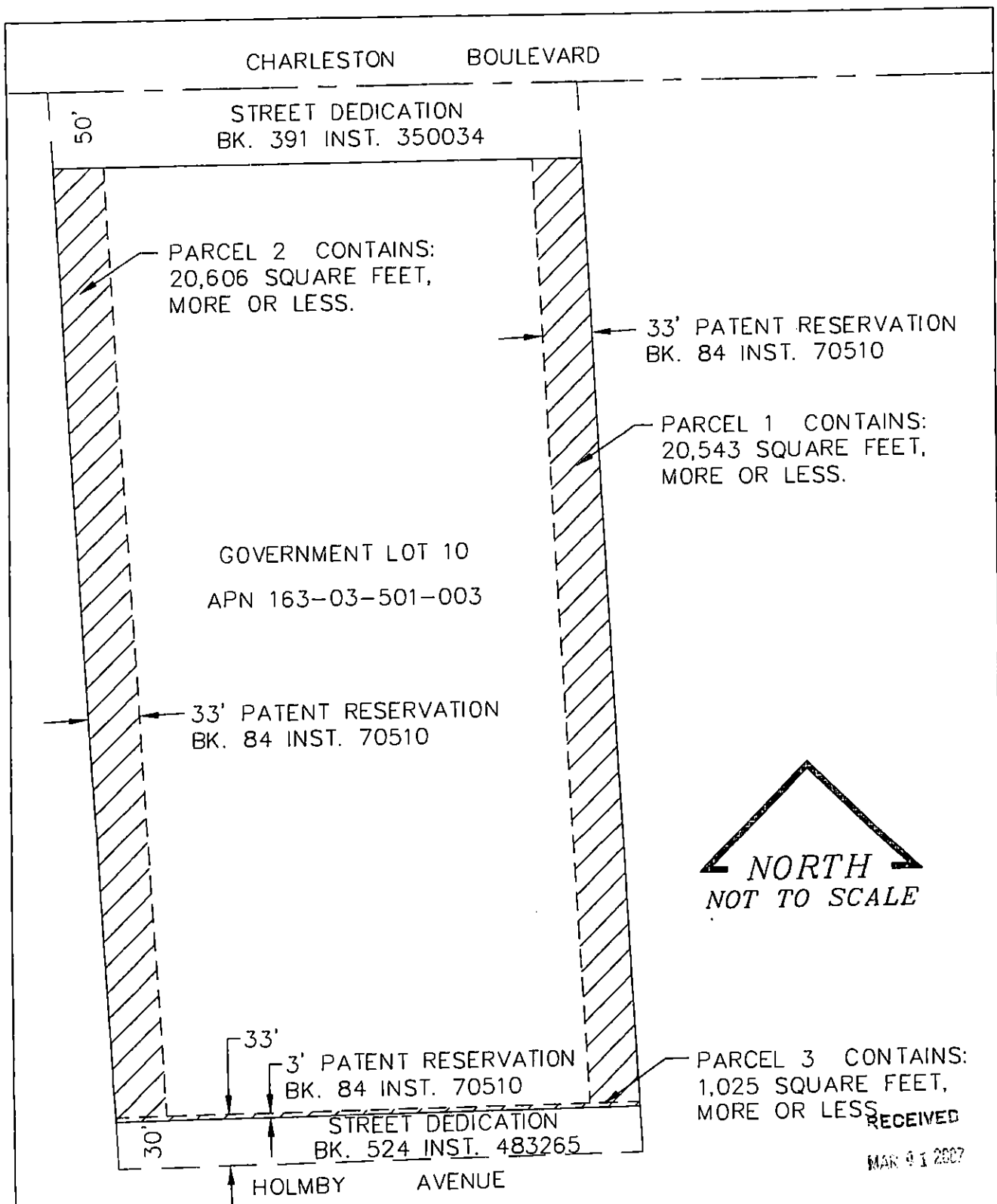
Print Name: Charles Ghormley

Subscribed and sworn before me

This 22 day of February, 2007

Mario Gomez
Notary Public in and for said County and State





 NEVADA POWER.	NEVADA POWER COMPANY P.O. BOX 98910 LV, NV 89151, 6226 WEST SAHARA AV., (702) 367-5000		
TITLE: CHARLESTON SUB. VACATE PATENT RESERVATION	DESCRIPTION: EXHIBIT MAP TO ACCOMPANY LEGAL DESCRIPTION	SEC:3 T:21 S R:60 E SURVEYOR: N/A DRAWN BY: RH CHECKED BY: LZ	DATE: 10-13-06 PROJECT ID: LF142S6LF1

VAC-20284
04/26/07 PC

February 28, 2007

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

Re: Charleston Substation Vacation of Patent Reservations Request

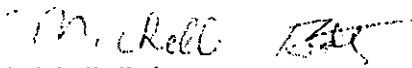
To Whom It May Concern:

To meet the growing electrical demands of the Las Vegas Valley, Nevada Power Company (NPC) is proposing the construction of the Charleston Substation. The application for the Site Design Review Approval of said substation is being filed concurrently with this application. The proposed substation will be located on a parcel of land that is zoned C-1, and which NPC is in the process of purchasing from the current owner. The parcel of land is the vacant 2.16 acres directly south of the Hush Puppy Restaurant and is separated from homes by a public drainage channel and an existing 69 kV electrical transmission line.

A Patent from the United States of America was recorded February 20, 1956 subject to a right-of-way not exceeding 33 feet in width for roadway and public utility purposes along the boundaries of said parcel. Nevada Power Company is respectfully requesting that the Patent reservations as described in the attached legal description be vacated so as to allow for the construction of the wall of the future substation.

We believe the request as presented complies with relevant City of Las Vegas development code regulations and is in conformance with the Master Plan. Should you have any questions, or be in need of any further assistance, please feel free to call me at 227-2421.

Sincerely,



Michelle Baltz,
Sr. Land Use Consultant

VAC-20284
04/26/07 PC

April 17, 2007

To: City Council (702) 474-0352
Planning & Development dept

From: Engeline R. Arce (property owner)
6959 Peggy DR,
Las Vegas, NV 89145

RE: SDR-20282 & VAC 20284
(4-26 PC) (4-26 PC)

I support VAC 20284

I do not support SDR-20282
The city needs as much
landscaping as it can get.
Please require landscape buffer.

Thank you.

Engeline R. Arce

cell # 858.361.3884

Mailing Address: P.O. Box 22221
San Diego CA
92192

A,

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

MSH-21013 - MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING -
APPLICANT/OWNER: CITY OF LAS VEGAS - Request to amend the Master Plan of Streets and Highways TO SELECT THE NORTHERN ALTERNATIVE FREEWAY/EXPRESSWAY ALIGNMENT KNOWN AS MOUNTAINS EDGE PARKWAY AS THE PERMANENT ALIGNMENT ON THE MASTER PLAN OF STREETS AND HIGHWAYS AND TO REMOVE THE SOUTHERN ALTERNATIVE FREEWAY/EXPRESSWAY ALIGNMENT FROM THE MASTER PLAN OF STREETS AND HIGHWAYS BETWEEN GRAND TETON ROAD AND FORT APACHE ROAD, Ward 6 (Ross).

SET DATE: 05/02/07

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. City of Las Vegas Engineering Report
5. Justification Letter

MOTION:

TROWBRIDGE – APPROVED subject to conditions – UNANIMOUS

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

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 85 – MSH-21013

MINUTES – Continued:

JORGE CERVANTES, Department of Public Works, recollected a previous request for an alternate alignment on Master Plan of Streets and Highways to allow the opportunity to investigate whether an alternate alignment could provide a better use of the proposed parkway. MR. CERVANTES introduced LEE GIBSON, 3930 Howard Hughes Parkway, who explained the comparative analysis by way of a PowerPoint presentation. MR. CERVANTES recommended the preferred northern alignment and the removal of the previous alignment from the Master Plans of Streets and Highways.

MR. GIBSON noted that geometric issues, construction costs, land use, social economics, air quality, flood control and visual impacts were all factors considered as part of the evaluation. He stated that the northern alignment offers better connectivity to Kyle Canyon Road as the previous alignment would require braided ramps which are costly and do not offer an efficient flow of traffic. There would be improved spacing from the perpendicular approach to US95 as well as improved connections to Iron Mountain and Kyle Canyon Road.

There was a detailed cost comparison of the two interchanges, being the most costly components, which revealed over \$100 million savings to move the alignment. MR. GIBSON described the components of braided ramps and noted that the separation to weave in and out takes up a significant amount of space though it maintains safety and the capacity of the roadway. He stated that the northern alignment would not bisect the trail system included in the plan for that area while improving connectivity to proposed parks in the area.

The preferred alignment does support residential and employment growth in the area by allowing for the maximum use of traditional neighborhood design while the existing alignment would preclude that optimal development, limiting growth. Air quality attainment status would easily be met since the facility could be built within the time frames of the regional transportation commissions plan for 2030. MR. GIBSON reported that the most significant finding revealed a flood control protection of 320 additional acres, saving over \$10 million in additional flood control facilities should the existing alignment be utilized.

The existing alignment would require the need to construct sound walls that would visually intrude on the Red Rock vistas of the west. Based on cost savings and the ability to achieve optimal land use, MR. GIBSON recommended that the northern alignment become the preferred alignment and be adopted into the Master Plan of Streets and Highways.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 85 – MSH-21013

MINUTES – Continued:

MR. CERVANTES reiterated the recommendation that would eliminate the southern alignment and adopt the northern alternative.

ATTORNEY JEFFREY SILVER, 3960 Howard Hughes Parkway, stated that the previous alignment was studied extensively from 2003 to 2006. He noted the location of his client's property which had relied on the four years of workshops and studies from the original alignment. The new proposal would impinge on the owners' plan to develop a casino and restaurant strip center and he requested that the existing alignment remain.

AL LIZAGARI, 9728 Gillespie Street, questioned if the map presented is the final map to be approved. MR. LIZAGARI noted concern about the development south of the subject site that has a development agreement under review. Within the development agreement, there is to be language which addresses the manner in which property owners would be compensated. MR. LIZAGARI suggested the matter be held in abeyance so as to allow affected property owners the opportunity to review the development agreement.

DEPUTY CITY ATTORNEY JAMES LEWIS clarified that the development agreement would not address how property owners would be compensated. The draft development agreement is available for review or purchase but only states what would happen with regard to the City obtaining additional lands in the northern beltway should the City vacate the current alignment.

CHARLES LAMEN, 1096 East Sahara Avenue, appeared on behalf of his family that is affected by the proposed northern alignment. He stated that one year prior, the City had contemplated both alignments and gathered input from the public which preferred the southern alignment. Since then, he had not received any notification regarding discussions of the new proposal. He opposed the northern alignment.

BOB, 3361 Starbey, stated that the off ramp proposed with the northern alignment would exist directly through his five acre parcel. He was opposed to the new alignment.

TODD FARLOW, 240 North 19th Street, requested additional details of the environmental impact study.

TOM MCGOWAN, Las Vegas resident, reiterated that the City's position is that the recommended alignment is the preferred alignment. He argued that serious consideration is required since many affected property owners have request additional time to review the development agreement. He supported the concerned residents.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 85 – MSH-21013

MINUTES – Continued:

MR. CERVANTES stated that the City has met with the public on more than one occasion but more research was conducted towards the southern alignment because, at the time, the northern alignment was not probable since that land was not available. When the land became available to further consider the northern alignment, extensive analysis was conducted and from a technical, feasibility and land use standpoint, the northern alignment proves to be superior.

MR. GIBSON added that the detailed feasibility study revealed that for every ten dollars of benefit, it would cost one dollar. This proves there is substantial regional mobility improvements while meeting air quality standards in a timely manner.

COMMISSIONER TRUESDELL queried the economic impact of the property owners affected by the alignment. MR. GIBSON stated that an environmental impact statement is yet to be conducted which would address the subject area in addition to the intersection of 215 and I15. That is a three-year process and once completed, funds would be secured to move forward. Road construction would not begin for some time as there is a need to reserve necessary right-of-ways and corridors affecting the subject site eastward to the Bureau of Land Management property before it is sold to the public. This action would at least secure necessary right-of-ways and would affect nearly the same amount privately owned property as the previous alignment would. MR. GIBSON confirmed that construction would be built in phases and would probably begin at the beltway since development there has begun. The overall project would not reach fruition for another 20 years.

DEPUTY CITY ATTORNEY JAMES LEWIS redirected the Commission to focus on the master plan amendment rather than the declaration of the government's intent to condemn property. COMMISSIONER TRUESDELL questioned if those affected property owners would be allowed to build as planned or if they are urged to postpone development. DEPUTY CITY ATTORNEY LEWIS stated that anyone can request land entitlements but would be subject to the Master Plan of Streets and Highways at that time of request. Action today is the City's means of informing the public of where roadways are planned.

