

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 2, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

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

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

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

A. There shall be no full service of meals or any alcohol service. Breakfast for guests will be the only food service on site.

B. The pool will close no later than 10:00 p.m. daily.

C. Meeting room facilities shall be available for use by neighborhood associations at no cost, subject to availability.

CITY COUNCIL MEETING OF: MAY 2, 2007

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

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

Minutes:

See Item 73 for related backup and Item 74 for related discussion.





AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 2, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-19100 - APPLICANT/OWNER: KRYFAM, LP

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 18, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

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

BACKGROUND INFORMATION

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

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

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

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

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

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

DEVELOPMENT STANDARDS

Per the Towncenter Development Standards Manual:

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

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

Per Title 19.08.06, the following standards apply:

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

Per the Towncenter Standards, the following standards apply:

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

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

Pursuant to Title 19.10, the following parking standards apply:

in Exhibit to this EIR, the following parking standards apply:

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

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

ANALYSIS

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 375 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: KRFAM LP

Name of Applicant: Nigro Development

Name of Representative: Brad Jones

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: [Signature]

Print Name: Wayne Krygier

Subscribed and sworn before me

This 4 day of January, 20 07

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

January 4, 2007

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

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

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

Sincerely,

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

Ray Finkel
Project Manager

cc: 6180 JL.doc

SUP-19100
02/22/07 PC

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

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

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

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

	Date	Time	# of Cars	Daily Avg. %	Daily Avg. Cars
Tenaya Lodge # of available spaces 89	2/16/2007	7:00 PM	51	74%	51
	2/17/2007	6:00 PM	22	32%	22
	2/18/2007	5:45 PM	31	45%	31

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

Submitted at Planning Commission

Date 2/22/07 Item # 29-32

Telephone Protest/ Approval Log

Meeting Date: 2/22/07

Case Number: SWP 19100

Date: 2/22/07

Name: Rayshell Berry

Address: 7012 Glass Slipper

Phone: 655-2741



PROTEST



APPROVE

Date: _____

Name: _____

Address: _____

Phone: _____



PROTEST



APPROVE

Date: _____

Name: _____

Address: _____

Phone: _____



PROTEST



APPROVE

Date: _____

Name: _____

Address: _____

Phone: _____



PROTEST



APPROVE

Date: _____

Name: _____

Address: _____

Phone: _____



PROTEST



APPROVE

Date: _____

Name: _____

Address: _____

Phone: _____



PROTEST



APPROVE

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 2, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

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

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

Motion made by STEVEN D. ROSS to Approve Subject to Conditions , amending Conditions 1 and 3 and the following added conditions as read for the record:

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-19447) and Special Use Permit (SUP-19100) shall be required.
3. All development shall be in conformance with the site plan date stamped 3/19/07, landscape plan date stamped 5/02/07 and building elevations date stamped 4/27/07 for a building not to exceed 55' in height, except as amended by conditions herein.

A. Construction hours will be limited to 6:30 a.m. to 6:30 p.m., Monday through Saturday only.

CITY COUNCIL MEETING OF: MAY 2, 2007

B. Structure shall be a dark earth-tone in color subject to administrative approval. Exterior walls shall be repainted or resurfaced at least every 10 years.

C. Security cameras shall be utilized in the front parking lot.

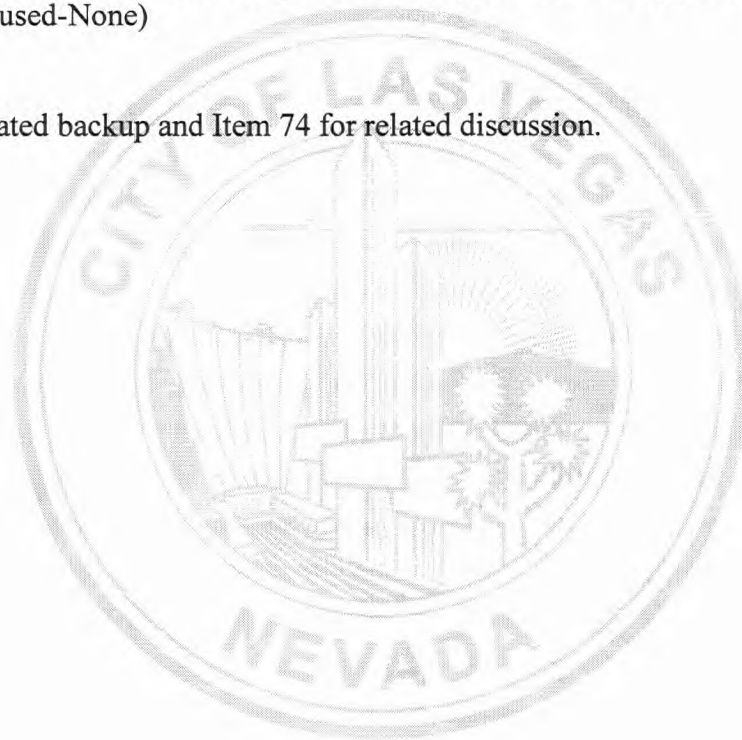
D. Four additional 36" box palm trees, at least 10' in height, shall be planted and maintained on the south side of the building.

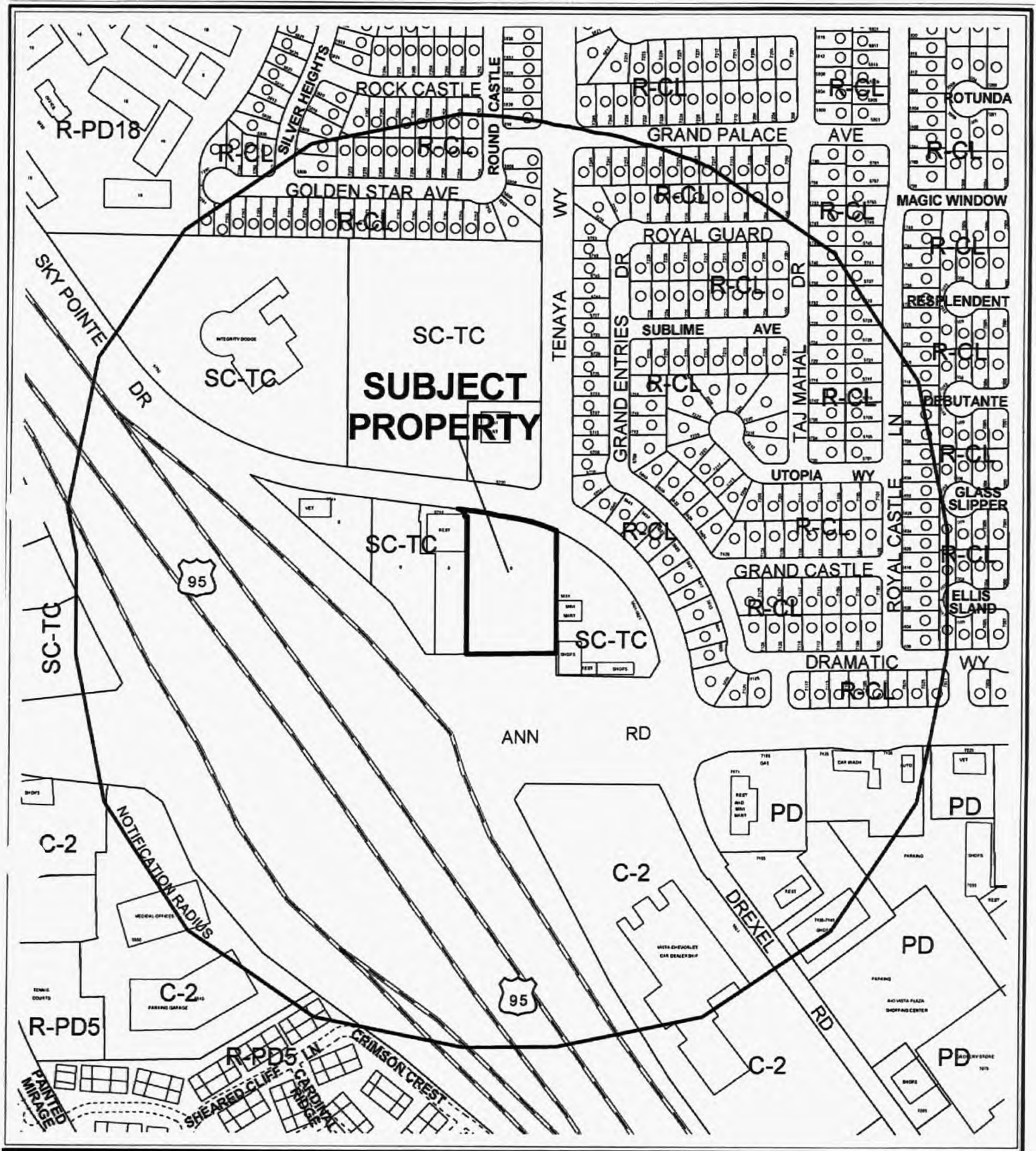
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

Minutes:

See Item 73 for related backup and Item 74 for related discussion.





CASE: **SDR-19097**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 2, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-19097 - APPLICANT/OWNER: KRYFAM, LP

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 18, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

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

Planning and Development

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

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

Public Works

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

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

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

BACKGROUND INFORMATION

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

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

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

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

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

DEVELOPMENT STANDARDS

Per the Towncenter Development Standards Manual:

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

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

Per Title 19.08.06, the following standards apply:

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

Per the Towncenter Standards, the following standards apply:

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

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

Pursuant to Title 19.10, the following parking standards apply:

In addition to Table 12-11b, the following parking standards apply:

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

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

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

ANALYSIS

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

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

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

FINDINGS

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

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

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

In regard to “1”:

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

In regard to “2”:

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

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

In regard to “3”:

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

In regard to “4”:

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

In regard to “5”:

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

In regard to “6”:

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT

13

SENATE DISTRICT 9

NOTICES MAILED 377 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Krfam, LP