COMMISSIONER TROWBRIDGE stated he would support the matter so long as the Mountain Edge Parkway project would not affect the shooting range that has been in design for ten years. MR. CERVANTES verified that the shooting range would not be affected.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 85 – MSH-21013

MINUTES – Continued:

COMMISSIONER STEINMAN empathized with the affected property owners' concerns but reiterated that experts were consulted to study and investigate the northern alignment which has many more significant factors. He recollected that when the southern alignment was considered, it was argued that the roadway should not be constructed through Kyle Canyon Road because a major development is underway. COMMISSIONER STEINMAN stated that the northern alignment would not interfere with the new development and, therefore, he would support the matter.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

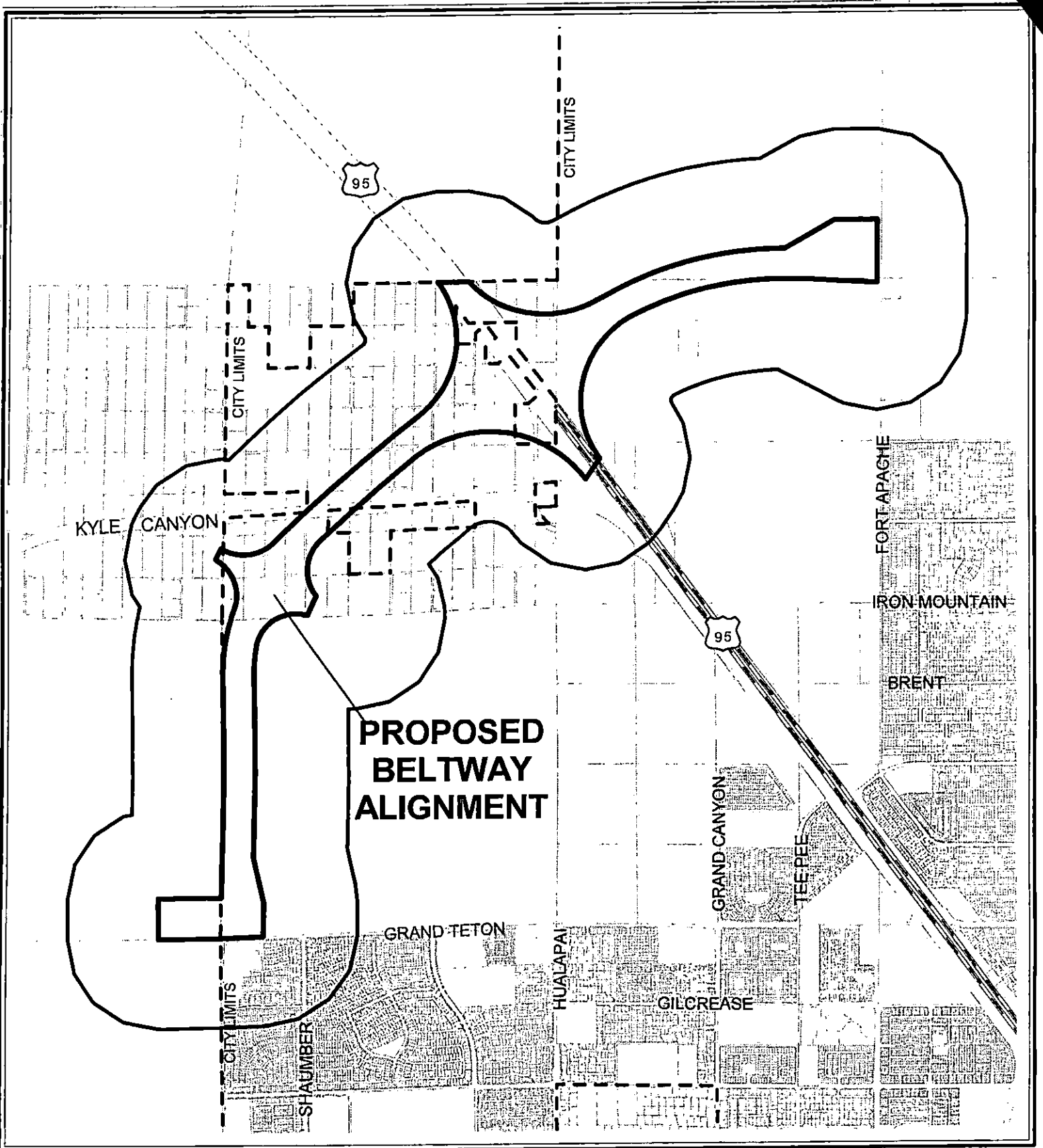
(11:42 – 12:14)

4-1260

CONDITIONS:

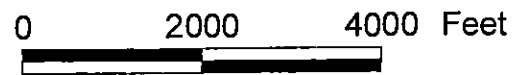
Planning and Development

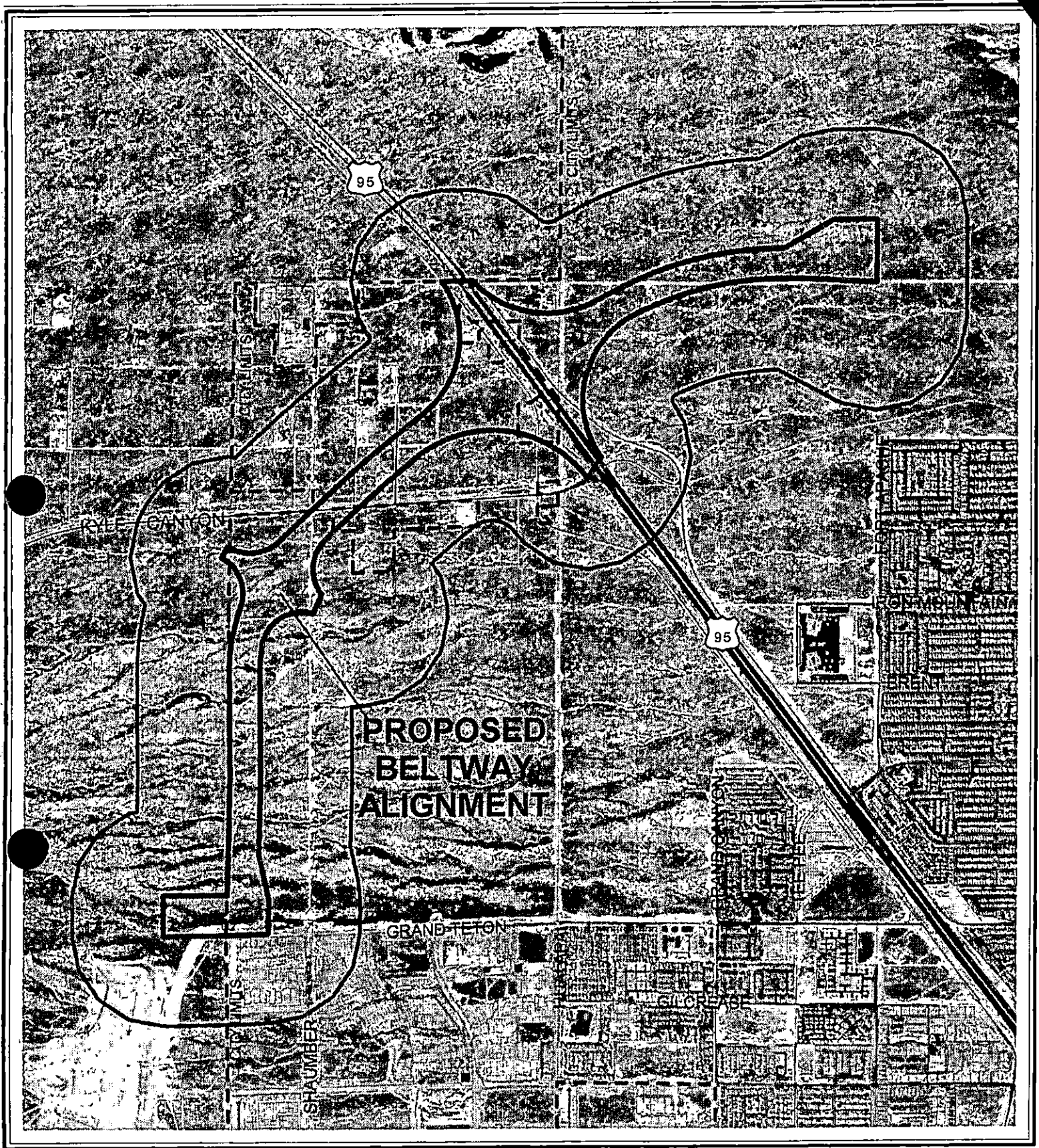
1. City Staff is empowered to modify this application, if necessary, for technical concerns or other related review actions provided current City of Las Vegas requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways is satisfied.



**PROPOSED
BELTWAY
ALIGNMENT**

CASE: MSH-21013
RADIUS: 1500 FT





CASE: **MSH-21013**
RADIUS: 1500 FT

0 2000 4000 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MSH-21013 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

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

Planning and Development

1. City Staff is empowered to modify this application, if necessary, for technical concerns or other related review actions provided current City of Las Vegas requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways is satisfied.

MSH-21013 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

This request is to amend the Master Plan of Streets and Highways to remove the southerly alignment of the Mountain Edge Parkway between Grand Teton and Fort Apache and make the current North Alternative Alignment the Recommended Alignment of the Mountain Edge Parkway.

EXECUTIVE SUMMARY

A workshop of state and local entities identified the need for a multimodal transportation facility to accommodate growth of the north portion of the Las Vegas Valley. The Master Plan of Streets and Highways was amended to include a corridor for this facility, known as the Mountain Edge Parkway. City staff identified an alternative alignment for the facility that would be evaluated by an outside consultant. The engineering analysis by Parsons Brinckerhoff Quade & Douglas, Inc. (PB) was recently completed which shows that the north alternative is superior to the south alignment based on cost, utility corridor, land-use, transportation geometrics, air quality and flood control factors. Approval of this item will delete the southern alignment between Grand Teton Drive and Fort Apache Road and will identify the north alternative as the recommended alignment.

BACKGROUND INFORMATION

A) Related Actions

01/27/03	First day of a two-day workshop sponsored by the City of Las Vegas and including all major public entities with interests in the northwest to discuss transportation issues in the northwest.
03/03/03	Second phase of a workshop at which the essential alignments and roadway widths for master planned streets were worked out, and the Northwest Consensus Map was produced. All involved entities agreed to recommend approval.
07/16/03	Clark County Board of Commissioners adopted the Northwest Consensus Map as the "Revised Transportation Element to the Clark County Master Plan".
09/03/03	The Las Vegas City Council unanimously approved the Northwest Consensus Map.

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April 26, 2007 - Planning Commission Meeting

- 02/18/04 The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-3453) to update the circulation system for the Centennial Hills Sector. The Planning Commission recommended approval.
- 06/22/06 The Planning Commission approved an amendment to the Master Plan of Streets and Highways (MSH-13365) to add an alternate alignment for a freeway/expressway, known as Mountain Edge Parkway. There were 6 protests received at the Planning Commission meeting.
- 07/19/06 The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-13365) to add an alternate alignment for a freeway/expressway, known as Mountain Edge Parkway.

B) Pre-Application Meeting

Because this is a city-initiated application, a pre-application meeting was not held.

C) Neighborhood Meetings

- The city of Las Vegas held an informational open house on June 7, 2006 at the Mountain Crest Community Center to discuss the addition of the north alignment. Approximately 42 people attended. City Public Works staff also attended the Ward 6 Information Fair at Thompson Elementary School on November 2, 2006 where the two alignments of the Mountain Edge Parkway were presented. No other neighborhood meetings were held for the current application as it is to remove the south alignment.

ANALYSIS & FINDINGS

In 2003, state and local agencies participated in a charrette to focus on the anticipated transportation needs of the northern portion of the Las Vegas Valley. The entities reached consensus that a multimodal transportation corridor would be needed to accommodate growth in the area. The charrette resulted in the production of a roadway plan called the "Northwest Consensus Map". Representatives from all participating jurisdictions agreed to bring the Consensus Map before their respective governing boards for adoption.

The City Council adopted the Consensus Map (MSH-3453) for the Centennial Hills sector of the city of Las Vegas on February 18, 2004. That amendment to the Master Plan of Streets and Highways included an alignment for a multimodal transportation corridor, referred to as the Mountain Edge Parkway. The purpose of the corridor is to preserve land for future infrastructure use, provide multimodal transportation access in the north Las Vegas Valley, enhance opportunities to meet long-range mobility needs, and promote integrated transportation and land use decision making.

MSH-21013 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

A technical analysis completed by PB has revealed that the northern alignment between Grand Teton Drive and Fort Apache Road is preferred over the southern alignment for the following reasons:

- The existing alignment would be over \$100 million more costly to construct than the North Alignment due to additional braided ramps, bridges, and associated right-of-way along US95.
- North Alternative meets AASHTO/FHWA interchange spacing requirement of 1 mile separation between the future Horse Interchange and the Mountain Edge Parkway/US95 system to system interchange. The existing alignment only allows for approximately one half mile spacing between the two interchanges.
- The North Alternative offers a more efficient connection for Kyle Canyon Road to Mountain Edge Parkway.
- Public works infrastructure including roadway, drainage and trails, along with existing Nevada Power infrastructure and future transit can be provided in the North Alternative, thus minimizing overall land requirements for utilities and infrastructure.
- The North Alternative will provide flood protection to about 320 acres of additional land.
- The North Alternative will minimize sound and visual impacts to future residential neighborhoods.
- The North Alternative provides a buffer area between development and the Red Rock Conservation Area to the west.
- The North Alternative allows for a more cohesive land-use within the Kyle Canyon Gateway property.
- The North Alternative maximizes the use of trails along existing arroyos.

Approval of this application will remove the southern alignment from the Master Plan of Streets and Highways and identify the north alternative as the recommended alignment between Grand Teton Drive and Fort Apache Road.

NOTICES MAILED 81

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MSH-21013** APN: Various

Name of Property Owner: _____

Name of Applicant: City of Las Vegas

Name of Representative: Randy L. Fultz

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?

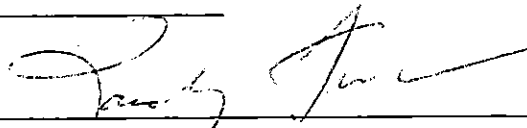
_____ Yes _____ ☒ No

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): _____

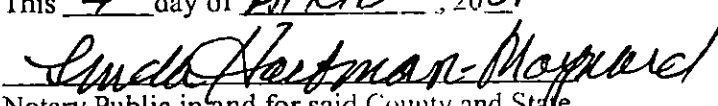
APN: _____

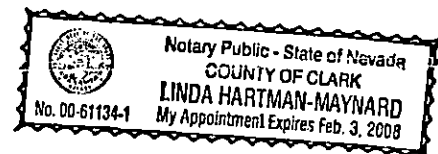
Signature of Property Owner: 

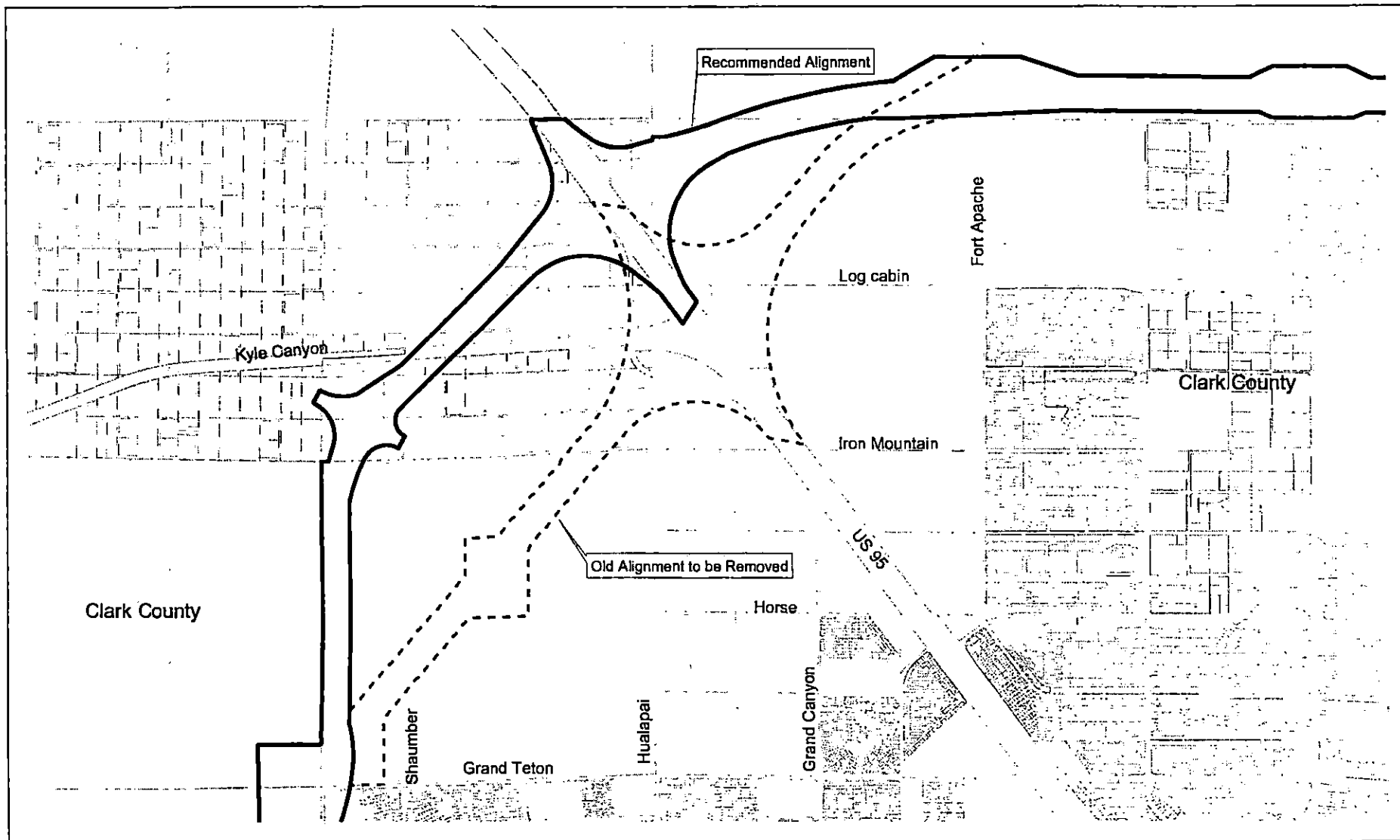
Print Name: Randy L. Fultz

Subscribed and sworn before me

This 4th day of APRIL, 2007


Notary Public in and for said County and State





CASE: MSH-21013 RADIUS: SPECIAL 0.3 0.15 0 0.3 0.6 Miles



RECEIVED
APR 03 2007

MPSH-21013
04/26/07 PC

Engineering Report

Mountain Edge Parkway & Interchange Las Vegas, Clark County, Nevada

Submitted to:
City of Las Vegas



MSH-21013
04/26/07 PC

April 2007

**Comparative Analysis
For the North Alignment and Existing Alignment of the
Mountain Edge Parkway
Master Plan of Streets and Highway Amendment**

1. Purpose

The purpose of this report is to analyze and compare the two alternative alignments for the Mountain Edge Parkway in the northwest City of Las Vegas, crossing U.S. 95. As discussed in this report, there are a number of land use, environmental, socioeconomic, noise, capital cost, and engineering reasons that make the North Alignment, described in this report as the Preferred Alignment, the more effective and efficient alignment for the Mountain Edge Parkway. The locations of the Preferred Alignment and Existing Alignment are shown in Figure 1.

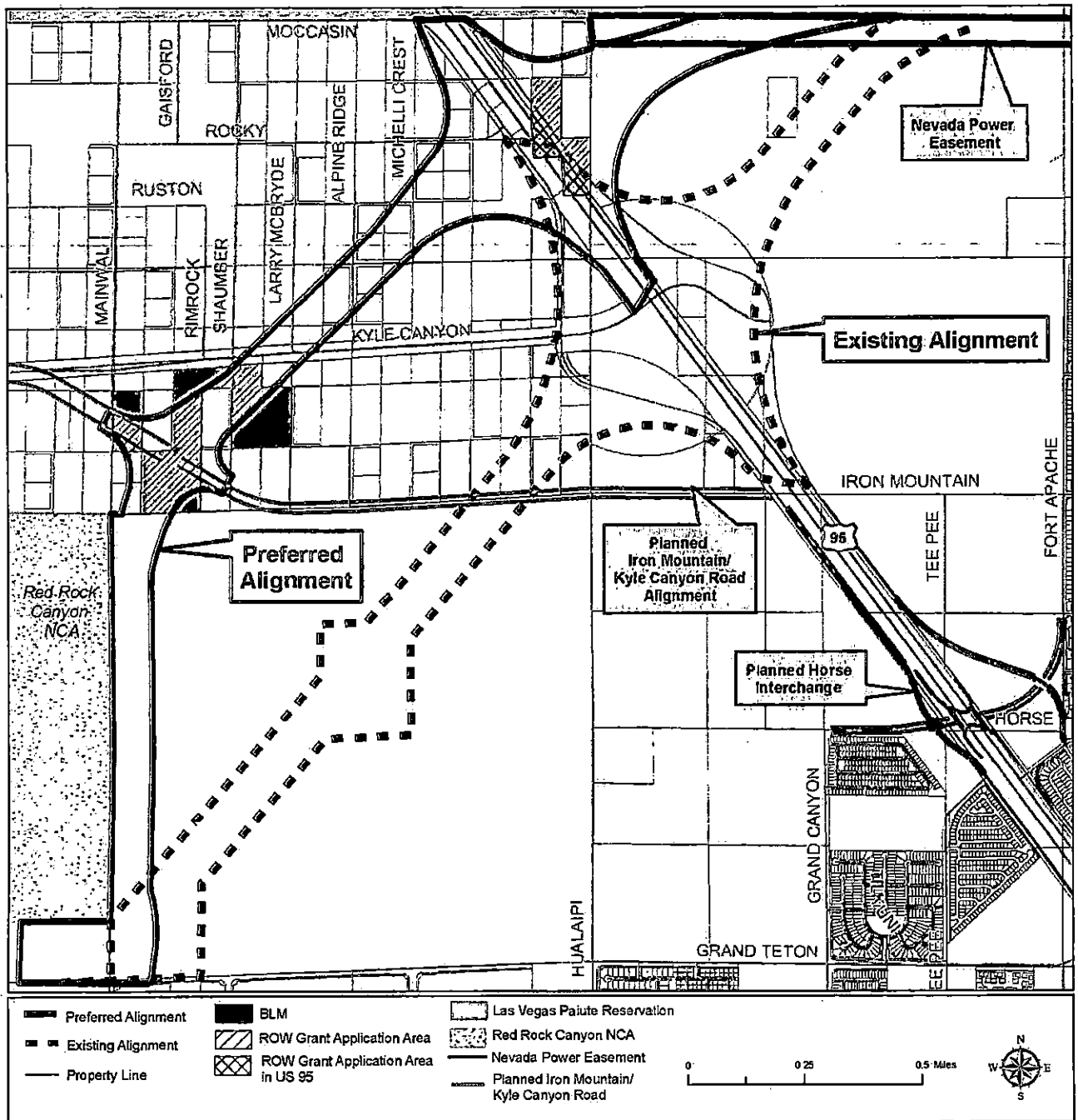
2. Background

Rapid population growth has occurred and is expected to continue in the northwest Las Vegas Valley. According to the *City of Las Vegas Master Plan 2020*, the City's population is expected to increase from approximately 478,000 in 2000 to as much as 800,000 by the year 2020. Based on current trends, over 96 percent of this projected growth is expected to occur in the west and northwest areas of the City, including the vicinity of the Mountain Edge Parkway corridor.

The connection between Clark County 215 and U.S. 95 to be provided by the Mountain Edge Parkway would serve immediate and long-term travel demand in the northern Las Vegas Valley. The Kyle Canyon Gateway Master Planned Community (KCG) is to be located in the immediate vicinity of U.S. 95 north of Grand Teton Road. This proposed community would include mixed use development and high average residential housing densities of approximately 11 units per acre. The resultant traffic from this development would greatly add to the existing congestion along U.S. 95 in the area. The KCG is representative of the region's trend in higher housing unit density and integrated residential and commercial development.

In 2003, the City of Las Vegas, City of North Las Vegas, Clark County, Nevada Department of Transportation (NDOT), and the Regional Transportation Commission of Southern Nevada (RTC) participated in a charrette to address the anticipated transportation needs of the northern Las Vegas Valley. The entities reached consensus that reservation of a multi-modal transportation corridor, such as the Mountain Edge Parkway, would be needed to accommodate anticipated growth. The group also identified a need to expand the region's roadway network to serve development that would occur within the BLM disposal boundary. This planning framework was adopted by the City of Las Vegas and was incorporated into the Master Plan for Streets and Highway on February 18th 2004 and Clark County Transportation Element of the Comprehensive Plan on July 16th 2003. The RTC also adopted the Mountain Edge Parkway into the Regional Transportation Plan to address long term regional travel demand needs.

Figure 1 - Alignment Alternatives



On July 19th 2006, the City of Las Vegas amended the Master Plan of Streets and Highways to include an alternative alignment to the north of the Existing Alignment. This alternative was added to allow the City to study potential benefits of the new alignment.