Name of Applicant: Nigro Development

Name of Representative: Brad Jones

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

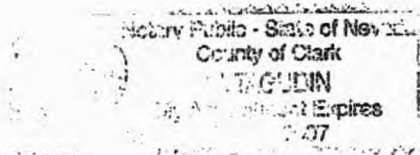
Signature of Property Owner: _____

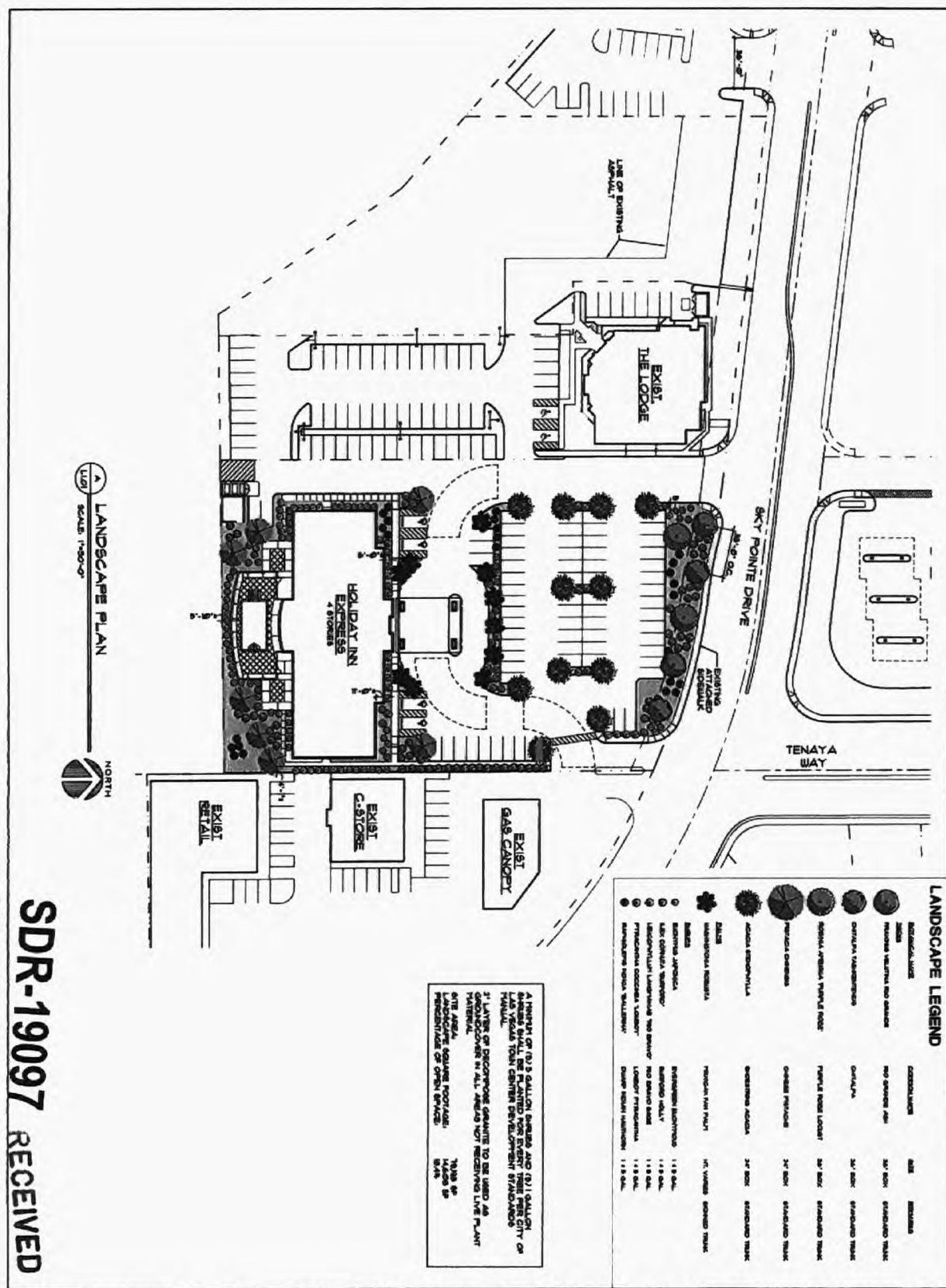
Print Name: Wayne Krygier

Subscribed and sworn before me

This 18 day of December, 2006

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

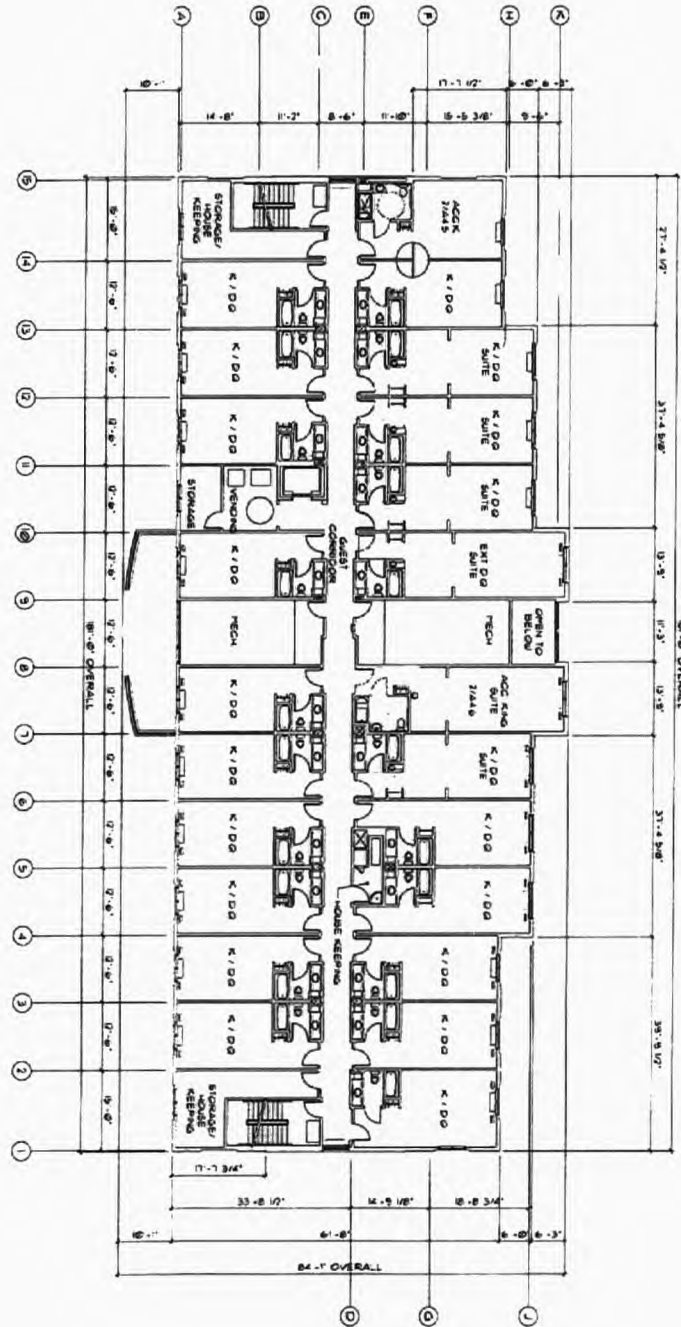




WEST ELEVATION
SCALE: 1/8"=1'-0"



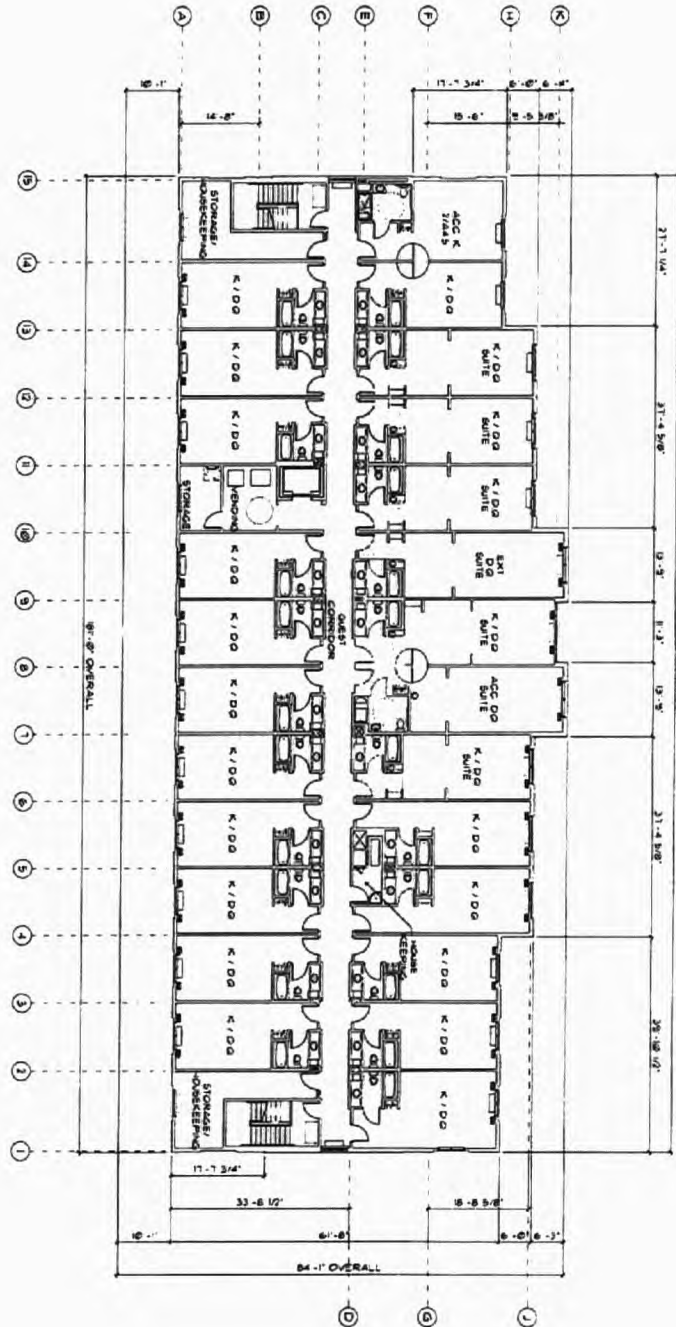
PROJECT: 1st FLOOR FLOOR PLAN SUP. SDR. VAR SUBMITTAL		PROJECT: 1st FLOOR FLOOR PLAN	PROJECT: 1st FLOOR FLOOR PLAN
		3005 W. HORIZON RIDGE PARKWAY, SUITE 200 HENDERSON, NEVADA 89052 (702) 454-5442 fax (702) 454-7842	3005 W. HORIZON RIDGE PARKWAY, SUITE 200 HENDERSON, NEVADA 89052 (702) 454-5442 fax (702) 454-7842



2nd FLOOR PLAN
SDR-19097
RECEIVED

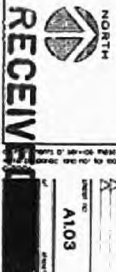
02/22/07 PC JAN 08 2007

PROJECT 3005 W. HORIZON RIDGE PARKWAY, SUITE 200 HENDERSON, NEVADA 89052 (702) 454-5842 FAX (702) 454-7842	PROJECT TITLE 2nd FLOOR FLOOR PLAN SUP, SDR, VAR SUBMITTAL	DATE 1/5/2007 BY RAY FINNER CHECKED BY RAY FINNER SCALE 1/8" = 1'-0" PROJECT 3005 W. HORIZON RIDGE PARKWAY, SUITE 200 HENDERSON, NEVADA 89052 (702) 454-5842 FAX (702) 454-7842	PROJECT TITLE 2nd FLOOR FLOOR PLAN SUP, SDR, VAR SUBMITTAL
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3rd and 4th FLOOR PLANS

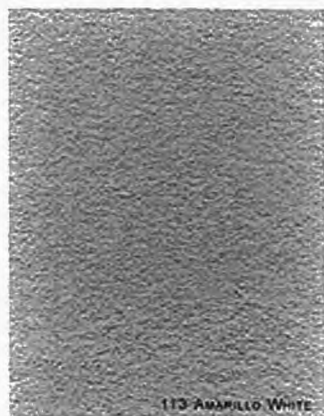
SDR-19097



02/22/07 PC

JAN 08 2007

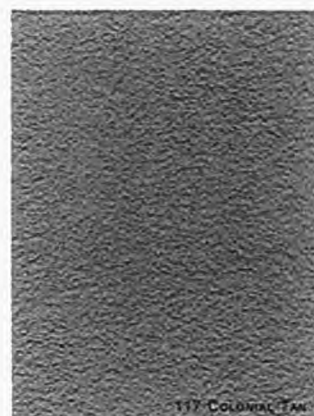
Project Title: 3rd and 4th FLOOR FLOOR PLANS SUP, SDR, VAR SUBMITTAL	Project Title: EXPRESS 3005 W. HORIZON RIDGE PARKWAY, SUITE 200 HENDERSON, NEVADA 89052 (702) 454-5842 fax (702) 454-7842
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Primary EIFS Color
Amarillo White