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3. Engineering and Environmental Factors

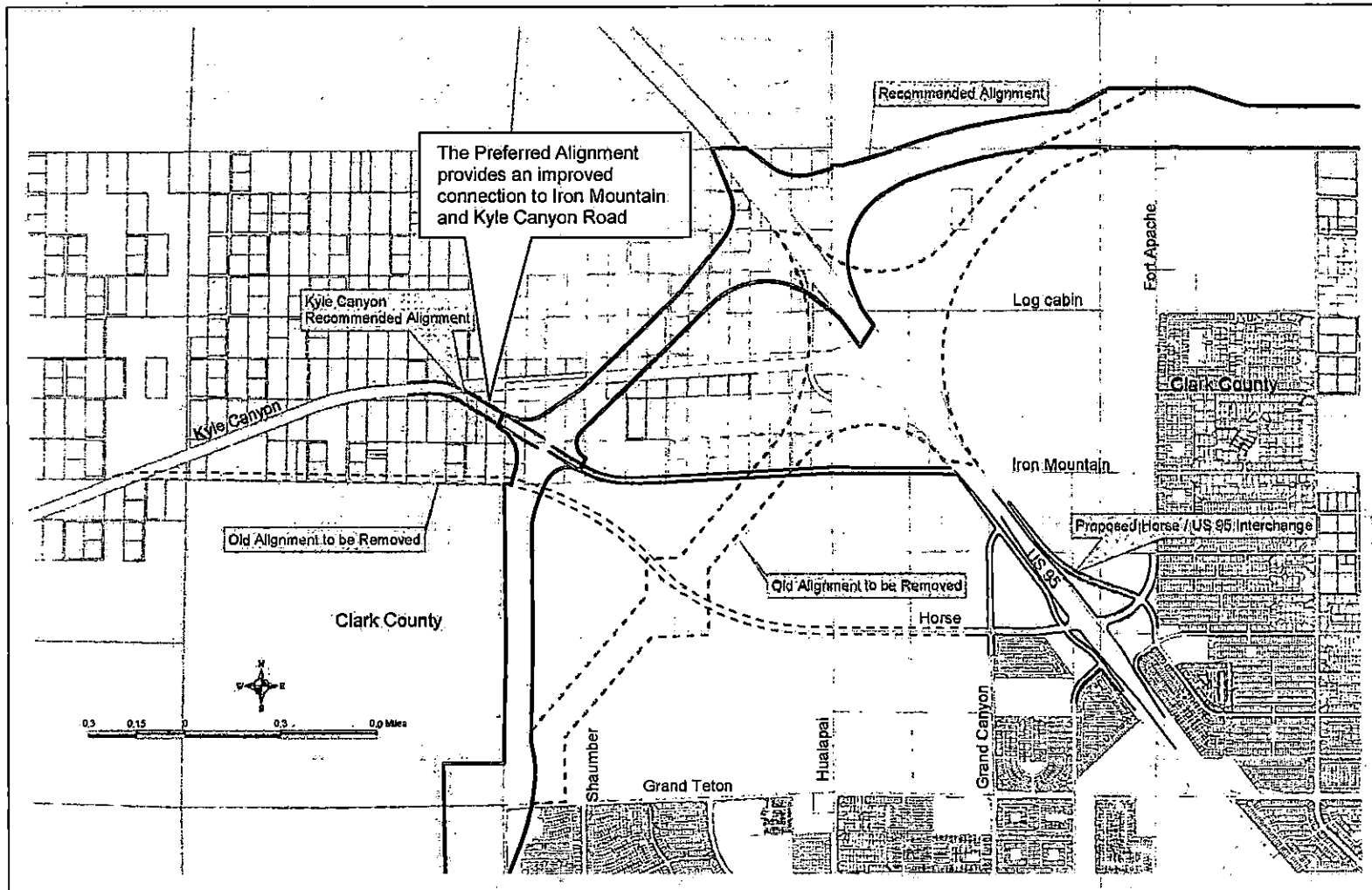
An analysis was completed to compare the two design alternatives based on the following design factors: geometry, construction cost, land use, socioeconomics, and environmental issues (air quality, flood control, and noise/visual resources).

Geometrics

Both alignments have similar characteristics. They have the same number of lanes and provide the same vehicle capacity. From an engineering perspective, the Preferred Alignment offers several advantages over the Existing Alignment, as described below:

- The City of Las Vegas is currently designing a new interchange at U.S. 95 and Horse Drive. Under the Existing Alignment, the interchange spacing between Horse Drive and the Mountain Edge Parkway would be approximately one-half mile, which is less than the one mile AASHTO/FHWA standard for interchange spacing. Braided ramps between Horse Drive and the Mountain Edge Parkway would be required to separate the on and off ramp movements via additional bridge structures and elevated roadways. Additional right-of-way would be required to accommodate braided ramps between these two locations. By moving the Mountain Edge Parkway/U.S. 95 system-to-system interchange to the north, the use of braided ramps is avoided.
- The Preferred Alignment is perpendicular to U.S. 95. This perpendicular connection will result in slightly smaller interchange foot print thereby reducing the right-of-way requirements for the system-to-system interchange.
- The Preferred Alignment reduces the length of bridge spans for the system-to-system connectors, which reduces the construction cost of the bridges.
- The Preferred Alignment provides improved transportation patterns through a direct connection from Kyle Canyon Road to the Mountain Edge Parkway and Iron Mountain Road (see Figure 2).

Figure 2 – Regional Roadway Connectivity



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Comparative Analysis of Alternatives

Conceptual Construction Cost Estimate

The conceptual cost estimates for the Mountain Edge Parkway compare the cost of developing the system-to-system interchange on the Preferred Alignment to construction costs for the Existing Alignment. Overall, the total cost for the U.S. 95 /Mountain Edge Parkway Interchange for the Preferred Alignment is \$317 million. The system-to-system interchange within the Existing Alignment is estimated at \$426 million, in 2020 dollars. This assumes an escalation rate of 4% per year. The reason for this cost difference is that the Preferred Alignment interchange footprint is smaller than the Existing Alignment and does not require the use of braided ramps, additional bridges, or bridge widening. The Existing Alignment's Bureau of Land Management right-of-way grant does not include enough land to accommodate braided ramps between the Horse Drive and Mountain Edge Parkway interchange with U.S. 95. Therefore, the purchase of right-of-way would be needed along this segment for the Existing Alignment interchange to accommodate braided ramps. This right of way would be purchased at fair market value.

Land Use

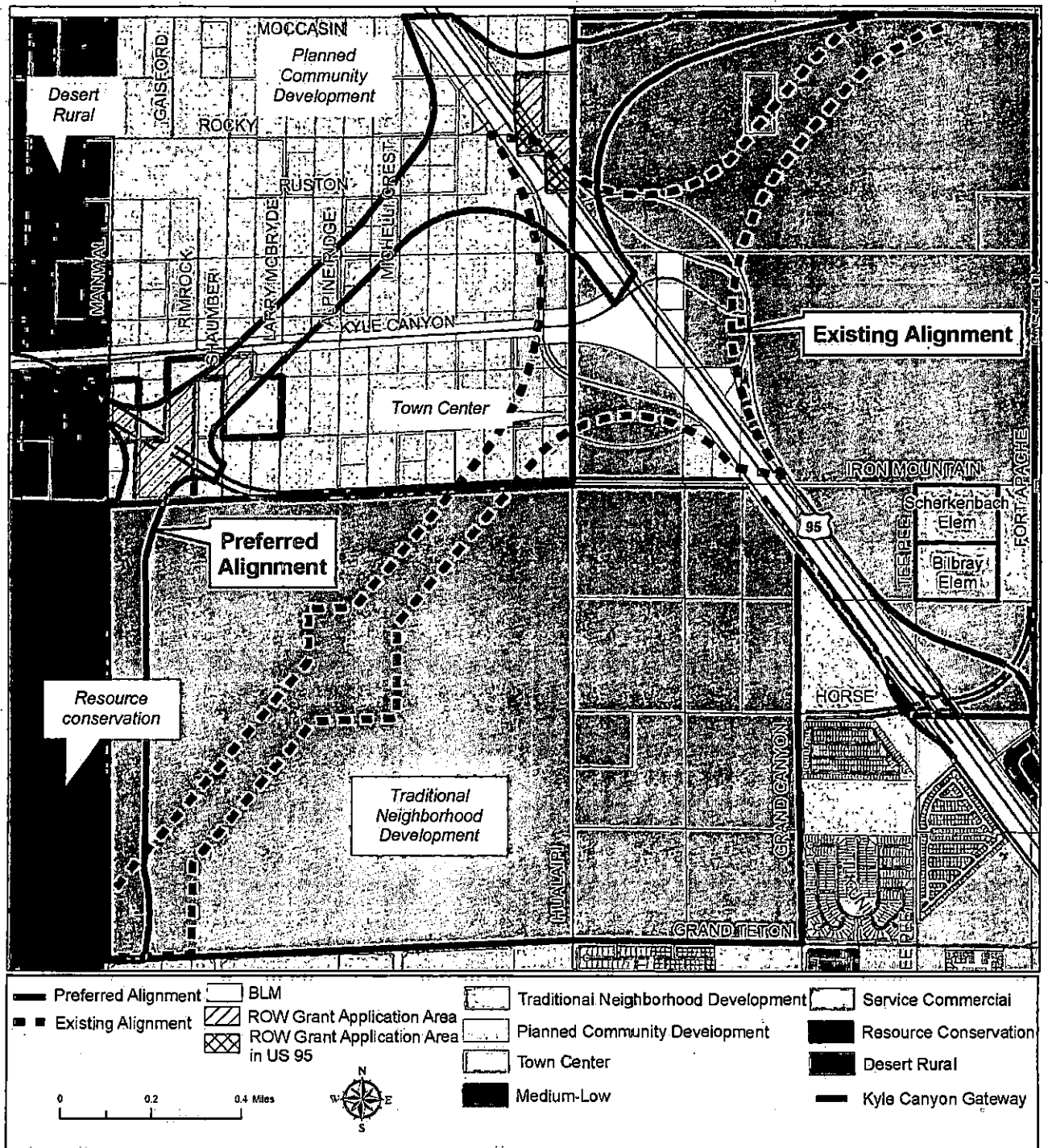
The Preferred Alignment brings a number of land use benefits. Specifically, it offers an opportunity to ensure an optimal land use plan for the KCG area. Under the Existing Alignment, the planned residential and mixed-use development at KCG would be bisected by a transportation corridor that is 550 feet wide (see Figure 3). The Preferred Alignment circumvents the edges of the KCG and allows for the development of more mixed uses, higher densities, pedestrian connections, trails, and amenities that can serve the internal transportation needs of the community.

Because the Mountain Edge Parkway includes provisions for the development of transit and pedestrian trails, and park-and-ride facility, the new alignment means that more efficient connections can be created between the KCG and future regional transit service. A higher level of transit connectivity will prove extremely valuable over the long term as the Las Vegas Valley continues to develop regional transit connections supporting regional travel demands.

The Preferred Alignment allows for two miles of trails along existing arroyos in KCG. This translates to over 24 acres of land being set aside for trails and preservation of natural areas that would be bisected by the Existing Alignment. As shown in Figure 4, the Preferred Alignment ensures that the planned parks and linear trail system in KCG can be developed without noise, visual, and access impacts from a highway facility. The linear park would be bisected by the Existing Alignment, which would reduce their attractiveness for recreation users. A school/community center is also planned in close proximity to the Existing Alignment. The Preferred Alignment is adjacent to the Red Rock National Conservation Area provides a buffer and improved trail access.

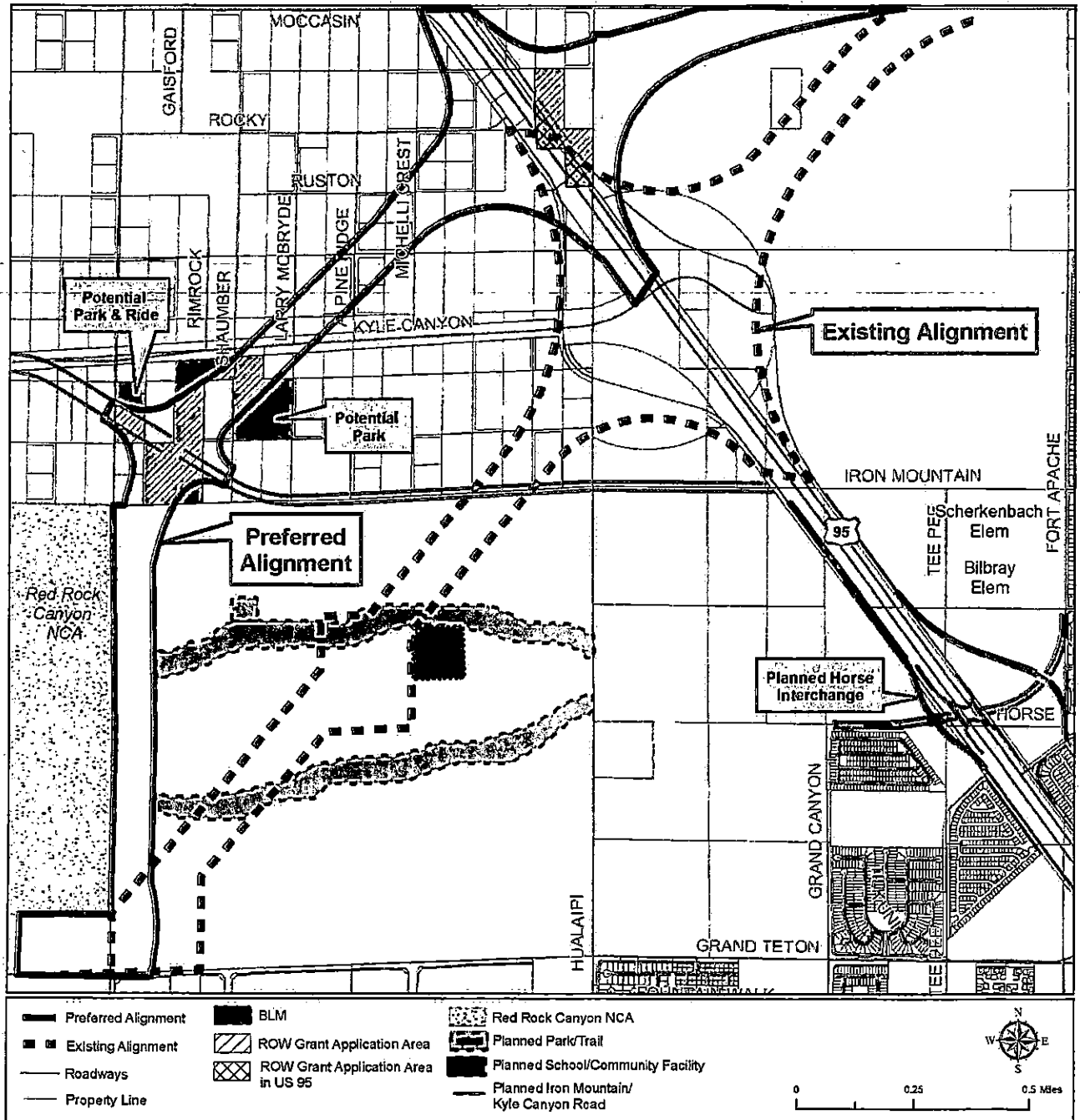
The Preferred Alignment would be compatible with City of Las Vegas land use and transportation planning objectives to develop the area as a cohesive neighborhood. It would minimize adverse impacts to planned residential areas and would support future commercial development. It would also support City of Las Vegas plans for other public

Figure 3 - Planned Land Use



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Figure 4 - Community Facilities



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Environmental Factors

The Preferred Alignment provides additional environmental benefits as compared to the Existing Alignment. This section reviews the air quality, flood control, noise, and visual resource advantages of the Preferred Alignment.