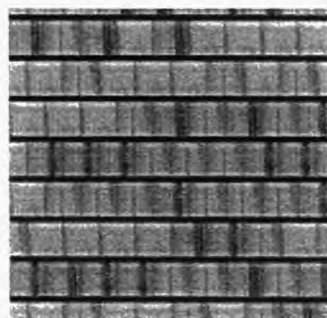
Secondary EIFS Color
China White



Dormer and Coping Color
Colonial Tan



Railing, Decorative Grills
and Misc. Metals
Allspice



Primary Roofing Tiles
Monier Lifestile - Forest Green



Stone Veneer
Coronado Stone
French Country - Bordeaux



Standing Seam Metal Roof
Berridge - Teal Green



Aluminum Storefront
Kawneer -
Interstate Green

Holiday Inn Express at Skypointe and Tenaya

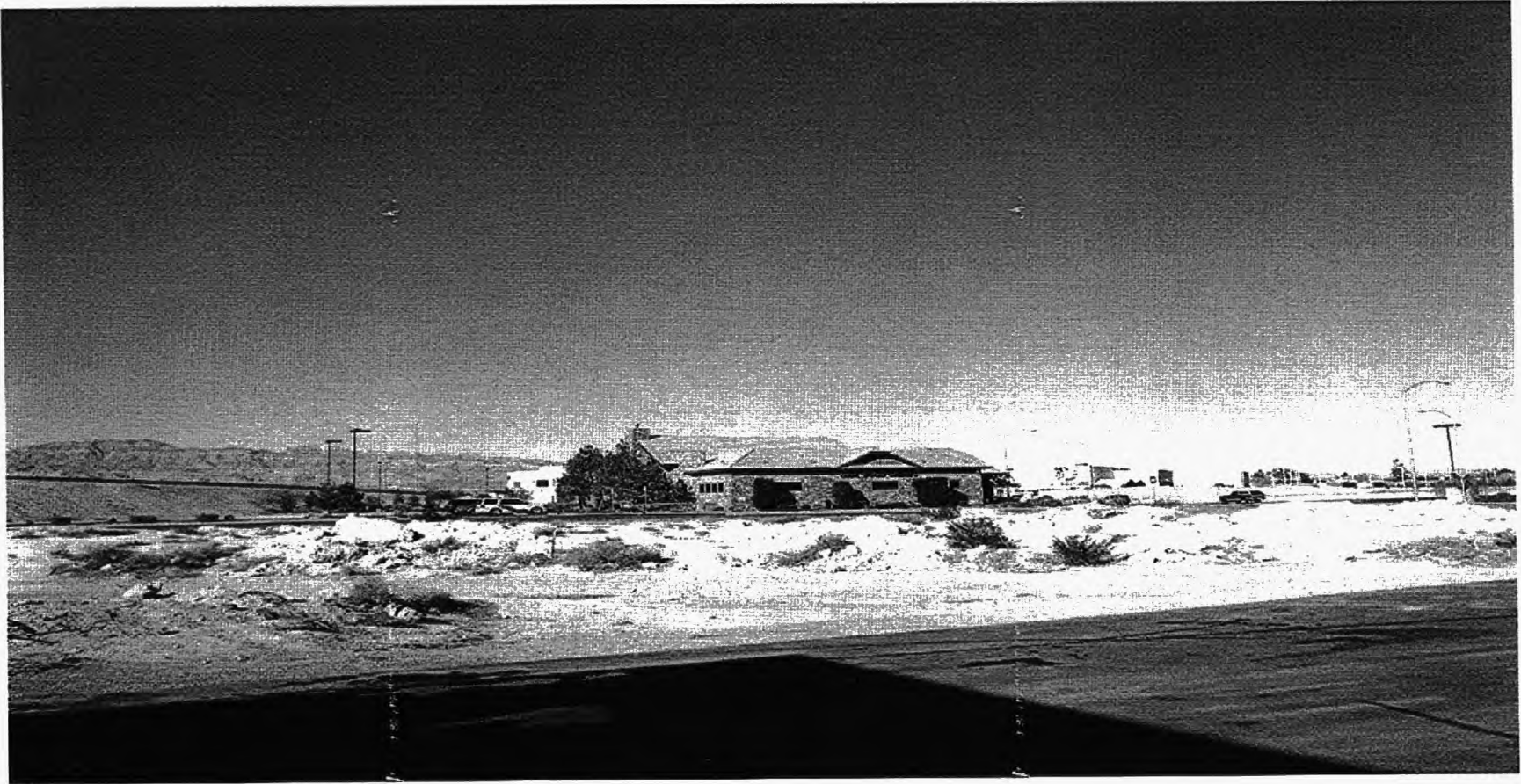
pacific design concepts, llc

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

**RECEIVED
JAN 08 2007**



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



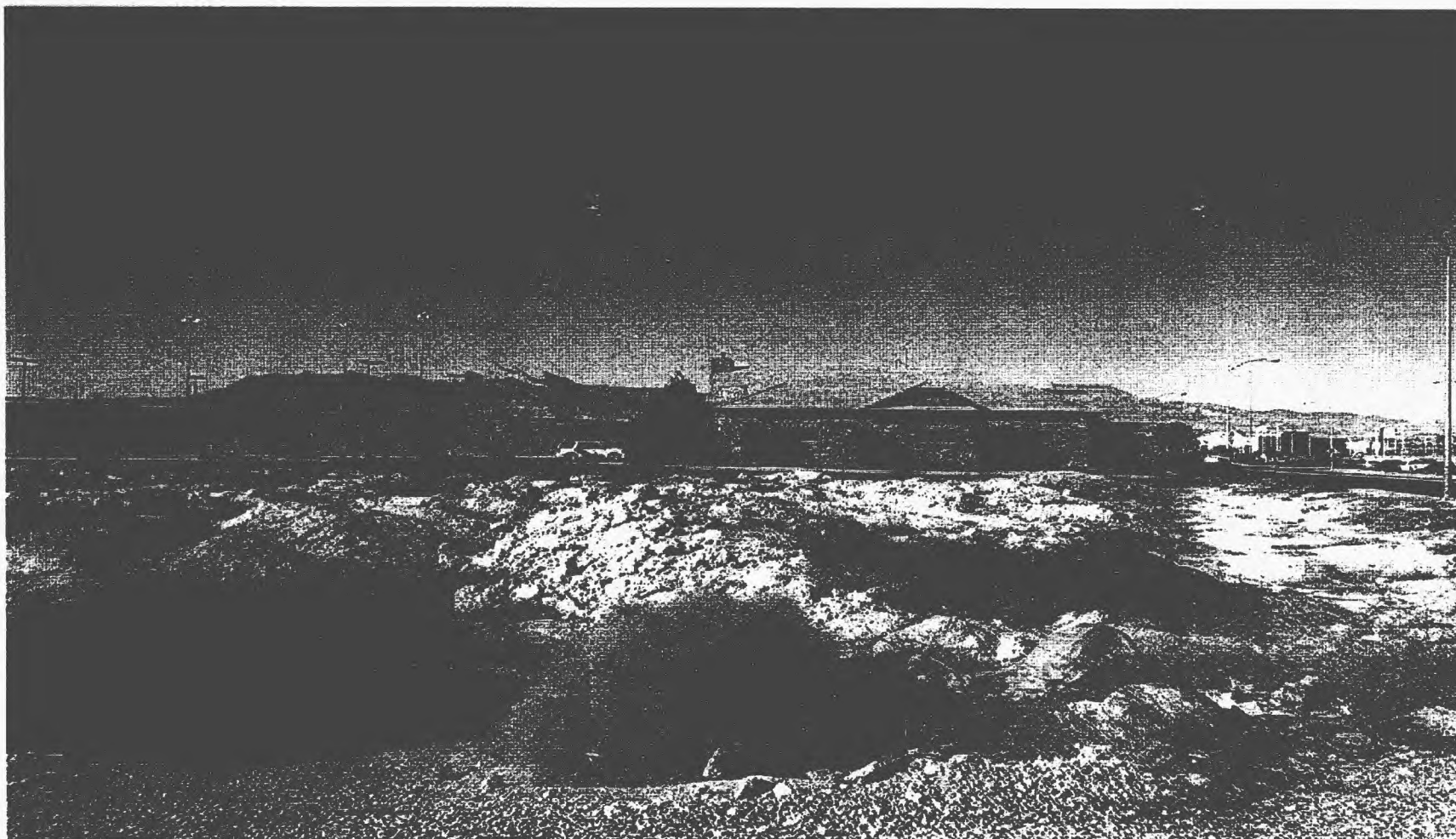
VAR-19098, VAR-19447, SUP-19100 & SDR-19097 - VARIANCE - PUBLIC HEARING -
APPLICANT/OWNER: KRYFAM, LP
SOUTHWEST CORNER OF TENAYA WAY AND SKY POINTE DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



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

01/22/07



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

01/22/07

January 4, 2007

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

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

To Whom It May Concern:

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

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

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

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

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

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

SDR-19097 02/22/07 PC

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

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

Sincerely,

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

Ray Finkel
Project Manager

cc: 6180 JL.doc

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

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
La Quinta Inn # of rooms 126 # of available spaces 128	2/14/2007	9:00 AM	104	75%	96.5
	2/14/2007	7:00 PM	89		
	2/15/2007	7:30 AM	83	65%	83
	2/16/2007	7:00 PM	108	84%	108
	2/17/2007	6:00 PM	70	55%	70

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

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
Siena Extended Stay # of rooms 300 # of available spaces 325	2/14/2007	9:00 AM	200	81%	197
	2/14/2007	12:00 PM	218		
	2/14/2007	6:00 PM	173		
	2/15/2007	9:00 AM	193	63%	205
	2/15/2007	12:00 PM	234		
	2/15/2007	6:00 PM	188		
	2/16/2007	9:00 AM	169	56%	182
	2/16/2007	12:00 PM	222		
	2/16/2007	6:00 PM	155		
	2/17/2007	9:00 AM	170	57%	185
	2/17/2007	12:00 PM	215		
	2/17/2007	6:00 PM	171		
	2/18/2007	9:00 AM	83	43%	138
	2/18/2007	12:00 PM	197		
	2/18/2007	6:00 PM	125		

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

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

Submitted at Planning Commission

Date 2/22/07 Item # 29-32

Telephone Protest/ Approval Log

Meeting Date: 2/22/07

Case Number: SDR-19097

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

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

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

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

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☐ PROTEST ☐ APPROVE

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 2, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

MASTER SIGN PLAN AND WAIVER OF TOWN CENTER DESIGN STANDARDS

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

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

5. A waiver of the Town Center Development Standards Manual to allow a 60' high pylon sign where 24' high is the maximum permitted is APPROVED. Pylon sign must be at a 90 angle (southwest to northeast) from the building.

A. The monument sign and wall signs shall be backlit.

CITY COUNCIL MEETING OF: MAY 2, 2007

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

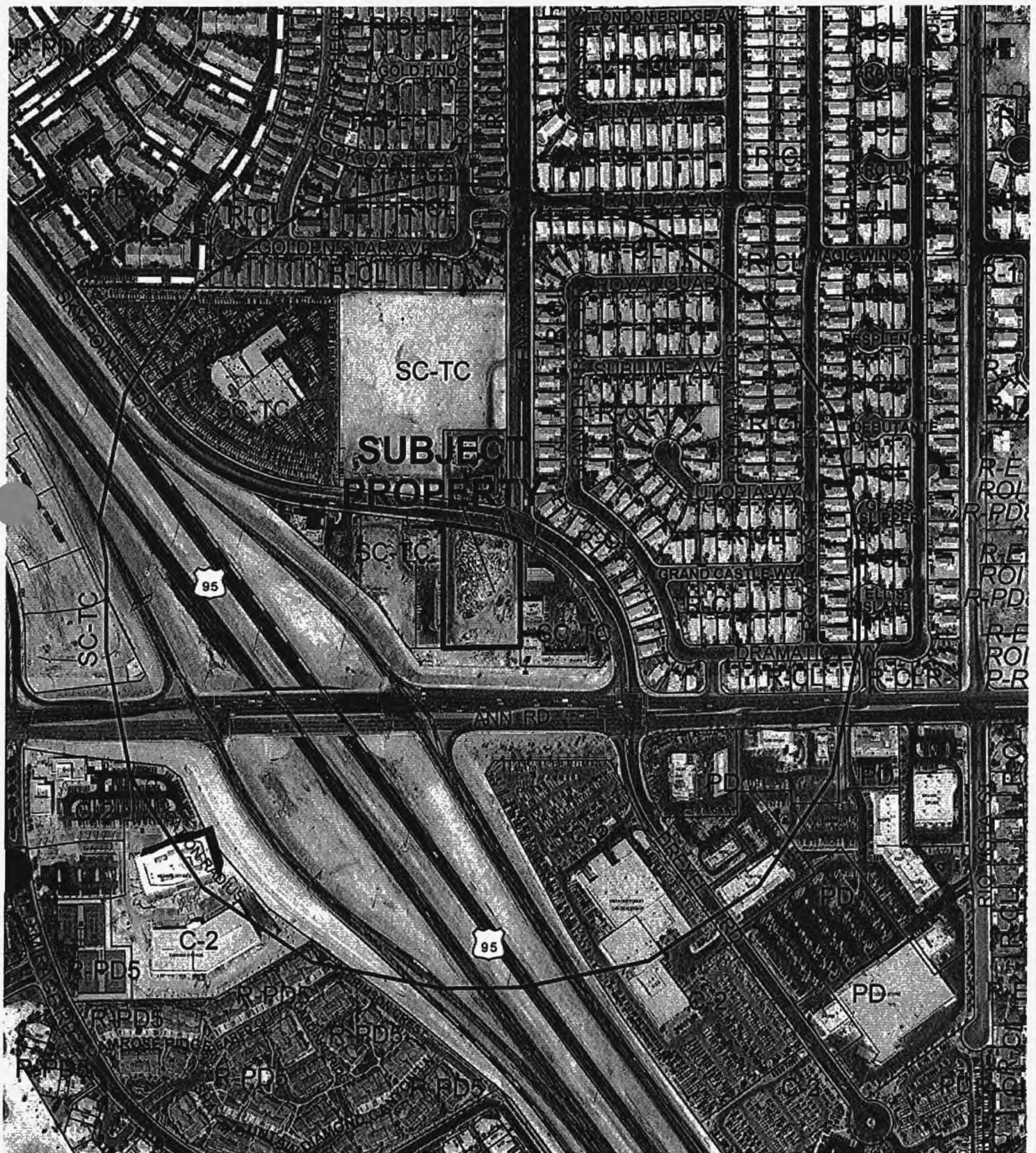
BRENDA J. WILLIAMS, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-STEVE
WOLFSON); (Excused-None)

Minutes:

See Item 73 for related backup and Item 74 for related discussion.







CASE: ARC-20049

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 500 1000 Feet



Memorandum

City of Las Vegas
Planning and Development
Department

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

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

B) Pre-Application Meeting

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

DETAILS OF APPLICATION REQUEST

A) Existing Land Use

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

B) Planned Land Use

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

C) Existing Zoning

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

D) General Plan Compliance

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

ANALYSIS

A) Zoning Code Compliance

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

A1) Sign Standards

The following new signage is proposed for the property:

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

Monument Sign:

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

Pylon Sign:

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

Wall Signs:

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

A2) Residential Separation Standards

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

B) General Analysis and Discussion

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

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

Staff Recommendation: APPROVAL, subject to the following conditions:

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



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Kryfam LP

Name of Applicant: Nigro Development

Name of Representative: Brad Jones

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: _____

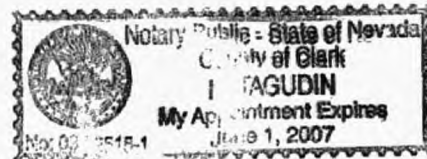
WILLIE KRYGIER

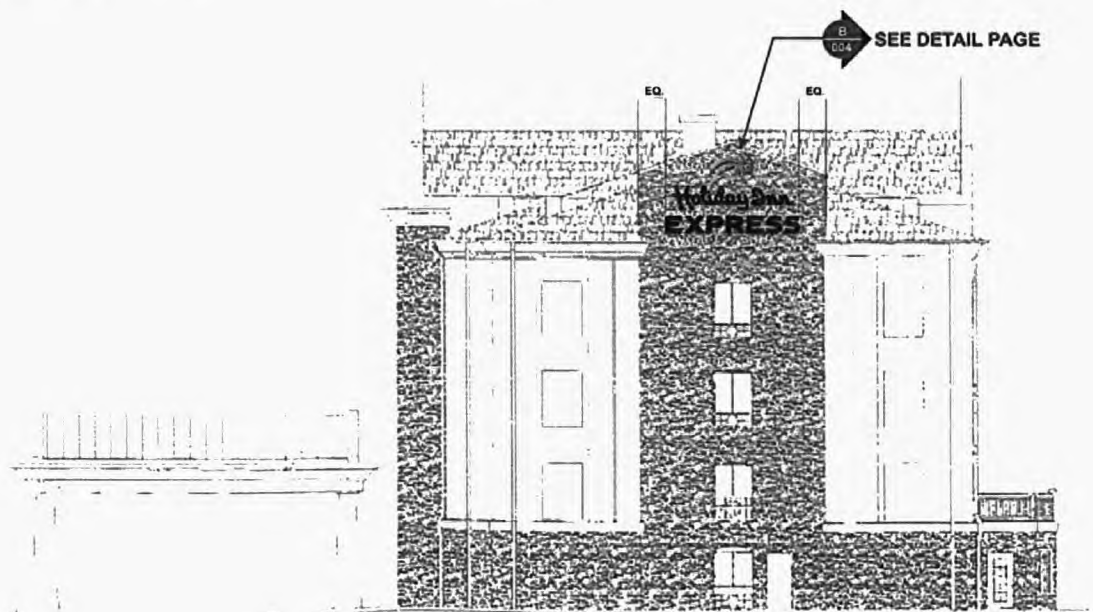
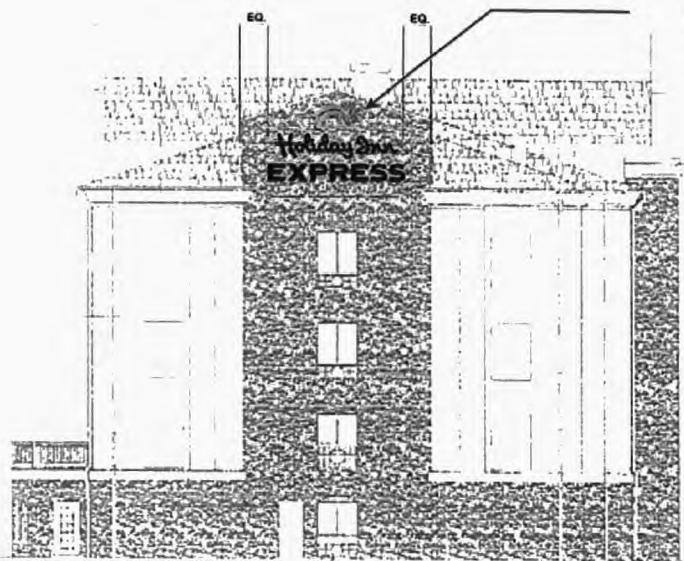
Subscribed and sworn before me

This 20 day of February, 20 07

M. Tudor

Notary Public in and for said County and State





 **SEE DETAIL PAGE**



ARC-20049
CHARC-TC
03/06/07

ARC-20049
CHARC-TC
03/06/07



005

[illegible]

REG NO	11232
DATE	02-05-2007
ADDRESS	DERICK
WELL	SHOCK
TEL NO	11232 COR
TABLET	

OR VIOLATION, ETC. ANY UNAUTHORIZED USE OF SAME IN WHOLE OR PART IS PROHIBITED

1. The first step is to identify the problem or question that needs to be addressed. This involves understanding the context and the specific requirements of the task.

REGISTERED UNDER THE
CONTRACTS AND AGREEMENTS ACT, 1930.
REGISTRATION NO. 100/1930.

for work under contractor license category
 1. **Contractor License No. 154**

These plans are prepared and submitted by the contractor at no additional fee to the owner. Plans are submitted to the engineer at least 10 business days before the start of construction.

1

Phone: (702) 895-7474

3625 S. Robert Ave. Las Vegas, Nevada 89103

WORLDWIDE

VISION SIGN

1

1

800 871-1111

6.5' D/E PY1 ON SIGN

SUN POINT DRIVE

SKY POINT DRIVE

1

EXPERIENCE

EXPERIENCE!

2015-2016

Hotdian Sun

10

D D/F 24' PYLON SIGN 3/8"=1'-0"

ARC-20049
CHARC-TC
03/06/07

 **Holiday Inn**
EXPRESS
SKY POINT DRIVE

SKY POINT DRIVE

24' D/F PYLON SIGN

VISION SIGN

3625 S. Federal Ave., Las Vegas, Nevada 89102
Phone: (702) 895-7474

These plans are prepared and submitted by the contractor as an exception to FMS 612.130 for work under contract because emergency authorized under FMS 618.

NV CONTRACTOR LICENSE #42776

ANY UNAUTHORIZED USE OR REPRODUCTION OF THIS DOCUMENT OR PART IS PROHIBITED.

11232

University: **DERBY**

11232.6

REVISIONS MADE

SHEET

006



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

Re: Holiday Inn Signage

To Whom It May Concern:

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

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

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

Regards,

Brad Jones
Project Manager Land Development



March 6, 2007

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

RE: ARC-20049

Dear Applicant:

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

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

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

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

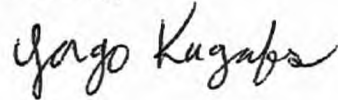
DOUGLAS A. SELBY
CITY MANAGER

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

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

Sincerely,

A handwritten signature in black ink, appearing to read "Yorgo Kagafas". The signature is fluid and cursive, with the first name "Yorgo" and last name "Kagafas" clearly distinguishable.

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

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

YK:ah

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

ANNOTATED MINUTES

Members Present

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

Members Excused

Sam Dunnam

Members Absent

Citizens

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

City Staff

Yorgo Kagafas
Angie Horn

ANNOUNCEMENT: OPEN MEETING LAW / CALL TO ORDER

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

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

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

ITEM 2: ARC-20019

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

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

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

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

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

Staff recommends approval subject to the following conditions:

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

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

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

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

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

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

There was discussion among the committee members and the applicants.

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

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

Motion was approved 3-1 with Andrea Allred opposing.

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

ITEM 3: ARC-20049

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

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

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

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

Staff recommends approval subject to the following conditions:

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

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

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

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

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

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

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

Motion was approved 3-1 with Andrea Allred opposing.

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

ITEM 4: CITIZENS PARTICIPATION

None

ITEM 5: SET NEXT MEETING DATE / ADJOURNMENT

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 2, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

DIRECTOR'S BUSINESS

RENOTIFICATION - DIR-20734 - ABEYANCE ITEM - PUBLIC HEARING -
 APPLICANT: JOCELYN NIXON - OWNER: ALTA DECATUR, LLC - Appeal of the
 Planning and Development Department interpretation of Title 19.16 regarding the
 discontinuation of a nonconforming tavern use located at 465 South Decatur Boulevard, Ward 5
 (Williams). NOTE: THIS APPLICATION IS LOCATED IN WARD 1 (TARKANIAN). Staff
 recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Letter from Planning and Development dated 03-15-2007
3. Appeal Letter filed by Jocelyn Nixon
4. Appeal Letter by Becker Realty Group

Motion made by LOIS TARKANIAN to Approve with an added condition as read for the record:

- A. The approval shall expire on December 16, 2007.

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

JOCELYN NIXON was present.

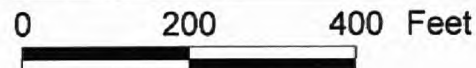
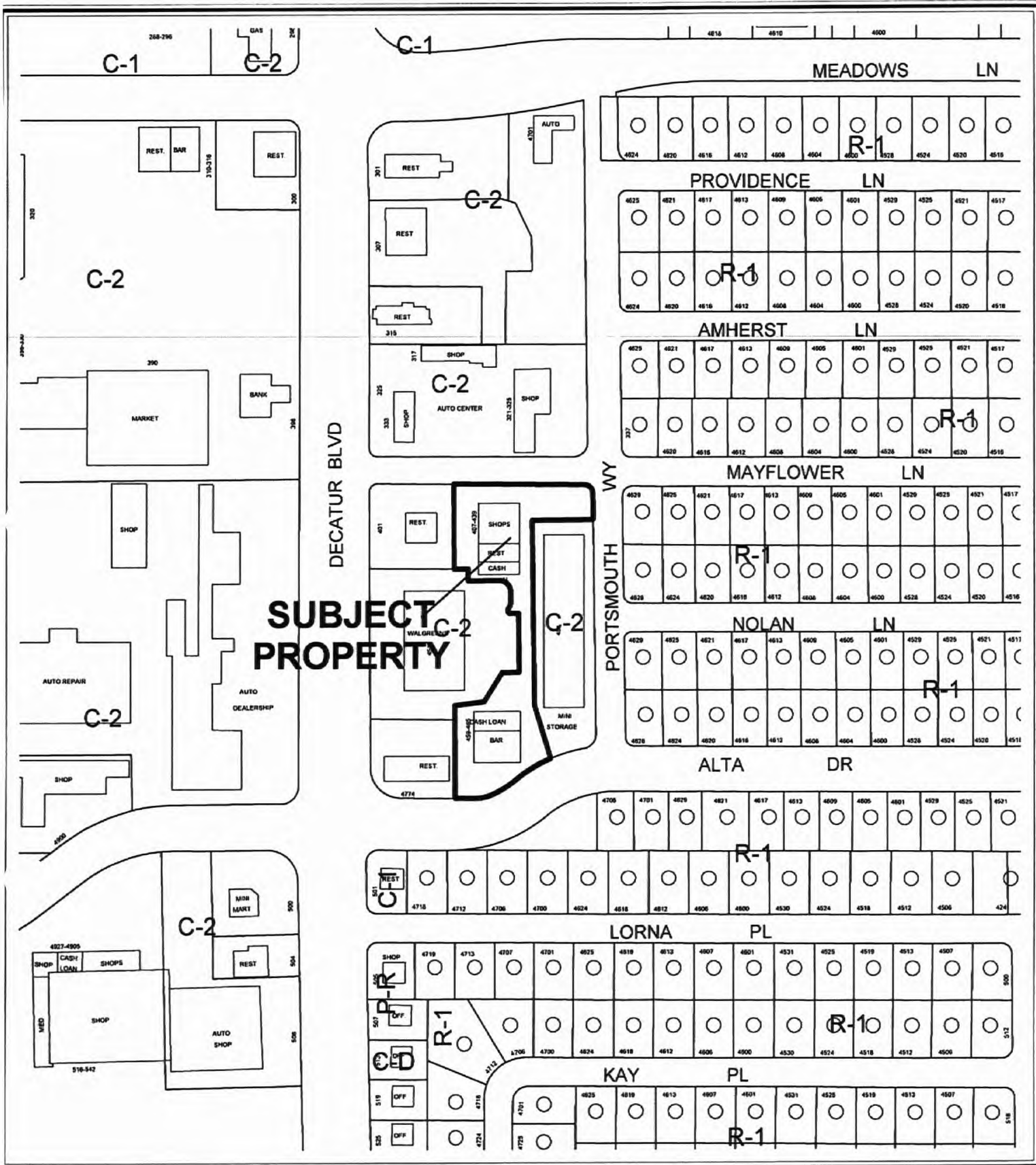
CITY COUNCIL MEETING OF: MAY 2, 2007

COUNCILWOMAN TARKANIAN explained the applicant applied for a business license in November of 2006 believing that was all that was necessary. She was within the 180-day standard.

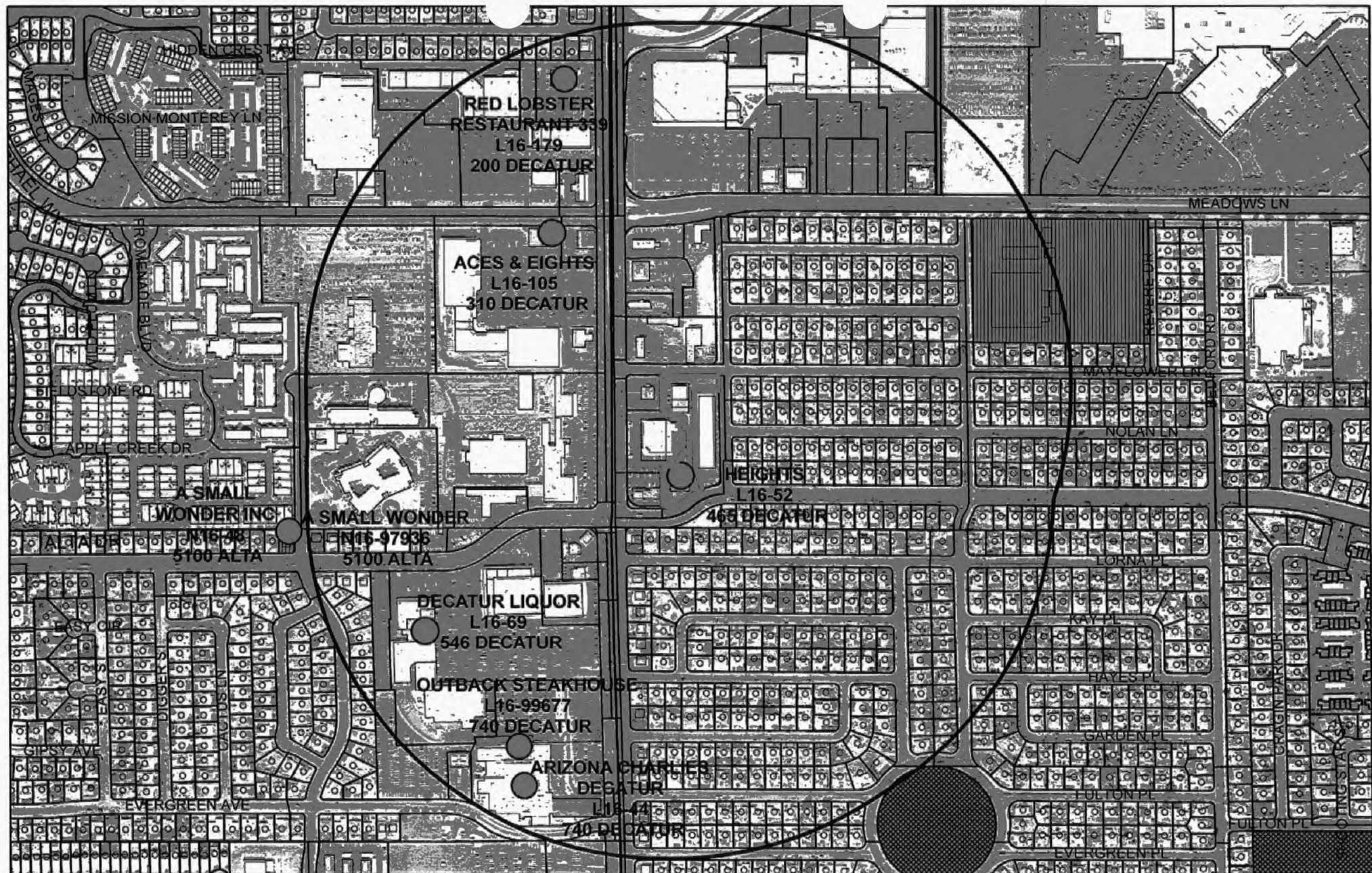
MARGO WHEELER, Director of Planning and Development Department, questioned if COUNCILWOMAN TARKANIAN desired to have an approval period for one year. If so, this license should expire on December 16, 2007. She verified with the Councilwoman that she would make that part of the motion.