Air Quality

The Mountain Edge Parkway is included in the RTC's Regional Transportation Plan (RTP). The RTP conforms to the Carbon Monoxide and PM_{10} State Implementation Plans (SIP). This means that the development of the Mountain Edge Parkway will contribute to improvements in regional air quality.

The Preferred Alignment is likely to be constructed sooner than the Existing Alignment because of its lower construction cost. Therefore, the air quality benefits that the Mountain Edge Parkway will provide at a regional level would occur sooner under the Preferred Alignment than the Existing Alignment. On the other hand, the increased cost of developing the Existing Alignment means that it is likely that the project may be delayed. The resultant delay will defer the regional air quality benefits and force the region to seek other ways to gain the air quality benefits that would be needed to maintain conformity with the CO and PM_{10} SIPs.

Flood Control

Flood control facilities would be included in the design of the Mountain Edge Parkway, with the Preferred Alignment providing flood protection for an additional 320 acres compared to the Existing Alignment. Design of the interchanges would include drainage facilities to perpetuate the stormwater runoff safely downstream. Because the Existing Alignment divides part of the KCG section into two 320 acre half sections, additional stormwater and drainage facilities would be required. City of Las Vegas estimates indicate that this would be an additional \$10 million cost attributable to the Existing Alignment.

Noise and Visual Impacts

The Preferred Alignment avoids the need to construct visually obstructive sound walls that would be required along both sides of the Existing Alignment. The Preferred Alignment, which would be adjacent to the Red Rock National Conservation Area, would maximize views to the west by providing a buffer next to this sensitive resource. The buffer would eliminate the need for sound barriers along the west side of the roadway that would otherwise obstruct views.

uses adjacent to the Preferred Alignment, including a park and ride, recreational park, and trail system. It would provide a utility corridor and would provide for flood control, multi-use trails, transit, and would also incorporate an existing 100 foot power easement into the Mountain Edge Parkway Corridor. This would minimize impacts to land needed for infrastructure and provide regional flood control protection to an additional 320 acres of land.

Use of the Existing Alignment would result in a facility that is not compatible with current land use plans and would have adverse impacts on planned residential neighborhoods due to its close proximity to housing units.

Socioeconomic Factors

The northwest Las Vegas Valley is experiencing strong population growth that is expected to continue through the year 2030. The traffic analysis zones (TAZs) that fall within the study area are bounded by the City of Las Vegas boundary to the west, Moccasin Road to the north, Durango Road to the east, and Grand Teton Drive to the south. Within this area, the 2000 population reported by the U.S. Census was 1,559. The 2006 RTC population estimates increased to almost 16,000 and continued growth to over 48,000 residents is projected by 2030. Employment is expected to increase from 965 in 2006 to 6,339 in 2030. A summary population trends reflected by RTC and U.S. Census data is shown in Table 1. This formerly undeveloped area is undergoing a rapid transformation into an urbanized community. Similarly, the population of the urbanized Las Vegas Valley is expected to increase almost 80 percent from 1.8 million to 3.2 million between 2006 and 2030. Employment is projected to increase from 864,213 to over 1.5 million during the same period. It should be noted that population forecasts for the Las Vegas Valley have historically substantially underestimated population growth. Ultimate build-out potential for this area of the northwest Las Vegas Valley and for the metro region as a whole is substantially higher, as documented in the *Mountain Edge Parkway Feasibility Study*.

The Preferred Alignment will allow for a more orderly development of residential, commercial, and other employment based land uses that will generate income, jobs, and tax revenues from property and retail sales activity. The Existing Alignment would not allow for optimal land development and would therefore reduce the socioeconomic benefits that the KCG master planned community will generate for the City.

Table 1: Study Area Population and Employment Growth

	2000*	2006**	2030**
Population	1,559	15,924	48,056
Employment	-	965	6,339

*Source: U.S. Census, 2000

** Source: RTC Population Forecasts, 2006.

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4 Conclusion

The relocation of the Mountain Edge Parkway corridor from the Existing Alignment to the Preferred Alignment is recommended based upon the engineering, capital cost, land use, socioeconomic, and environmental factors. The new alignment offers the opportunity to develop a system-to-system interchange that is less costly, provides for substantially fewer land use conflicts, and will promote more efficient land use patterns that are environmentally and economically sustainable. A summary of the comparison of alignments is provided in Table 2.

Table 2: Issues Summary

Issue	Preferred Alignment	Existing alignment
Geometrics	• 1 mile spacing to Horse Interchange (meeting AASHTO/FHWA standard) • Perpendicular approach to US 95 • Smaller interchange footprint and shorter bridge spans • Improved connection for Iron Mountain Road and Kyle Canyon Road	• ½ mile spacing to Horse Interchange (not meeting AASHTO/FHWA standard) • Skewed approach to US 95 • Larger interchange footprint and longer bridge spans
Capital Costs	• \$317 million for US 95 interchange	• \$426 million for US 95 interchange • Longer bridge spans • Additional ROW needed to accommodate braided ramps and bridge spans
Land Use	• Promotes residential and mixed use development in Kyle Canyon Gateway (KCG) • Promotes trails and parks / community facilities in KCG • Provides area for a park-and-ride for transit • Provides integrated utility corridor • Compatible with City land use plans	• Bisection of residential and mixed uses planned for KCG • Bisection of trails and impacts parks / community facilities in KCG • No park-and-ride for transit • Incompatible with City land use plans
Socioeconomic	• Supports residential population and employment growth	• Precludes optimal development of KCG
Air Quality	• Conforms to SIP • Air quality benefits realized sooner due to lower cost and less complex design	• Conforms to SIP • Air quality benefits delayed due to higher cost and more complex design • Capital cost may delay other transportation improvements
Flood Control	• Provides flood protection for an additional 320 acres	• Approximately \$10 million in additional costs for flood control facilities
Noise and Visual	• No sound walls would be required due to distance from residences	• Sound walls would block views of Red Rock National Conservation Area

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Comparative Analysis of Alternatives

ACKNOWLEDGEMENTS

The City of Las Vegas

Key personnel include:

- Betsy Fretwell, Deputy City Manager
- Charlie Kajkowski, Director of Public Works
- Jorge Cervantes, Deputy Director/City Engineer
- Randy Fultz, Assistant City Engineer
- Tom Perrigo, Deputy Director of Planning and Development
- Greg McDermott, Project Manager
- Connie Diso, Project Engineer
- Mary Wulff, Right-of-way Agent

Parsons Brinckerhoff, Inc.

James Marrs, P.E.
Engineering Manager

B.S. in Civil Engineering and 19 years of engineering experience.

Lee Gibson, AICP
Planning Manager

Master of Urban and Regional Planning, 24 years experience in transportation planning and management.

Bryan Davis
Deputy Project Manager

B.S. in Landscape Architecture, 39 years experience in transportation planning management and NEPA compliance.

Amy McAbee-Cummings, AICP
Environmental Planner

B.A. in History and Master of Community Planning with 7 years of experience in urban and regional planning, transit planning, and environmental planning.

Massoud Javid, PE, PhD
Travel Demand Forecasting Manager

PhD in Civil and Environmental Engineering, 20 years experience transportation and traffic engineering.

Lorenzo Sanchez
GIS

GIS and CAD training courses, 12 years experience in advanced GIS applications

Marc Reisman
Transportation Planner

BMB in Music Business Administration, 11 years experience in transportation planning and program management.

James Hamilton, AICP
Senior Environmental Planner

B.A. in Political Science, M.A. in Political Science, and Master of Urban Planning with 10 years of experience in transportation and land use planning, socioeconomics, and environmental justice.

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Scott Scruggs,
Sr. Supervising Engineer

B.S. in Civil Engineering with 24 years of experience in design and analysis of streets and highways, freeways, traffic engineering, and transit projects.

Becky Blatnica, AICP
Community and Environmental Planner

B.A. in History and Geography and Master of Community and Regional Planning with 6 years of experience in community and environmental planning.

MBP Consulting

Mary Peters
Environmental Planner

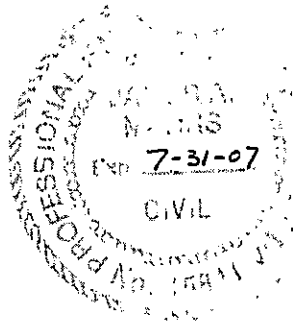
J.D. Law, B.S. Fisheries and Wildlife Biology with 19 years of experience in environmental planning.

I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly Registered Professional Civil Engineer under the laws of the State of Nevada.

Signature: _____

Name: James Marrs, P.E.

Date: April 1, 2007 Reg. No.: 015841 Expiration Date: July 31, 2007



MSH-21013
04/26/07 PC



April 4, 2007

Doug Rankin, Planning Manager
City of Las Vegas
Planning & Development Department
731 South Fourth Street
Las Vegas, NV 89101

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
JIS TARKANIAN
TEVEN D. ROSS
WARD 5 (VACANT)

DOUGLAS A. SELBY
CITY MANAGER

RE: MASTER PLAN OF STREETS AND HIGHWAYS AMENDMENT FOR
THE MOUNTAIN EDGE PARKWAY

Dear Mr. Rankin:

On July 19, 2006 the City Council approved an amendment to the Master Plan of Streets and Highways (MSH 13365) to add an alternative Freeway/Expressway alignment for the Mountain Edge Parkway. This alternative was added so that City staff could explore in more detail the feasibility and benefits of the new freeway alignment with the BLM. The City's consultant, Parsons Brinckerhoff Quade & Douglas, Inc. (PB) has recently completed the analysis for the northern and southern alignments. The report recommends adopting the northern alignment due to superior cost, utility corridor, land-use, transportation geometrics, transportation efficiency, safety, and operations benefits versus the existing southern alignment.

It is our request that the current southern alignment of the Mountain Edge Parkway between Grand Teton Drive and Fort Apache Road be removed from the Master Plan of Streets & Highways and the northern alignment be identified as the recommended alignment.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Fultz".

Randy L. Fultz, P.E.
Assistant City Engineer
Public Works Department

cc: Charlie Kajkowski, Jr. P.E. – Director
Jorge Cervantes, P.E. – Deputy Director
Bart Anderson, P.E. – Engineering Project Manager

CITY OF LAS VEGAS
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LAS VEGAS, NEVADA 89101

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04/26/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-20490 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT/OWNER: MAR, LCC - Request for a Site Development Plan Review FOR A
PROPOSED PARKING LOT AND A WAIVER OF THE DOWNTOWN CENTENNIAL
PLAN STREETSCAPE STANDARDS on 0.26 acres at 829 South Sixth Street (APN 139-34-
410-204), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 05/16/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 6/6/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

ANDY REED, Planning Supervisor, reported that this request is consistent with the pattern of development that is occurring in the subject area and he recommended approval.

CARL MAISNER, Welles Pugsley Architect, 2480 East Tompkins Avenue, was present on behalf of the applicant, agreed to all conditions and requested approval.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 86 – SDR-20490

MINUTES – Continued:

CHAIRMAN DAVENPORT declared the Public Hearing closed.
(12:14 – 12:16)
4-2577

CONDITIONS:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan and landscape plan, date stamped 03/13/07, except as amended by conditions herein.
3. The Waiver from providing the required streetscape treatment along Hoover Avenue is hereby approved, due to the constricted width of the public right-of-way. The streetscape treatment along Hoover Avenue shall be required at such time as the street is reconfigured to allow a full-width sidewalk and amenity zone in accordance with the Downtown Centennial Plan.
4. The existing construction fence must be brought into conformance with the Construction Standards outlined in Subsection VII.C.8 of the Downtown Centennial Plan.
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. The technical landscape plan shall include the following changes from the conceptual landscape plan: a minimum of 20 five-gallon shrubs must be shown within the western and southern perimeter buffer areas and the height of the two streetscape trees within the right-of-way at the western entry must be noted and meet or exceed the 25-foot minimum height requirement.
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.