MAYOR GOODMAN declared the Public Hearing closed.









DIR-20734

Taverns

Business Licenses

- Child Care/
Children Facility
- Tavern

0 305 610 1,220 Feet

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- 1500 foot buffer





LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM
LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
WARD 5 (VACANT)

DOUGLAS A. SELBY
CITY MANAGER

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

March 15, 2007

Alta Decatur, LLC
50 South Jones Boulevard #100
Las Vegas, Nevada 89107-2672

RE: Tom Peters Gaming Bar, 465 South Decatur Boulevard

To Whom It May Concern:

The Liquor Establishment (Tavern) use at 465 South Decatur Boulevard (Tom Peters Gaming Bar, previously The Heights Tavern) is a legal nonconforming use due to Title 19 distance separation requirements and the lack of a Special Use Permit for the Liquor Establishment (Tavern). This use was discontinued in June 2006. In conformance with Title 19.16 regarding the discontinued use of nonconforming uses, staff has determined that after six months of discontinued use any future use of the building shall be in conformance with the provisions of Title 19.

As such, 465 South Decatur Boulevard would require a Special Use Permit for a Liquor Establishment (Tavern); however, per Title 19.04 no Liquor Establishment (Tavern) may be located within 1,500 feet of any other Liquor Establishment (Tavern), church, synagogue, school, child care facility licensed for more than 12 children, or City park as a minimum requirement for eligibility. The subject site, 465 South Decatur Boulevard, is located approximately 1,100 feet from a school (Griffith Elementary, 324 Essex Drive), approximately 1,490 feet from a City park (West Charleston Lions Park, 725 Essex Circle) and less than 1,500 feet from the parcels containing the following businesses with tavern licenses: approximately 275 feet from Aces and Eights, 310 South Decatur Boulevard; approximately 1,120 feet from Red Lobster, 200 South Decatur Boulevard; approximately 575 feet from Decatur Liquor, 546 South Decatur Boulevard; and approximately 790 feet from Arizona Charlie's, 740 South Decatur Boulevard. Title 19.04 allows a waiver of the distance separation requirement if the protected uses are separated from the tavern use by a right-of-way of at least 100 feet. Griffith Elementary School and West Charleston Lions Park are not separated from the subject tavern by a 100-foot right-of-way. A waiver from the distance separation requirement is therefore not possible.

It is the interpretation of the Planning Department that the nonconforming Liquor Establishment (Tavern) use at 465 South Decatur Boulevard was discontinued on or before June 12, 2006, has not reopened within 180 days and cannot conform to current Title 19 requirements; therefore, the use cannot be reestablished, nor can it be entitled with a Special Use Permit for a Liquor Establishment (Tavern).

Should you wish to appeal the interpretation of the above section of Title 19 by the Planning Department, refer to Title 19.00.070 (F):

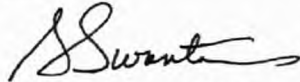
Alta Decatur, LLC
March 15, 2007
Page 2

Should you wish to appeal the interpretation of the above section of Title 19 by the Planning Department, refer to Title 19.00.070 (F):

Appeals of Interpretation. Any person aggrieved in connection with the inability to obtain a building permit or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of any provision of this Title may appeal the decision to the City Council. An appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed in the office of the Department of Planning and Development. The appeal must be filed within ten days after the administrative decision is made and shall specifically describe the decision at issue and the basis for the appeal. The appeal shall be considered on the next available agenda of the City Council.

You are welcome to contact me at 229-4714, should you have any questions.

Sincerely,



Steve Swanton, AICP
Planning Supervisor
Planning & Development Department

cc: Finance and Business Services Department

March 22, 2007

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

RE: Re-establishment of Special Use Permit for Tom Peter's Gaming Bar (The Heights Bar)

To Whom It May Concern:

The Heights Bar currently located at 465 South Decatur Boulevard has done business in approximately the same location for over twenty-five years. While an owner of the business closed the bar's doors June, 2006, its planned re-opening under its original use was never in question. The bar, recently renovated was leased to Drejo Enterprises, LLC, of which I am managing member, in September 2006.

On November 16, 2006, I submitted an application for a Tavern License to the Business Development Office and was reassured by the clerk that the Special Use permit would be in effect up until one year from the date the bar was last in business. As the department supplies all applicants with a check list of necessary documents and applications, she was simply going down the list, of which the Special Use Permit was included at the top of the second page. This however, was not the first time I had been notified of the Special Use Permit's year long discontinued use clause. I had previously contacted the Planning Department directly and had been given the same information.

This understanding was further impacted when after a lengthy investigation process, the application was actually placed on the February 21, 2007 City Council agenda without interference and was only tabled upon acquiring my permission to do so, which had nothing to do with any Special Use Permit concerns. It would be almost a month later, when again the application would be tabled, this time at the request of the Planning Department.

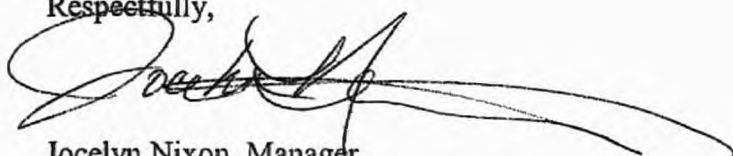
The inconvenience caused by discrepancies in the City's procedural agenda is of major consequence to a small business such as mine and as such, financially devastating. As you may know, it is a requirement that the applicant purchase a rather expensive liquor license prior to applying for the Tavern license. Financially, I am struggling to continue with this process, however each delay only further weakens my ability to do so. While I am willing to now apply for a Special Use Permit since the Planning Department's notification on March 15, 2007 that this would be a new necessary component of the process, I ask that you consider a grandfathering of the original permit.

Although, the Planning Department has found that the parcel on which the bar sits is non-conforming since it is within 1,500 feet of a school and 10 feet shy of the 1,500 mandatory feet of a park, all three of these entities have co-existed for over twenty years without incidence. Since the school is confined to a residential neighborhood and surrounded by homes, the children enrolled there do not cross Decatur Boulevard to get to and from school. The park is even further away and more deeply engulfed by the neighborhood making the likelihood of any issues minimal at best.

The Heights Bar has a long standing tradition in this City and particularly to this neighborhood. It has been a destination for many of the residents in the area who are eager for its return. I plan to deliver an upscale, modern facility whose target market will be persons 35 years and older. Many of the residents agree with the overall marketing plan and continue to look forward to the re-emergence of an old friend.

I beseech you to look at the circumstances surrounding this situation and rectify it at your earliest convenience. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jocelyn Nixon', with a long, sweeping horizontal line extending to the right.

Jocelyn Nixon, Manager
Drejo Enterprises, LLC dba Tom Peter's Gaming Bar



March 29, 2007

Beverly Bridges
Acting City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Dear Beverly,

I wish to appeal the determination made by the Planning and Development Department regarding Tom Peters Gaming Bar at 465 South Decatur Boulevard. While this bar is non-conforming today based on new zoning ordinances, it has been in continuous operation since the mid 1960's.

In 2001, the shopping center that this bar is located in, was redeveloped and relocated to a vacant 7-11 store on the same property. This relocation took the adoption of a new City ordinance allowing for the redevelopment of centers with non-conforming uses. This bar was temporarily closed as it is being sold to a new operator, and the new operator's license applications are pending.

We are following the procedures outlined to us by the City of Las Vegas Licensing Department and Planning Department.

Yours truly,

Barry W. Becker
On behalf of
Alta Decatur LLC

50 S Jones Bl

Suite 101

Las Vegas

Nevada

89107-2673

702-870-0212

702-870-4976 Fax

RECEIVED
CITY CLERK
2007 MAR 29 P 3:13



AS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

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2007 APR 16 P 2:33

March 15, 2007

Alta Decatur, LLC
50 South Jones Boulevard #100
Las Vegas, Nevada 89107-2672

RE: Tom Peters Gaming Bar, 465 South Decatur Boulevard

To Whom It May Concern:

The Liquor Establishment (Tavern) use at 465 South Decatur Boulevard (Tom Peters Gaming Bar, previously The Heights Tavern) is a legal nonconforming use due to Title 19 distance separation requirements and the lack of a Special Use Permit for the Liquor Establishment (Tavern). This use was discontinued in June 2006. In conformance with Title 19.16 regarding the discontinued use of nonconforming uses, staff has determined that after six months of discontinued use any future use of the building shall be in conformance with the provisions of Title 19.

As such, 465 South Decatur Boulevard would require a Special Use Permit for a Liquor Establishment (Tavern); however, per Title 19.04 no Liquor Establishment (Tavern) may be located within 1,500 feet of any other Liquor Establishment (Tavern), church, synagogue, school, child care facility licensed for more than 12 children, or City park as a minimum requirement for eligibility. The subject site, 465 South Decatur Boulevard, is located approximately 1,100 feet from a school (Griffith Elementary, 324 Essex Drive), approximately 1,490 feet from a City park (West Charleston Lions Park, 725 Essex Circle) and less than 1,500 feet from the parcels containing the following businesses with tavern licenses: approximately 275 feet from Aces and Eights, 310 South Decatur Boulevard; approximately 1,120 feet from Red Lobster, 200 South Decatur Boulevard; approximately 575 feet from Decatur Liquor, 546 South Decatur Boulevard; and approximately 790 feet from Arizona Charlie's, 740 South Decatur Boulevard. Title 19.04 allows a waiver of the distance separation requirement if the protected uses are separated from the tavern use by a right-of-way of at least 100 feet. Griffith Elementary School and West Charleston Lions Park are not separated from the subject tavern by a 100-foot right-of-way. A waiver from the distance separation requirement is therefore not possible.

It is the interpretation of the Planning Department that the nonconforming Liquor Establishment (Tavern) use at 465 South Decatur Boulevard was discontinued on or before June 12, 2006, has not reopened within 180 days and cannot conform to current Title 19 requirements; therefore, the use cannot be reestablished, nor can it be entitled with a Special Use Permit for a Liquor Establishment (Tavern).

Should you wish to appeal the interpretation of the above section of Title 19 by the Planning Department, refer to Title 19.00.070 (F):

Alta Decatur, LLC
March 15, 2007
Page 2

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CITY CLERK

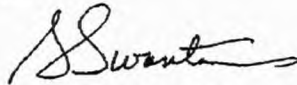
2007 APR 16 P 2: 33

Should you wish to appeal the interpretation of the above section of Title 19 by the Planning Department, refer to Title 19.00.070 (F):

Appeals of Interpretation. Any person aggrieved in connection with the inability to obtain a building permit or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of any provision of this Title may appeal the decision to the City Council. An appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed in the office of the Department of Planning and Development. The appeal must be filed within ten days after the administrative decision is made and shall specifically describe the decision at issue and the basis for the appeal. The appeal shall be considered on the next available agenda of the City Council.

You are welcome to contact me at 229-4714, should you have any questions.

Sincerely,



Steve Swanton, AICP
Planning Supervisor
Planning & Development Department

cc: Finance and Business Services Department

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 2, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

REZONING

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised Site Plan dated 04-13-07
6. Submitted after final agenda – Hearing request by Jones Vargas and support letter by Decatur Crossing Center LLC
7. Backup referenced from the 02-22-07 Planning Commission Meeting Item 20

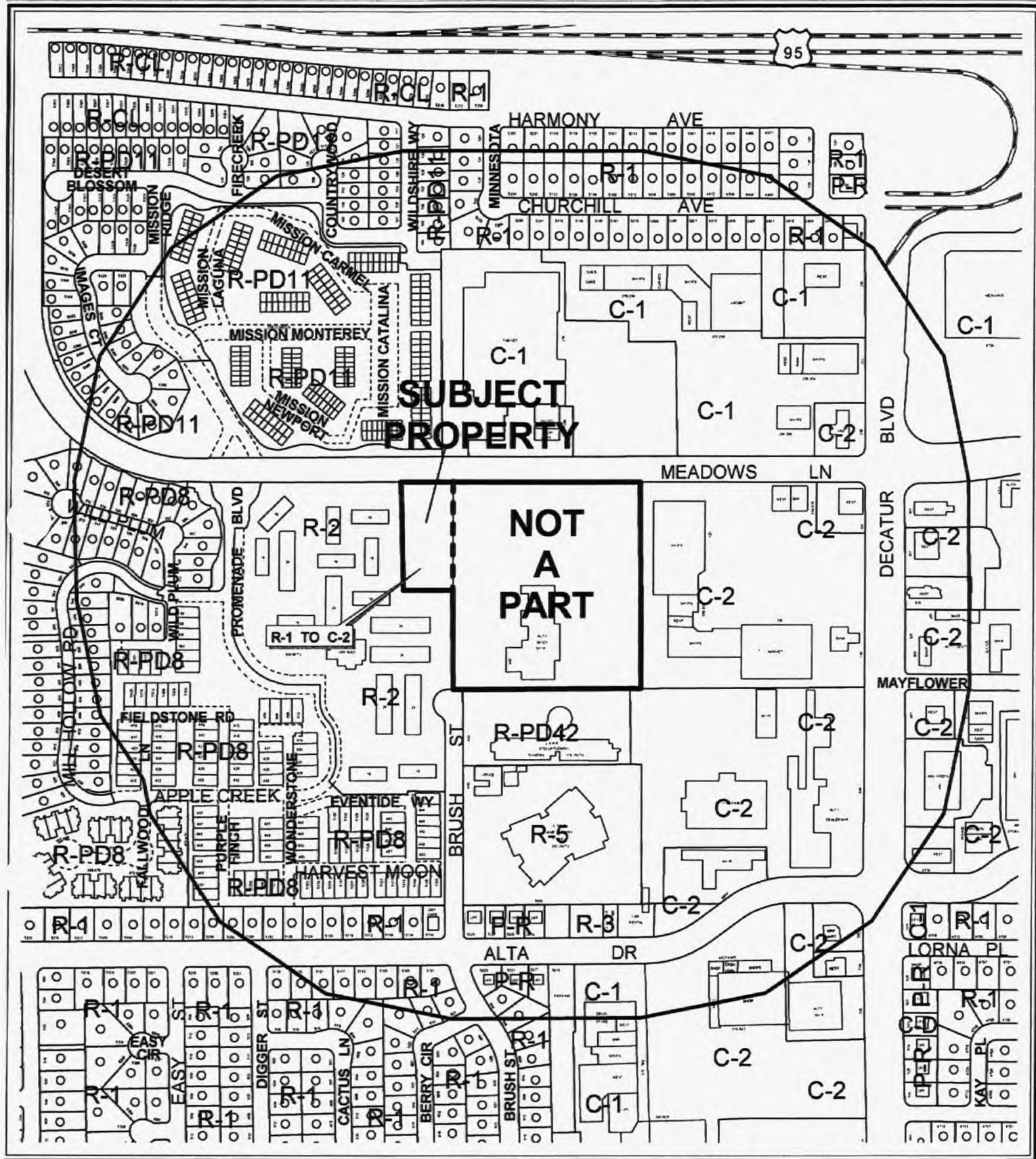
Motion made by GARY REESE to Hold in Abeyance Items 79 and 83 to 5/16/2007; Items 67-69, 80-82 and 85 to 6/6/2007; Strike Item 66 and Withdraw Without Prejudice Item 73

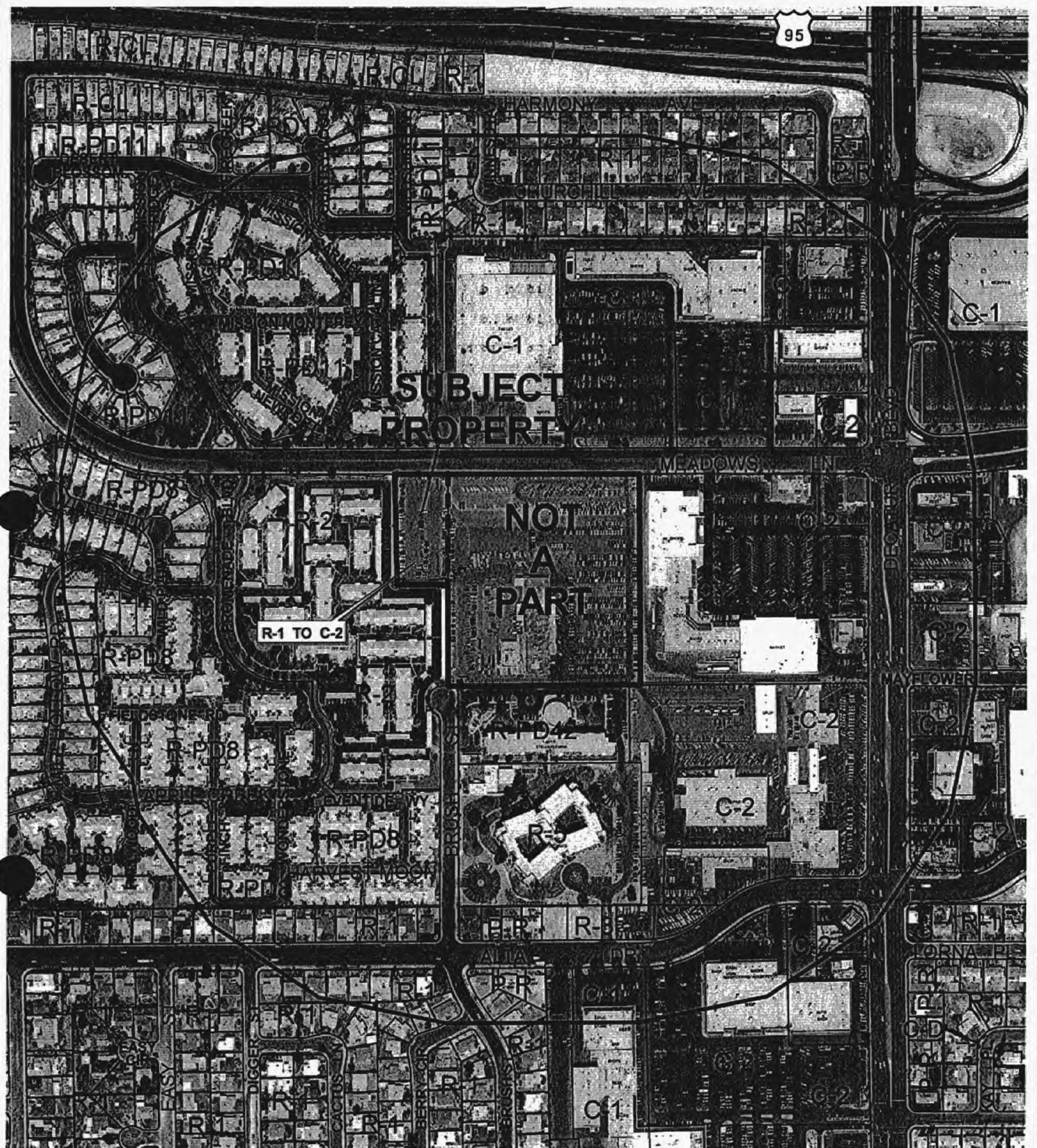
Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

See Item 63 for related discussion.





CASE: **ZON-18208**

RADIUS: 1000 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 2, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-18208 - APPLICANT: FLETCHER JONES
MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST

**** CONDITIONS ****

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

Planning and Development

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

Public Works

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

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

BACKGROUND INFORMATION

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

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

Related Building Permits/Business Licenses

None

Pre-Application Meeting

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

Neighborhood Meeting

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

Details of Application Request

Site Area

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

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

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

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

DEVELOPMENT STANDARDS

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

ANALYSIS

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 300 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Fletcher Jones, Sr. Trust

Name of Applicant: Fletcher Jones Management Group, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: *[Signature]*

Print Name: Fletcher Jones, Jr.

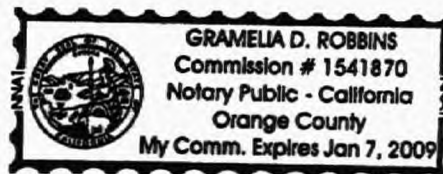
Subscribed and sworn before me

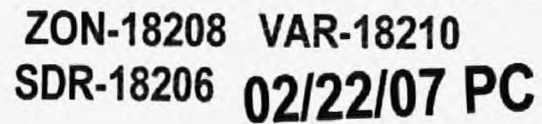
This 2nd day of Nov., 2006

Orange Co., CA.

Notary Public in and for said County and State

Gramelia D. Robbins





JONES VARGAS

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

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

WWW.JONESVARGAS.COM

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

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

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

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

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

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

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

BRIAN J. MATTER
EXECUTIVE DIRECTOR

November 7, 2006

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

HAND DELIVERED

RE: Justification Letter - Rezoning

Dear Planning and Development Department:

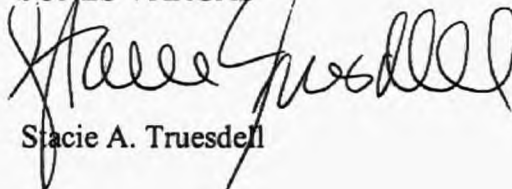
Enclosed is an application for a Rezoning of a portion of the approximately 9.34 acres located at 400 S. Decatur Blvd., south of Meadows Lane (APN 138-36-601-002) (the "**Property**") submitted by Fletcher Jones Management Group, Inc. (the "**Applicant**").

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

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

Very truly yours,

JONES VARGAS



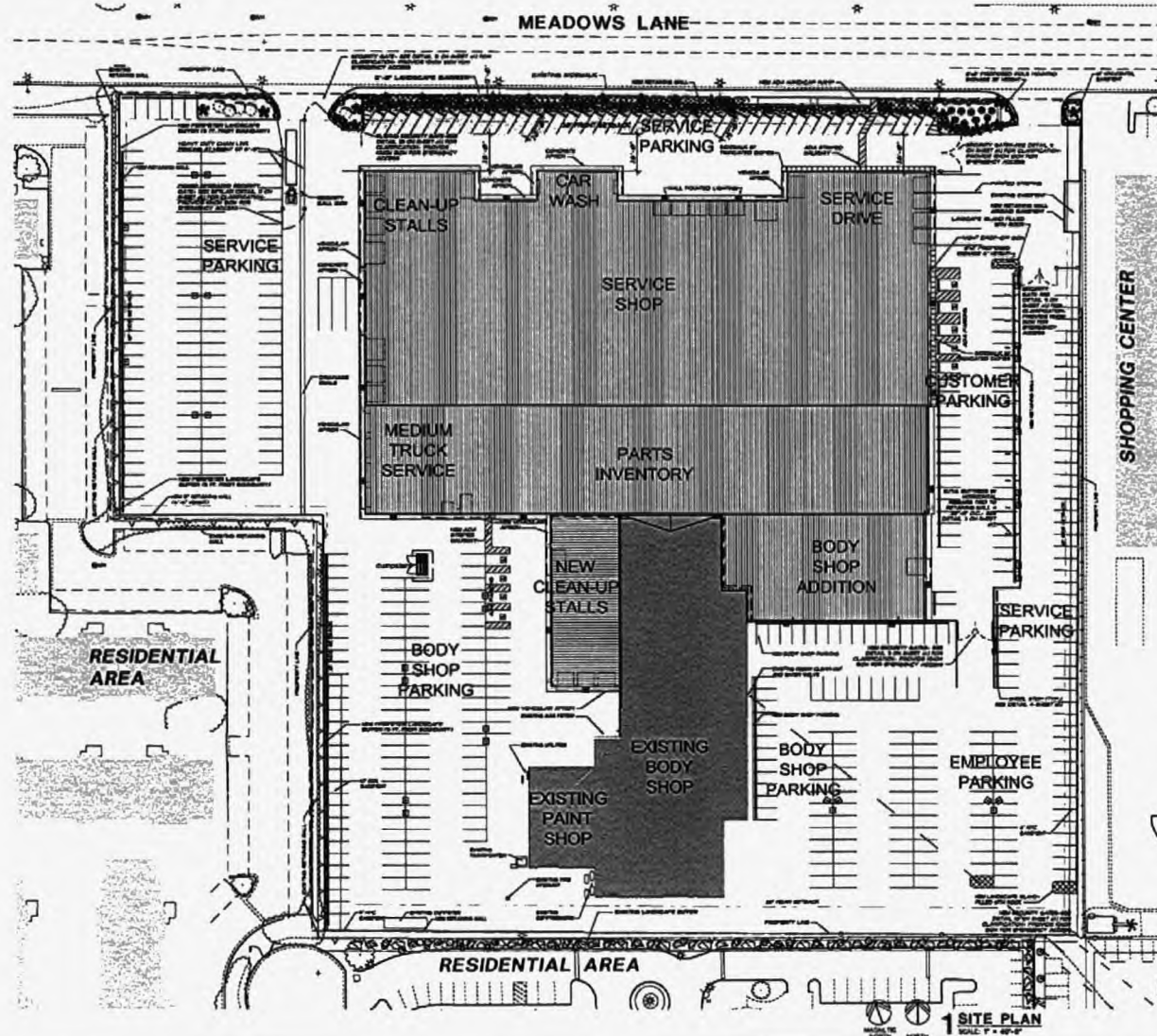
Stacie A. Truesdell

ST
Enclosures.