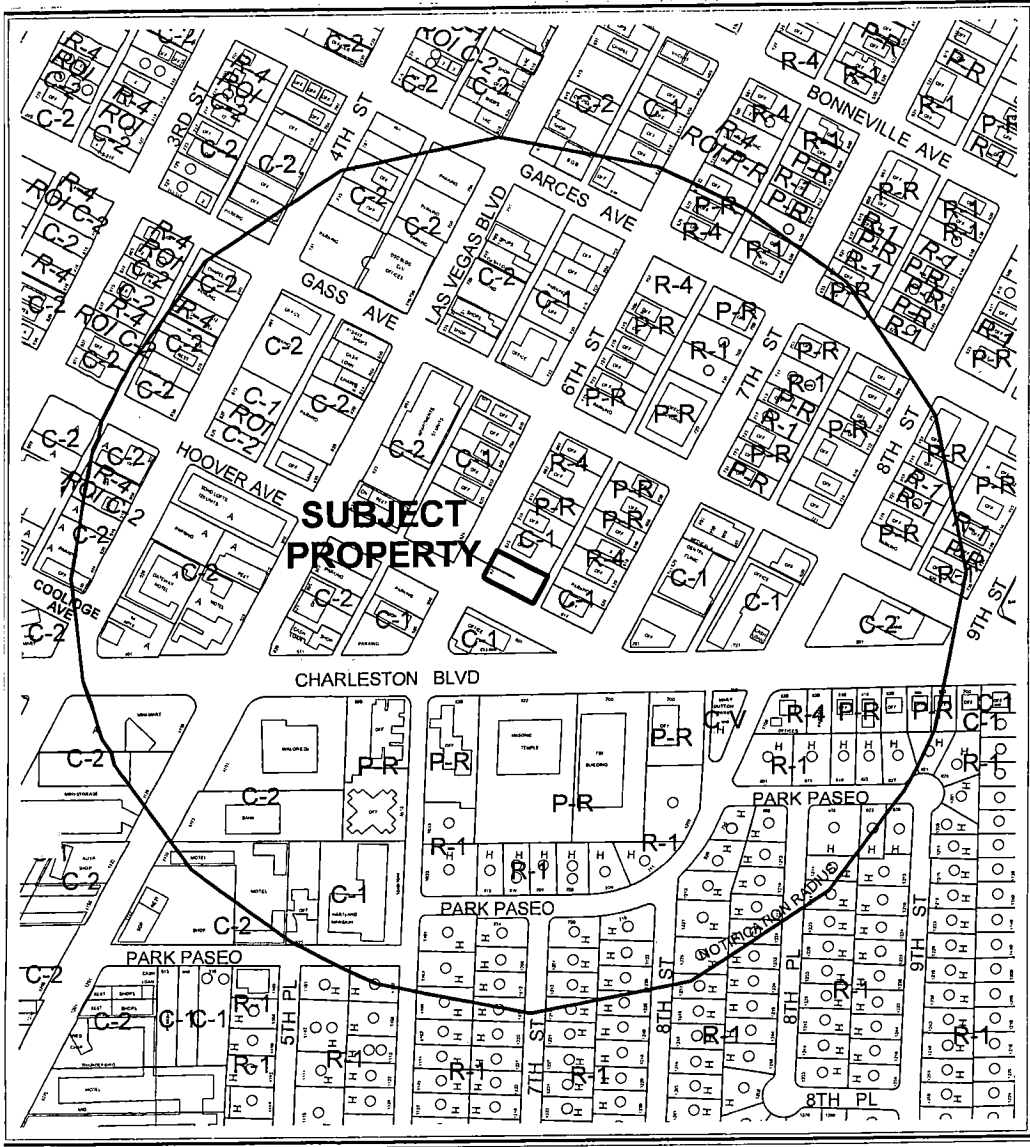
PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 86 – SDR-20490

CONDITIONS – Continued:

7. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.
8. Utilities and power service lines in alleys shall be located underground in accordance with the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as depicted in Graphic 8 of the Downtown Centennial Plan.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

10. Submit an application for a deviation from Standard Drawing #222a to the Land Development section of the Department of Public Works for the driveway accessing this site from South Sixth Street. The proposed security gates shall remain fully open during business hours; the installation of swing gates or rolling gates is acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.
11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site, except as amended by conditions herein.
12. Landscape and maintain all unimproved rights-of-way, if any, on 6th Street and Hoover Avenue adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
13. Submit an Encroachment Agreement for all landscaping, if any, located in the 6th Street and Hoover Avenue public right-of-way adjacent to this site prior to occupancy of this site.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.



CASE: **SDR-20490**

RADIUS: 1000 FT

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





CASE: SDR-20490

RADIUS: 1000 FT

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

0 500 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 26, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-20490 - APPLICANT/OWNER: MAR, LLC**

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

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan and landscape plan, date stamped 03/13/07, except as amended by conditions herein.
3. The Waiver from providing the required streetscape treatment along Hoover Avenue is hereby approved, due to the constricted width of the public right-of-way. The streetscape treatment along Hoover Avenue shall be required at such time as the street is reconfigured to allow a full-width sidewalk and amenity zone in accordance with the Downtown Centennial Plan.
4. The existing construction fence must be brought into conformance with the Construction Standards outlined in Subsection VII.C.8 of the Downtown Centennial Plan.
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. The technical landscape plan shall include the following changes from the conceptual landscape plan: a minimum of 20 five-gallon shrubs must be shown within the western and southern perimeter buffer areas and the height of the two streetscape trees within the right-of-way at the western entry must be noted and meet or exceed the 25-foot minimum height requirement.
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.

RTS

SDR-20490 - Conditions Page Two
April 26, 2007 - Planning Commission Meeting

7. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.
8. Utilities and power service lines in alleys shall be located underground in accordance with the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as depicted in Graphic 8 of the Downtown Centennial Plan.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

10. Submit an application for a deviation from Standard Drawing #222a to the Land Development section of the Department of Public Works for the driveway accessing this site from South Sixth Street. The proposed security gates shall remain fully open during business hours; the installation of swing gates or rolling gates is acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.
11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site, except as amended by conditions herein.
12. Landscape and maintain all unimproved rights-of-way, if any, on 6th Street and Hoover Avenue adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
13. Submit an Encroachment Agreement for all landscaping, if any, located in the 6th Street and Hoover Avenue public right-of-way adjacent to this site prior to occupancy of this site.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

SDR-20490 - Staff Report Page One
April 26, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Site Development Plan Review to allow a proposed 29 space parking lot on 0.26 acres at 829 South Sixth Street. The applicant requests a waiver of the Downtown Centennial Plan streetscape requirements in order to permit the development of the proposed surface parking lot.

The applicant states that the design of the parking lot conforms as closely as possible to the requirements of the Downtown Centennial Plan and Title 19. Due to the consistence of this plan with the previously approved site development plan review (SDR-4740) that expired for this site, approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/28/61	The Board of Zoning Adjustment approved a Special Use Permit (U-0025-61) in order to permit the construction of a professional office building on the subject site.
01/09/79	A Variance (V-0110-78) application was Withdrawn Without Prejudice by the applicant prior to consideration by the Board of Zoning Adjustment. The Variance would have allowed a wall sign in excess of size limitations.
10/15/86	The City Council approved a Reclassification of Property (Z-0072-86) from R-4 (Apartment Residence) and C-1 (Limited Commercial) to C-1 (Limited Commercial) for the properties at 823 and 829 South Sixth Street in order to permit an addition to an existing office building.
07/24/03	A Rezoning (ZON-2581) application was Withdrawn Without Prejudice prior to consideration by the Planning Commission. The request would have allowed the property to be Rezoned from C-1 (Limited Commercial) to R-5 (Apartment) in order to permit the development of a Halfway House (Criminal). A companion Site Development Plan Review (SDR-2583) application and Special Use Permit (SUP-2584) application were also withdrawn at that time.
08/26/04	The Planning Commission approved a request for a Site Development Plan Review (SDR-4740) to allow a parking lot on this site with waivers of various Downtown Centennial Plan standards. Staff had recommended approval.
08/26/06	The approval of a Site Development Plan Review (SDR-4740) to allow a parking lot on this site with waivers of various Downtown Centennial Plan standards expired.

SDR-20490 - Staff Report Page Two
April 26, 2007 - Planning Commission Meeting

Related Building Permits/Business Licenses	
06/08/87	A business license for an M01 (Maintenance Services – Janitorial: janitorial, cleaning, or maintenance services. Includes carpet cleaning and swimming pool/spa maintenance, but does not include contracting, lawn and landscape maintenance, construction cleanup, or tree trimming) category license was processed in by the Department of Finance and Business Services. This license (M01-01869) was issued by Business Services on 05/18/88 with no apparent Planning and Development review. This license is still active as of 04/04/07.
04/15/04	A building permit application, plan check L-1705-04, was submitted for the site. This was for a demolition permit for the building located at 829 South 6 th Street. This permit (04018605) was reviewed and approved by the Planning and Development Department and issued by the Building and Safety Department on 07/28/04.
Pre-Application Meeting	
02/21/07	A pre-application meeting was held and elements of this application were discussed. It was noted that this parking lot had previously been approved and that there would need to be waiver requests as in the previous case. Submittal requirements were discussed.
Neighborhood Meeting	
A neighborhood meeting is not required nor was one held.	

Field Check	
03/22/07	The Department of Planning and Development conducted a site visit that found that there was a temporary chain link fence around the majority of the site that does not meet the Construction Standards of the Downtown Centennial Plan, that there was equipment and material being stored on-site that was not actively in use without proper screening and that vehicles were using the eastern portion of the site for illegal parking on the unimproved dirt.

Details of Application Request	
Site Area	
Net Acres	0.26

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)

SDR-20490 - Staff Report Page Three
April 26, 2007 - Planning Commission Meeting

South	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
East	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
West	Undeveloped	MXU (Mixed-Use)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		N*
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	X		N*
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

* If approved, the waiver requested as a part of this review will grant relief from the City standards for streetscape requirements within the Downtown Centennial Plan.

DEVELOPMENT STANDARDS

Pursuant to the Downtown Centennial Plan, the following landscape and buffer standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces (located in islands and/or at the perimeter)	5 Trees	12 Trees	Y
Min. Square Footage	10 SF/Parking Space	290 SF	1,952 SF	Y
Buffer (when req'd): Min. Trees	1 Tree/20 Linear Feet	12 Trees	12 Trees	Y
TOTAL	12 Trees		12 Trees	Y
Min. Zone Width	n/a		8 Feet @ ROW 5 Feet @ Interior	n/a
Wall Height	3.5 Feet (Per Graphic 9, Downtown Centennial Plan)		3.5 Feet	Y

SDR-20490 - Staff Report Page Four
April 26, 2007 - Planning Commission Meeting

Pursuant to the Downtown Centennial Plan, the following streetscape standards apply:

Streetscape Standards	Required	Provided	Compliance
East/West Street (Hoover Avenue)	1 Shade Tree @ 15 to 20' o.c. max. (36" box)	Zero Trees	N *
North/South Street (Sixth Street)	1 Shade Tree @ 35' o.c. max. (min. 25' height)	1 Shade Tree @ <35' o.c. (2 Trees)	Y
Right-of Way Improvements:	Sidewalk and Amenity Zones (Per Graphics 11 & 12, Downtown Centennial Plan)	Not indicated on the plans	N **

* If approved, the waiver requested as a part of this review will allow for the streetscape requirements for Hoover Avenue to be delayed until the street is reconfigured at some point in the future. A condition of approval has been added to this affect.

** No streetscape treatments are shown on the plans. A condition of approval has been added that the alley treatment standards be adhered to.

Waivers		
Request	Requirement	Staff Recommendation
To not adhere to the streetscape standards along Hoover Avenue or 6 th Street.	Street Trees, Sidewalk and Amenity Zones (Per Graphics 9, 11, & 12, Downtown Centennial Plan)	Approval - for the Hoover Avenue improvements until the right-of-way is reconfigured and able to accommodate the requirements.

ANALYSIS

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as C (Commercial) on the Redevelopment Plan Area Map of the General Plan. This category allows for commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories. The proposed use is in conformance with the land use designation.

The project was previously approved under a site development plan review (SDR-4740) which expired in August of 2006. The building that was on this site at the time the 2004 case was approved has since been demolished. The proposed parking lot will provide additional parking for the office building on the abutting parcel to the north, and for a new multi-story office building under construction at 823 South Las Vegas Boulevard (SDR-4372). A parking lot is a permitted use in the C-1 zoning district. Due to this being a surface parking lot there are no Residential Adjacency or Parking Standards that apply. The two office buildings that the parking lot is intended to serve have on-site parking that meets those locations requirements.

SDR-20490 - Staff Report Page Five
April 26, 2007 - Planning Commission Meeting

As previously noted, the subject site is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed use is in conformance with the Redevelopment Plan. Further, the site is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Downtown South District. The district is intended to accommodate a wide variety of commercial and residential uses within a dense, urban environment. While it is intended that parking is to be located within parking structures or at the interior of a site, surface lots are allowed if properly screened from adjacent rights-of-way.

- **Site Plan**

The site plan depicts a driveway entrance located on South Sixth Street, with an exit located on the public alley at the rear of the property. The proposed circulation plan should not impact adjacent properties, and the surrounding street network has sufficient capacity to accommodate the use. The site plan notes that the proposed gates at the entrance and exit will remain open during the hours of business as required by Public Works. A screen fence in conformance with the Downtown Centennial Plan requirements will be provided on three sides of the property as required.

- **Waivers**

The applicant has requested a waiver from the Downtown Centennial Plan streetscape requirements. Staff would recommend approval of the waiver from providing the required streetscape along Hoover Avenue, as the configuration of the right-of-way does not permit a full 11-foot wide sidewalk and five-foot amenity zone as required by the plan. In addition, it is recommended that the applicant be exempt from providing the contrasting sidewalk treatment at the intersection until such time as Hoover Avenue is reconfigured. A condition has been added to approve the waiver of the Hoover Avenue portion of this site from the Downtown Centennial Plan streetscape standards until such time as the right-of-way is reconfigured and can accommodate the improvements. Further, a condition has been added that the alleyway must meet the alleyway treatment as depicted in Graphic 8 of the Downtown Centennial Plan.

- **Landscape Plan**

There are no specific landscape perimeter buffer requirements under the Downtown South portion of the Downtown Overlay district. The landscape plan indicates that there will be an eight-foot wide buffer along the public right-of-way and a five-foot wide buffer at the interior property line. According to Subsection VII.C.3 the required landscaping for a surface parking lot may be done either as islands or along the perimeter. For this site all landscaping is along the perimeter and exceeds the 10 square-foot per parking space and one tree per six parking spaces that are required. The plan shows that the site will meet the maximum tree spacing restriction that is a part of this district's landscaping standards.

SDR-20490 - Staff Report Page Six
April 26, 2007 - Planning Commission Meeting

There has been a condition added that when the required technical landscape plan is submitted for planning review, that the plan must reflect a minimum of 20 five-gallon shrubs either as a substitute or an addition to the depicted one-gallon shrubs indicated on the conceptual plan for the western and southern perimeter buffer areas. The added condition also requires that the heights for the streetscape trees in the South 6th Street right-of-way be noted and that they must meet or exceed the 25-foot minimum set by the Downtown Centennial Plan.

The proposed parking lot is substantially the same as the one that was approved for this site in 2004. As auxiliary parking for two area office buildings, the site meets the standards, with the streetscape standards waiver, for surface parking lots within the Downtown South portion Downtown Overlay district. For these reasons staff is recommending approval 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 parking lot is a conforming use, and will provide overflow parking for two office buildings in the immediate area. The parking lot is generally consistent with development in the area.

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

The parking lot is consistent with the General Plan, but does not meet the requirements of the Downtown Centennial Plan for streetscape standards. Staff is in support of the waiver that has been requested for the Hoover Avenue streetscape as conditioned.

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

The circulation plan for the parking lot will not impact the flow of traffic on adjacent streets or impact adjacent properties.

SDR-20490 - Staff Report Page Seven
April 26, 2007 - Planning Commission Meeting

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

The proposed landscape materials are appropriate for the City, and the proposed screen fence will conform to the Downtown Centennial Plan requirements.

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;

There are no structures proposed as a part of this application request.

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

Inspections will be performed to ascertain that all improvements will be constructed in accordance with Code requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

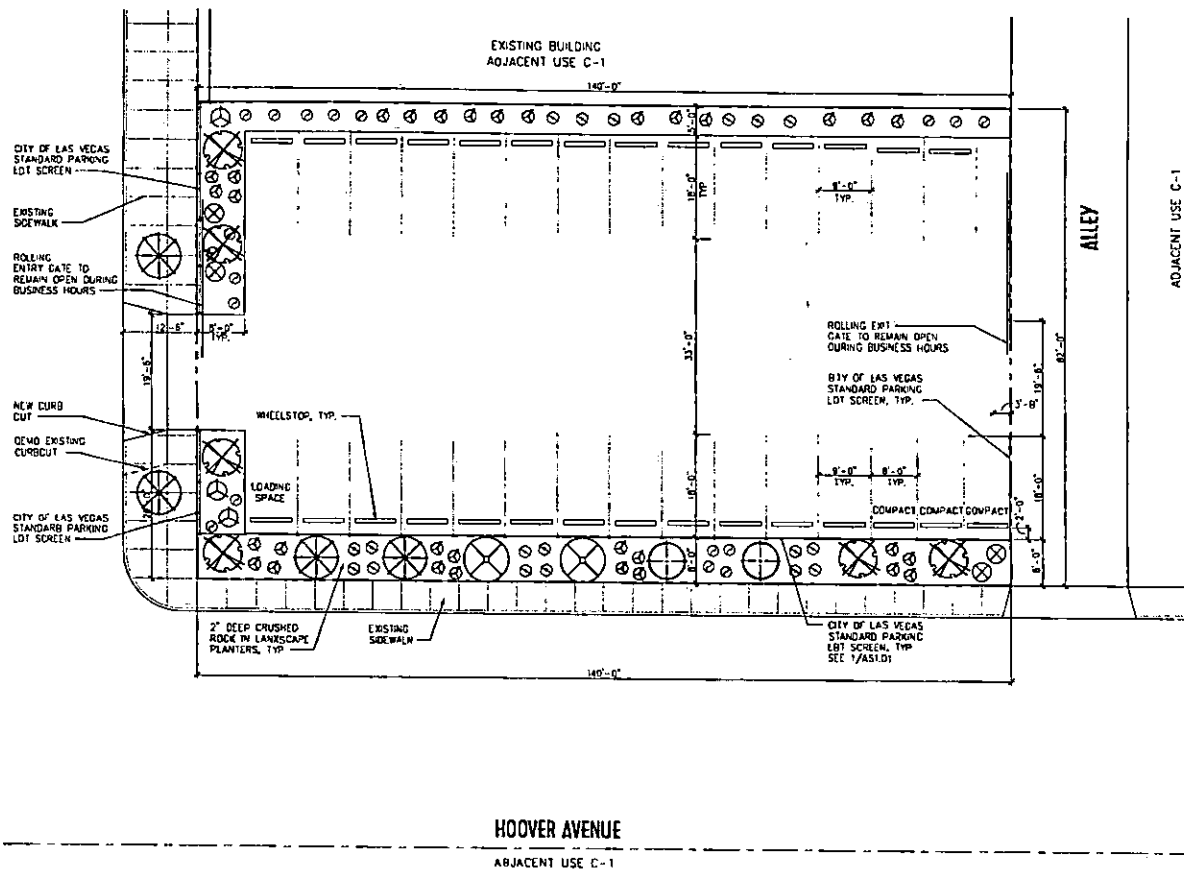
NOTICES MAILED 293

APPROVALS 0

PROTESTS 0



Case Number: **SDR-20490** APN: 139-34-410-204



PARCEL INFORMATION
 APN: 130-54410204
 ZONED: C-1, LIMITED COMMERCIAL
 LOCATED IN THE DOWNTOWN
 OVERLAY DISTRICT
 GENERAL PLAN: C

PROPOSED USE
 PARKING LOT FOR ADJACENT
 5500 S.F. BUILDING, 8 823 S. LAS VEGAS BLVD
 PROFESSIONAL OFFICE, PARKING REQ:
 1 PARKING SPACE PER 300 S.F.
 OFFICE AREA
 9600 ÷ 300 = 32 PARKING SPACES REQUIRED

PARKING ANALYSIS - 6TH STREET PARKING LOT:
 1 LOADING SPACE
 25 STANDARD SPACES
 3 COMPACT SPACES
 28 TOTAL SPACES
 (BUSINESSES SERVED BY THIS OFF-SITE PARKING LOT ALSO HAVE THEIR OWN ON-SITE PARKING SPACES - SEE BELOW)

PARKING ANALYSIS - MAIN BUILDING:
 NO PARKING REQUIRED PER DOWNTOWN OVERLAY DISTRICT STANDARDS
 PARKING STANDARD USED: DOWNTOWN CENTRAL PLAN
 20 STANDARD PARKING SPACES
 1 COMPACT PARKING SPACE
 2 H/C PARKING SPACE
 1 LOADING ZONE SPACE
 24 TOTAL PARKING SPACES

LANDSCAPE ANALYSIS
 1 SHADE TREE REQ. FOR EVERY 6 SPACES
 28 SPACES ÷ 6 TREES = 4.63 TREES REQUIRED
 12 TREES PROVIDED
 10 S.F. OF LANDSCAPE SURFACE AREA REQUIRED FOR EACH PARKING SPACE
 28 PARKING SPACES X 10 S.F. = 280 S.F. LANDSCAPING REQ.
 1,952 S.F. LANDSCAPE AREA PROVIDED AT PERIMETERS

WELLES PUGSLEY ARCHITECTS, LLP
 2400 N. LINCOLN AVENUE, SUITE 222, LAS VEGAS, NEVADA 89108
 P. 702.633.1234 FAX 702.633.1235

STAMP:
 REVISIONS

PROJECT NAME:
SURFACE PARKING LOT FOR LAW OFFICE AT 824 S. 6TH STREET
 LAS VEGAS, NEVADA

PROJECT NUMBER:
 WP-0405-103

SHEET TITLE:
SITE PLAN

DRAWN BY:
 NO

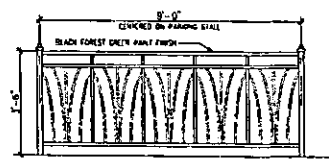
CHECKED BY:
 @

DATE:
 MARCH 13, 2007

SUBMITTAL:
 DESIGN REVIEW

SHEET NUMBER:
AS1.01

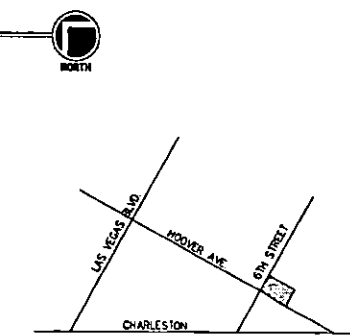
SITE PLAN
 SCALE: 1" = 10'



STANDARD PARKING LOT SCREEN DETAIL
 SCALE: 1-1/2" = 1'-0"

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	REMARKS
TREES					
⊗	CERCORNIUM FLORIDUM	BLUE PALM VERDE	1	24" BOX	
⊗	LAFARIS CHLOPS	DESERT WILLOW	2	24" BOX	
⊗	ONITAPIS YOUNGIAE	ONITAPA	2	24" BOX	
⊗	OLEITIS FABACEAE	MORANG HONEY LOCUST	1	24" BOX	
SHRUBS					
⊗	DESOR FABACEAE	DESERT CASSIA	4	5 GAL	
⊗	FALLUDA ROSACEAE	APACHE PLUME	2	5 GAL	
⊗	LEUCOPHYLLUM SCROPHULARIACEAE	CHIHUAHUA SAGE	5	1 GAL	
⊗	LANTANA VERBENACEAE	BUSH LANTANA	15	1 GAL	
⊗	HEPERALOE AGAYACEAE	RED YUCCA	12	1 GAL	