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

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

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



NOTES:

PARKING ANALYSIS			
TOTAL NUMBER OF PARKING SPACES REQUIRED BY 1995 IBC 504	MIN. NUMBER OF ACCESSIBLE PARKING SPACES	MIN. # OF UNACCESSIBLE PARKING SPACES BY MIN. OF NEW ACCESSIBLE	MIN. # OF ACCESSIBLE PARKING SPACES BY MIN. OF NEW ACCESSIBLE
274	8	2	2
TOTAL NUMBER OF PARKING SPACES PROVIDED	ACCESSIBLE PARKING SPACES PROVIDED	UNACCESSIBLE PARKING SPACES BY MIN. OF NEW ACCESSIBLE PROVIDED	ACCESSIBLE PARKING SPACES BY MIN. OF NEW ACCESSIBLE PROVIDED
288	8	2	2

NOTE: PARKING AND LANDSCAPE VARIANCE IN PROPOSED BY MEASUREMENTS

F.A.R. ANALYSIS

EXISTING BUILDING	31,200 SQ. FT.
TOTAL EXPANSION	12,800 SQ. FT.
NEW	44,000 SQ. FT.
FLOOR AREA RATIO	21.28% (21.28% MAX.)

LEGEND

PROPERTY LINE	NEW ROADS
BUILDING DETACH	LANDSCAPE PLANT
EXISTING BUILDING	LANDSCAPE PLANT

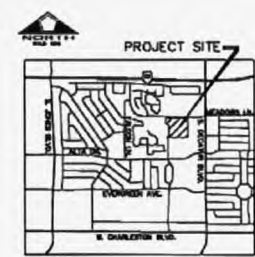
color legend:

UNACCESSIBLE PARKING SPACES BY MIN. OF NEW ACCESSIBLE

ACCESSIBLE PARKING SPACES BY MIN. OF NEW ACCESSIBLE

UNACCESSIBLE PARKING SPACES BY MIN. OF NEW ACCESSIBLE

ACCESSIBLE PARKING SPACES BY MIN. OF NEW ACCESSIBLE



**david
zenner
a.i.a.**

210 Madison Street, N.W.
Atlanta, Georgia 30318
(404) 581-4370 Fax (404) 581-4175

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ALTERATIONS AND ADDITIONS TO:

BILL HEARD LAS VEGAS CHEVROLET

444 S. DECATUR BLVD. LAS VEGAS, NEVADA 89107

RECEIVED

APR 13 2007

1 SITE PLAN

2 COLORED SITE PLAN

a.1

PROPOSED

PLAN

ZON-18208 VAR-18210 SUP-19129 SDR-18206 05-02-07 CC

PRELIMINARY- NOT FOR CONSTRUCTION

JONES VARGAS

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

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

WWW.JONESVARGAS.COM

HERBERT M. JONES
MELVIN D. CLOSE, JR.
JOSEPH W. BROWN
ALBERT F. PAGNI
JOHN P. SANDE, III
WILLIAM J. RAGGIO
GARY R. GOODHEART
MICHAEL E. BUCKLEY
RICHARD F. JOST
JANET L. CHUBB
DOUGLAS M. COHEN
KIRK B. LENHARD
KEVIN R. STOLWORTHY
JAMES L. WADHAMS
JODI R. GOODHEART
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MICHAEL G. ALONSO
ANN MORGAN
R. DOUGLAS KURDZIEL
KRIS T. BALLARD
WILLIAM C. DAVIS, JR.
KARL L. NIELSON
PATRICK A. ROSE
PATRICK J. SHEEHAN
TONY F. SANCHEZ III
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CONSTANCE L. AKRIDGE
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TAMARA BEATTY PETERSON
ELIZABETH M. FIELDER

MARIA-NICOLLE BERINGER
WHITNEY D. BOCCI
MEGAN BARKER BOWEN
LOUIS M. BUBALA III
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KATHLEEN L. FELLOWS
WILLIAM D. GREENLEE, JR.
RYAN W. HERRICK
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KIRK D. KAPLAN
MICHAEL A. KELLER
BENJAMIN W. KENNEDY
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CURT R. LEDFORD

DARREN J. LEMIEUX
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RICHARD A. RAWSON
MOLLY MALONE REZAC
JOHN P. SANDE, IV
BRETT J. SCOLARI
BRADLEY SCOTT SCHRAGER
STEVEN G. SHEVORSKI
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GORDON H. WARREN
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ALAN B. RABKIN
OF COUNSEL

BRIAN J. MATTER
EXECUTIVE DIRECTOR

Writer's Direct Line
(702) 862-3306
E-Mail Address
kfellows@jonesvargas.com

April 3, 2007

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

Hand Delivered

Re: Request to set applications ZON-18208, VAR-18210, SUP-19129, and SDR-18206 for April 18, 2007 City Council Agenda

Dear City Clerk:

Please be advised that this firm represents Fletcher Jones Management Group, Inc. (the "Applicant"). The City Council tabled applications ZON-18208, VAR-18210, SUP-19129, and SDR-18206 from the March 21, 2007 City Council agenda. The Applicant respectfully requests that ZON-18208, VAR-18210, SUP-19129, and SDR-18206 be placed on the April 18, 2007 City Council Agenda.

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

Very truly yours,

JONES VARGAS



Kathleen L. Fellows

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

2007 APR - 3 A 8:41
RECEIVED
CITY CLERK

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

*LICENSED IN ARIZONA ONLY

Subsequent to the letter it was determined that these items would be heard at the 5/2/2007 City Council meeting

4/25/07 #79-82

DECATUR CROSSING CENTER LLC

15490 Ventura Blvd., Ste. 200

Sherman Oaks, CA 91403

Tel: (818) 501-5500

Fax: (818) 501-7629

E-mail: Decaturcenterllc@aol.com

RECEIVED
CITY CLERK

2007 APR 30 A 10: 43

April 26, 2007

Via Fax No. 702-382-4803 & Mail

Honorable City Council
C/o City Clerk's Office
City of Las Vegas
400 Stewart Ave.
Las Vegas, NV 89101

Support

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

Dear Honorable City Council Members:

We are the owners of the Target/Big Lots Anchored Shopping Center located directly across Meadows Lane from the subject property. We have owned this Center since 1997.

This Letter is to inform your honors that we generally support the construction of this project as the applicant has modified certain aspects of its project and has demonstrated to us that its proposed expansion not only will not negatively impact the surrounding area but may in fact improve it.

Landscaping /Aesthetics

We strongly believe that this expansion project as modified recently to include more landscaping along meadows Lane will aesthetically enhance Meadows lane since there is currently no landscaping at all in front of this property. All we see across the street is a sea of asphalt, an old building, a fence, and a jungle of parked cars. The proposed project will certainly make the area aesthetics and the public right of way look much better than existing .

Traffic / Economics

We also believe that this project will economically benefit the immediate commercial area as it will bring in additional day time employment, visitors, and customers. Meadows lane is an existing four lane road which is seldom busy. The anticipated increase of a few hundred cars in peak morning and afternoon times in daily traffic on this four lane road can easily be handled.

Submitted after final agenda

Date 4-30-07 Item # 79-82

Honorable City Council
April 23, 2007
Page 2 of 2

There are retail buildings at this intersection some with vacant stores & empty lunch time restaurants as this commercial/retail area has seen a decline in day time customers and visitors since the opening of the Super Wal-Mart anchored shopping center further south at Charleston and Decatur . Since there are no office buildings in this immediate area to generate day time traffic to the retail in this area, we need more complimentary commercial uses like this project to help the creation of additional day time employment, customers, and visitors to the immediate area.

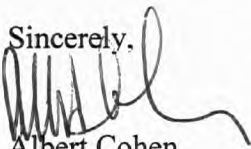
Location

This project does belong in this location as this area is historically comprised of many auto dealer ships, is centrally located, is easily accessible via the adjacent recently widened I-95 freeway with newly improved Decatur on & off ramps, and the proposed project is part of an existing reputable Dealership which needs to grow as the rest of the City has grown in the past decade. This project is mainly slated to provide a place for the growing number of local owners of passenger vehicles/SUVs and light trucks to seek scheduled service, warranty repair, replacement parts, and/or Body repair work for their vehicles.

With appropriate conditions imposed by your honors on this expansion project to reasonably protect the adjacent residences from undue noise etc. , we believe this project will be an appropriate fit for the area both planning wise and economically. This proposed expansion is certainly not an industrial use, reasonably conforms to the general plan for the area , and will generally benefit the area.

We Thank you in advance for your attention to this matter.

Sincerely,



Albert Cohen
Managing Member

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

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

February 16, 2007

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

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

Dear Mr. Reed,

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

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

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

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

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

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

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

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

Sincerely,

Don and Pam Gaines

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

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

February 21, 2007

Via Fax No. 702-385-7268 & Mail

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

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

Dear Honorable Planning Commission Members:

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

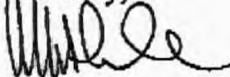
First, we would like to inform you that we have never been contacted by the Applicant or any of their representatives to see if we have any questions or concerns with their proposed project across the street. We have seen the staff report for the first time only a few hours ago.

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

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

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

Sincerely,



Albert Cohen

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

February 22, 2007

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

Via Fax No. 702-385-7268 & Mail

8 702-474-0352

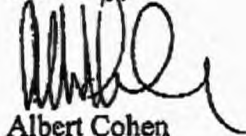
Re.: Opposition to ZON-18208, VAR-18210, SUP- 19129 And SDR- 18206 -
proposed expansion of existing Body shop on Meadows Lane by Applicant Fletcher Jones
Management Group, Inc.

Dear Honorable Planning Commission Members:

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

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

Sincerely,



Albert Cohen

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 2, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO ZON-18208

VAR-18210 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST - Request for a Variance TO ALLOW 509 PARKING SPACES WHERE 783 SPACES ARE REQUIRED on 9.34 acres at 400 South Decatur Boulevard (APN 138-36-601-002), R-1 (Single Family Residential) Zone and C-2 (General Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED TO ALLOW 507 PARKING SPACES WHERE 783 ARE REQUIRED. The Planning Commission (4-1-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest letter by Glen A. Hedstrom
6. Revised Site Plan dated 04-13-07
7. Backup referenced from the 02-22-07 Planning Commission Meeting Item 21

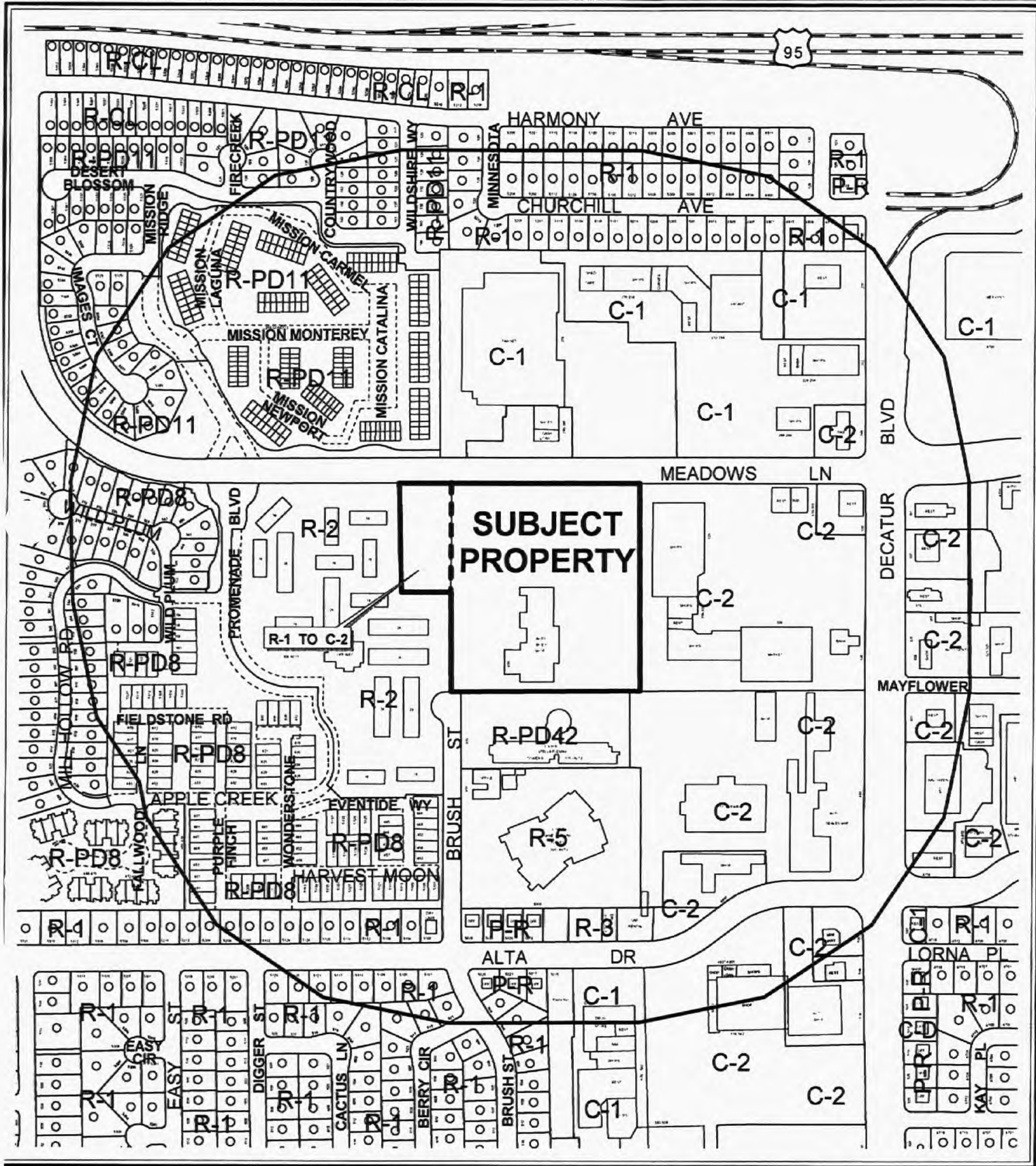
Motion made by GARY REESE to Hold in Abeyance Items 79 and 83 to 5/16/2007; Items 67-69, 80-82 and 85 to 6/6/2007; Strike Item 66 and Withdraw Without Prejudice Item 73

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

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

Minutes:

See Item 63 for related discussion.