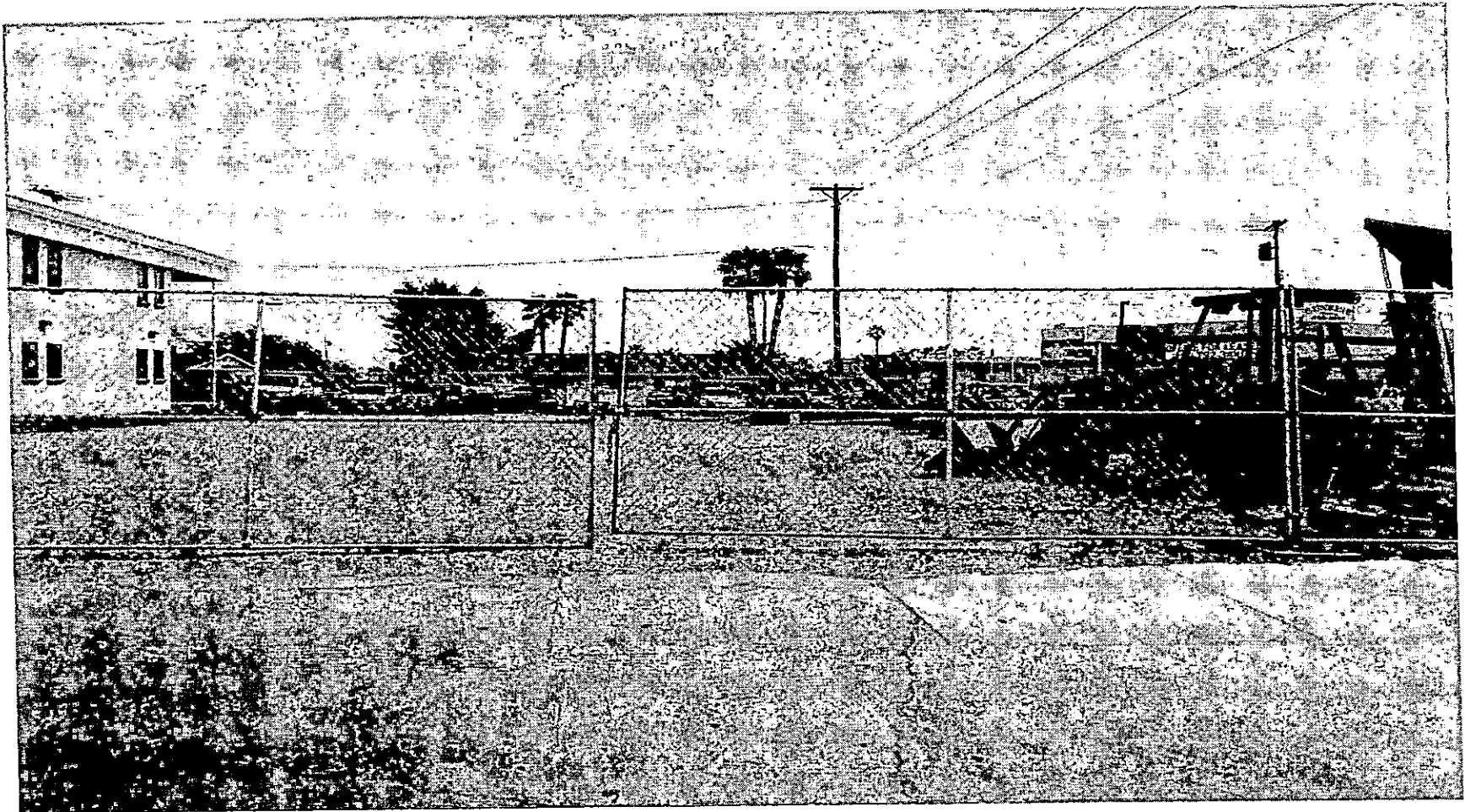
PLANT SCHEDULE



VICINITY MAP

MAR 13 2007

SDR-20490
04/26/07 PC



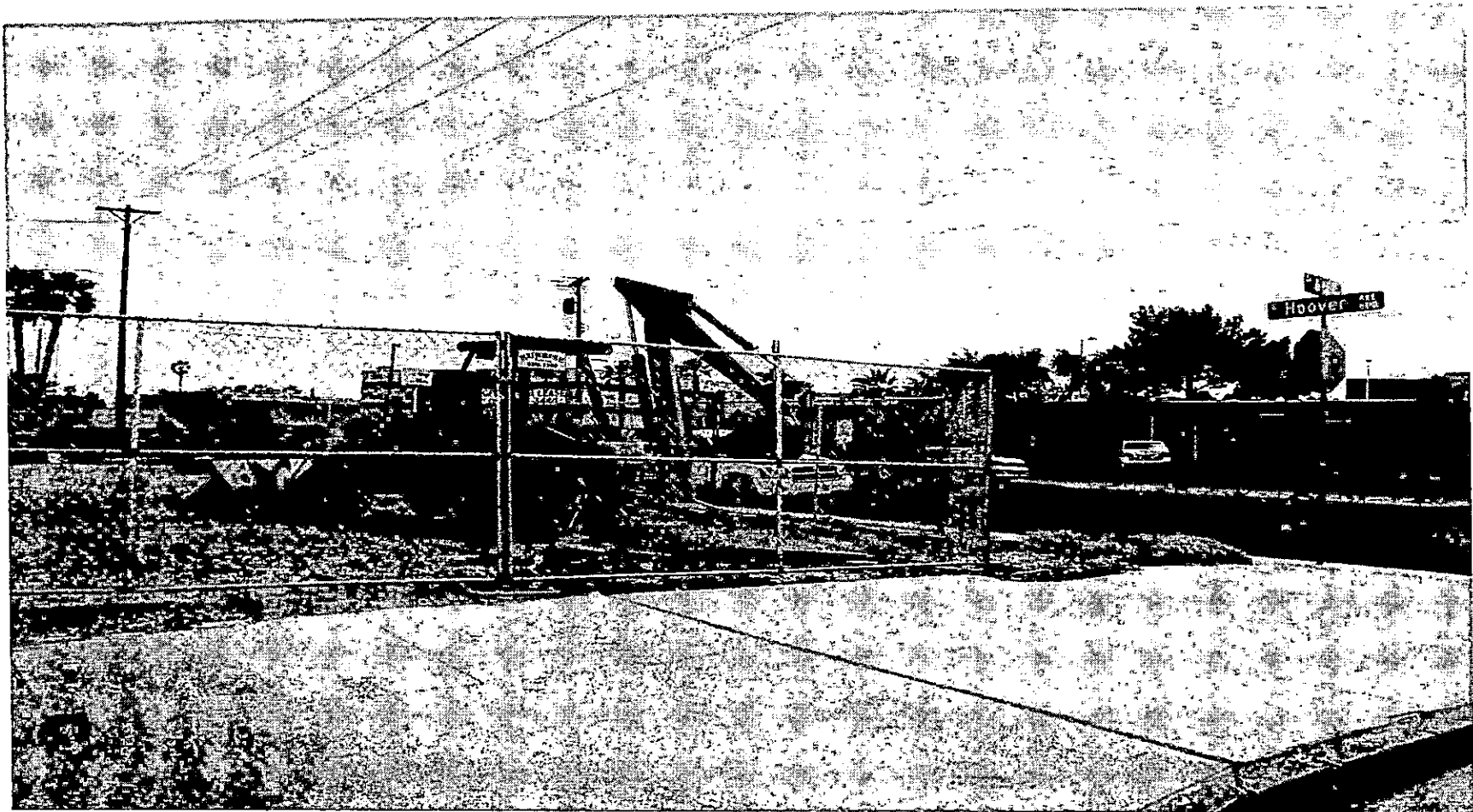
SDR-20490 - APPLICANT/OWNER: M A R L C C
829 SOUTH SIXTH STREET
APRIL 26, 2007 PLANNING COMMISSION

03/28/07



SDR-20490 - APPLICANT/OWNER: M A R L C C
829 SOUTH SIXTH STREET
APRIL 26, 2007 PLANNING COMMISSION

03/28/07



SDR-20490 - APPLICANT/OWNER: M A R L C C
829 SOUTH SIXTH STREET
APRIL 26, 2007 PLANNING COMMISSION

03/28/07

March 13, 2007

RE: Parking Lot for Callister & Reynolds Law Office Building

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

Dear Sir or Madam:

Subject: Justification Letter

I am writing on behalf of my clients who are requesting a Site Development Plan Review for their Surface Parking Lot project. They intend to use this parking lot as remote parking for their office buildings at 823 S. Las Vegas Boulevard and 824 S. 6th Street.

How the project supports the City's policies and regulations

This project provides parking for two buildings located in the Las Vegas Downtown Overlay District. Where possible, the design conforms to the Title 19 requirements for landscaping and parking lot screening in this district.

Waiver of Select Requirements

The design accommodates the landscape buffer requirement along 6th Street and Hoover Street with crushed rock and shrubbery. We request that the City waive the landscape buffer requirement on the alley side of the parking lot and the requirement to match the streetscape landscape along 6th Street & Hoover Street.

We also request that the interior landscape island requirement be waived because the five required islands decrease the number of total spaces by 5 spaces – a large number of spaces deleted from the possible 28 to 30 spaces possible on the lot. The trees required to be planted in the interior islands are still provided at the perimeter planters.

Finally, we ask that the accessible parking requirement in this lot be waived because the accessible parking is already being provided at the buildings it serves. Please refer to the documentation attached for details.

Respectfully yours,



Karl Maisner Jr.
Project Manager

MAR 13 2007

SDR-20490
04/26/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 26, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

TXT-20540 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - Discussion and possible action to amend Title 14, Section 14.11.150 to modify the current drought alert provisions to allow new front and back yard turf, not exceeding the total turf allowance set by the water district, in Single Family Dwellings.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Conditions For This Application
2. Staff Report

MOTION:

TROWBRIDGE -- APPROVED subject to conditions -- UNANIMOUS

To be forwarded to City Council in Ordinance Form

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning Supervisor, stated the amendment would allow new homes to have turf in the front yard although the amendment would not allow for additional amounts of turf. Each homeowner would be allowed the same amount of turf but would now have the choice of where to have the turf on their property. He recommended approval.

At the request of **TODD FARLOW**, 240 North 19th Street, **MR. RANKIN** confirmed this amendment would only affect new homes.

PLANNING COMMISSION MEETING OF APRIL 26, 2007
Department of Planning and Development
Item 87 – TXT-20540

MINUTES – Continued:

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(12:16 – 12:19)

4-2660

CONDITIONS:

1. Title 14.11.150 (B) is hereby amended to add the following new section:

14.11.150 Drought alert provisions. During drought alert conditions:

(A) Except as otherwise provided in Subsection (B), ~~No~~ no new turf may be installed in residential front yards. In single-family residential development, the installation of new turf shall not exceed fifty percent of the gross area of the side and rear yard or one hundred square feet, whichever is greater (up to a maximum of five thousand square feet). No turf area may be installed in the side or rear yard if any dimension thereof is less than ten feet.

(B) The owner of a single family dwelling may apply to the Director for an exemption from the prohibition in Subsection (A) regarding new turf in residential front yards. Approval of an exemption authorizes the applicant to install new turf in the front yard, but only if the total quantity of turf in the front, side and rear yards does not exceed the amount otherwise allowable in the side and rear yards under subsection (A). An application for exemption shall include such information regarding the applicant's plans as the Director may require, including authorization for City representatives to gain access to the property for purposes of determining compliance with this Section.

~~(B)(C)~~ During the months of May through August, the planting of cool-season grasses (i.e. tall fescue or rye grass) is prohibited. The planting of warm-season grasses (i.e. bermuda and zoysia) is permitted.

~~(C)(D)~~ The restrictions applicable to nonresidential development during drought watch conditions shall apply during drought alert conditions as well.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TXT-20540 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Title 14.11.150 (B) is hereby amended to add the following new section:

14.11.150 Drought alert provisions. During drought alert conditions:

(A) Except as otherwise provided in Subsection (B), ~~No~~ no new turf may be installed in residential front yards. In single-family residential development, the installation of new turf shall not exceed fifty percent of the gross area of the side and rear yard or one hundred square feet, whichever is greater (up to a maximum of five thousand square feet). No turf area may be installed in the side or rear yard if any dimension thereof is less than ten feet.

(B) The owner of a single family dwelling may apply to the Director for an exemption from the prohibition in Subsection (A) regarding new turf in residential front yards. Approval of an exemption authorizes the applicant to install new turf in the front yard, but only if the total quantity of turf in the front, side and rear yards does not exceed the amount otherwise allowable in the side and rear yards under subsection (A). An application for exemption shall include such information regarding the applicant's plans as the Director may require, including authorization for City representatives to gain access to the property for purposes of determining compliance with this Section.

~~(B)(C)~~ During the months of May through August, the planting of cool-season grasses (i.e. tall fescue or rye grass) is prohibited. The planting of warm-season grasses (i.e. bermuda and zoysia) is permitted.

~~(C)(D)~~ The restrictions applicable to nonresidential development during drought watch conditions shall apply during drought alert conditions as well.

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**** STAFF REPORT ****

APPLICATION REQUEST

Discussion and possible action to amend Title 14.11.150 (B) to modify the current turf ordinance in Single Family dwellings to allow new front and back yard turf, the total of which, not exceeding the total turf allowance set by the water district.

EXECUTIVE SUMMARY

BACKGROUND INFORMATION

The City's current ordinance on drought alert does not provide provisions allowing the substitution of turf on front yards that would otherwise be allowed in back and side yards.

14.11.150 Drought alert provisions. During drought alert conditions:

(A) No new turf may be installed in residential front yards. In single-family residential development, the installation of new turf shall not exceed fifty percent of the gross area of the side and rear yard or one hundred square feet, whichever is greater (up to a maximum of five thousand square feet). No turf area may be installed in the side or rear yard if any dimension thereof is less than ten feet.

(B) During the months of May through August, the planting of cool-season grasses (i.e. tall fescue or rye grass) is prohibited. The planting of warm-season grasses (i.e. bermuda and zoysia) is permitted.

(C) The restrictions applicable to nonresidential development during drought watch conditions shall apply during drought alert conditions as well.

ANALYSIS

The Southern Nevada Water Agency (SNWA) has developed drought conditions for the purpose of drought control. The following chart illustrates various city measures at each drought condition. Boulder City and North Las Vegas have adopted a turf ordinance similar to the proposed amendment while Henderson has adopted an ordinance similar to the City of Las Vegas current turf standards.

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Boulder City

	No Drought	Drought Watch	Drought Alert
Single-family homes	50 percent total of front/back yard can be grass. This includes a driveway or parking area.	Same as No Drought. New turf prohibited in common areas of neighborhoods, except for public or private community parks.	Installation of new turf limited to 50 percent of turf allowed under non-drought conditions.

North Las Vegas

	No Drought	Drought Watch	Drought Alert
Single-family homes	50 percent of a front yard can be grass. This includes a driveway or parking area.	Turf prohibited in common areas of residential properties.	Prohibited in residential front yards and restricted to 50 percent of side and back yards. Maximum of 5,000 square feet turf allowed.

Henderson

	No Drought	Drought Watch	Drought Alert
Single-family homes	50 percent of a front yard can be grass. This includes a driveway or parking area.	New turf prohibited in common areas, except for public and privately-owned parks as long as turf area is not less than 10 feet.	No new turf allowed in front yards. Side and rear yards may not exceed 50 percent. Maximum of 5,000 square feet allowed.

RECOMMENDATION

The adoption of the amended turf ordinance does not increase the total turf allowance for individual homeowners. Instead, it maintains the total turf allowance, established by the Southern Nevada Water Agency, and provides individual homeowners with more options to locate new turf during Drought Alert conditions, such as in their front yards.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas

PLANNING COMMISSION AGENDA **PLANNING COMMISSION MEETING OF: APRIL 26, 2007**

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

TOM McGOWAN, Las Vegas resident, stated that the Citizens Participation portion of the agenda has the same weight and standing as any other item on any agenda. He questioned the route a horse and carriage would take without taking accessing Las Boulevard or Main Street. He disagreed that closed meetings between the Arts District Development Corporation, Arts District Neighborhood Association, and the Arts District Task Force take place.

(12:19 - 12:22)

4-2765

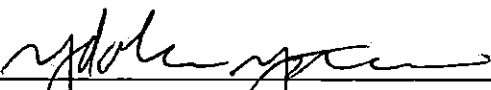
TODD FARLOW, 240 North 19th Street, expressed agreement with COMMISSIONER EVANS' previous comments that the City may need to reevaluate the idea of a Residential Planned Development.

(12:22 - 12:23)

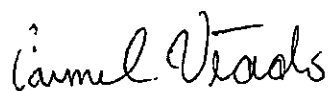
4-2745

MEETING ADJOURNED AT 12:23 A.M.

Respectfully submitted:



YDOLEENA YTURRALDE, DEPUTY CITY CLERK



CARMEL VIADO, DEPUTY CITY CLERK