CASE: VAR-18210

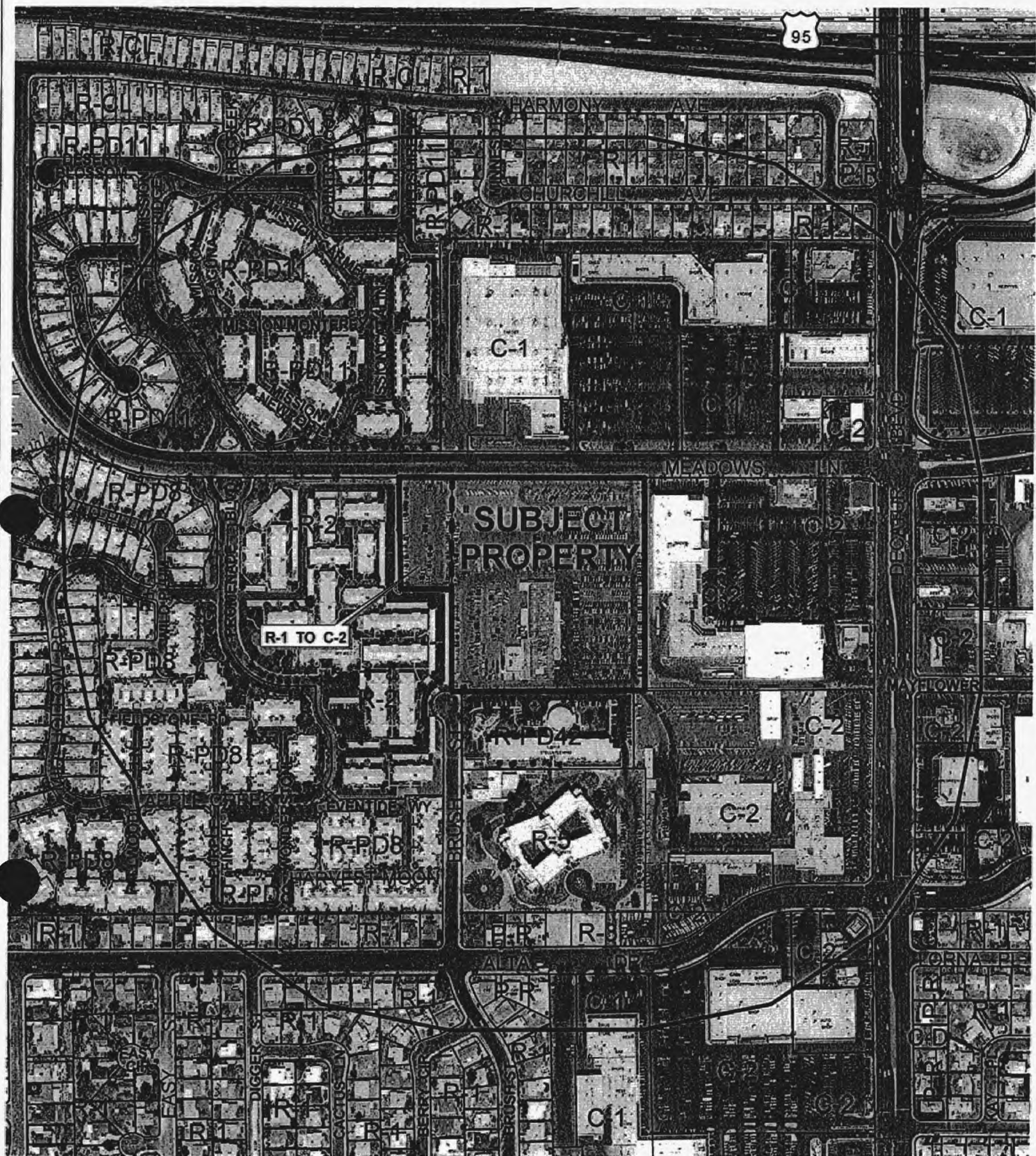
RADIUS: 1000 FT

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

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

0 200 400 Feet





CASE: **VAR-18210**

RADIUS: 1000 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 2, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-18210 - APPLICANT: FLETCHER JONES
MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Variance to allow 507 parking spaces where 783 spaces are required on 9.34 acres at 400 South Decatur Boulevard, south of Meadows Lane. The request is related to Site Development Plan Review (SDR-18206), Rezoning (ZON-18208), and Special Use Permit (SUP-19129). Construction of a 123,669 square foot expansion of an existing automobile service to an existing 31,206 square foot auto service facility is proposed. No topographical constraints exist on site which hinder the ability of project from complying with Title 19.10 therefore staff recommends denial.

BACKGROUND INFORMATION

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

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

Details of Application Request	
Site Area	
Gross Acres	9.34 acres

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

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

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 the following Commercial Development Standards apply:

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

Pursuant to Title 19.10, the following parking standards apply:

In addition to Table 22-110, 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	
Auto	154,875	5 spaces plus 1 space per 200 square foot gfa	783	16	507	8	N
TOTAL			783	16	507	8	N
Loading Spaces			4		4		Y
Percent Deviation					36%		

ANALYSIS

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

- **General Plan and Zoning**

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

- **Parking**

Parking requirements under Title 19.04 require Auto Paint and Body Repair uses to provide 5 parking spaces plus 1 space for every 200 square feet of gross floor area. The project site currently has 1,053 parking spaces including triple stacked parking spaces which are considered nonconforming pursuant to Title 19. The expanded facility proposes 507 parking spaces thereby eliminating 549 parking spaces from the site. Required parking is 783 spaces and as such a 36 percent deviation from code is requested. No topographical constraints prevent the proposal from being designed to meet minimum parking standards therefore staff recommends denial.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship with the design of 123,699 square foot addition upon a 9.34 acre parcel. An alternative design that reduces the square footage would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 300 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Fletcher Jones Sr. Trust

Name of Applicant: Fletcher Jones Management Group, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

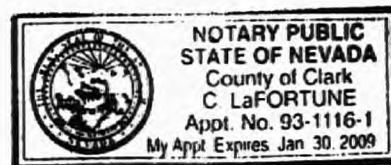
Signature of Property Owner: _____

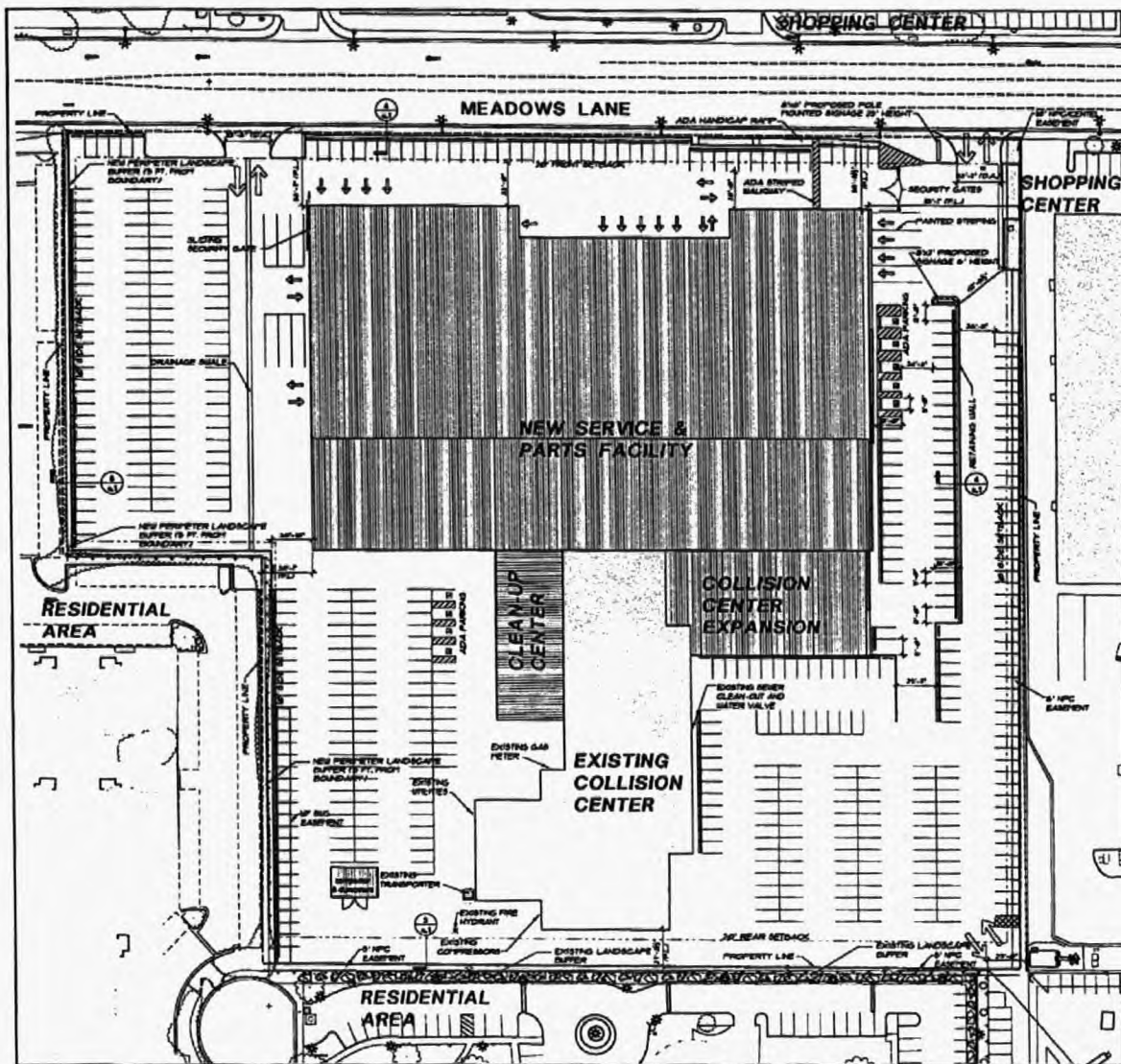
Print Name: Fletcher Jones Jr.

Subscribed and sworn before me

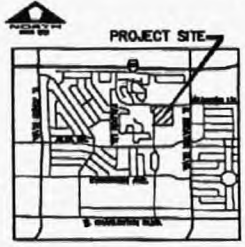
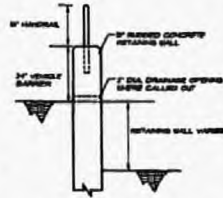
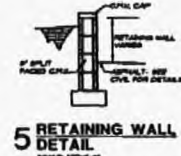
This 14 day of Nov, 2006

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





NOTES: 1. ALL DIMENSIONS ARE BASED ON THE SHOWN SURVEY UNLESS OTHERWISE NOTED. 2. ALL DIMENSIONS ARE BASED ON THE SHOWN SURVEY UNLESS OTHERWISE NOTED.			
PERMITS:	PERMITS:	PERMITS:	PERMITS:
1. TOTAL NUMBER OF PERMITS REQUIRED: 1	2. TOTAL NUMBER OF PERMITS REQUIRED: 1	3. TOTAL NUMBER OF PERMITS REQUIRED: 1	4. TOTAL NUMBER OF PERMITS REQUIRED: 1
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1 SITE PLAN
SCALE: 1" = 10'-0"

2 COLORED SITE PLAN
SCALE: 1" = 10'-0"

**david
zenger
a.t.a.**

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DAVID ZENGER A.T.A.

ALTERATIONS AND ADDITIONS TO: **BILL HEARD LAS VEGAS CHEVROLET**

444 S. DECATUR BLVD. LAS VEGAS, NEVADA 89107

RECEIVED
a.1
NOV 17 2006

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

PRELIMINARY - NOT FOR CONSTRUCTION

JONES VARGAS

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

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

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

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

WWW.JONESVARGAS.COM

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

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

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

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

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

BRIAN J. MATTER
EXECUTIVE DIRECTOR

November 7, 2006

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

HAND DELIVERED

RE: Justification Letter – Parking Variance

Dear Planning and Development Department:

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

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

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

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

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

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

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

November 7, 2006

Page 2

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

Very truly yours,

JONES VARGAS

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

Stacie A. Truesdell

ST
Enclosures.

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

RECEIVED
CITY CLERK

2007 MAR 16 A 11:03

Protest

March 14, 2007

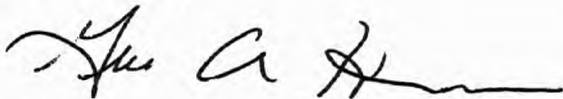
City of Las Vegas
Office of the City Clerk
City Hall
400 Stewart Avenue
Las Vegas, Nevada 89101-2986

Attn: Beverly K. Bridges
Acting City Clerk

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

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

Sincerely,

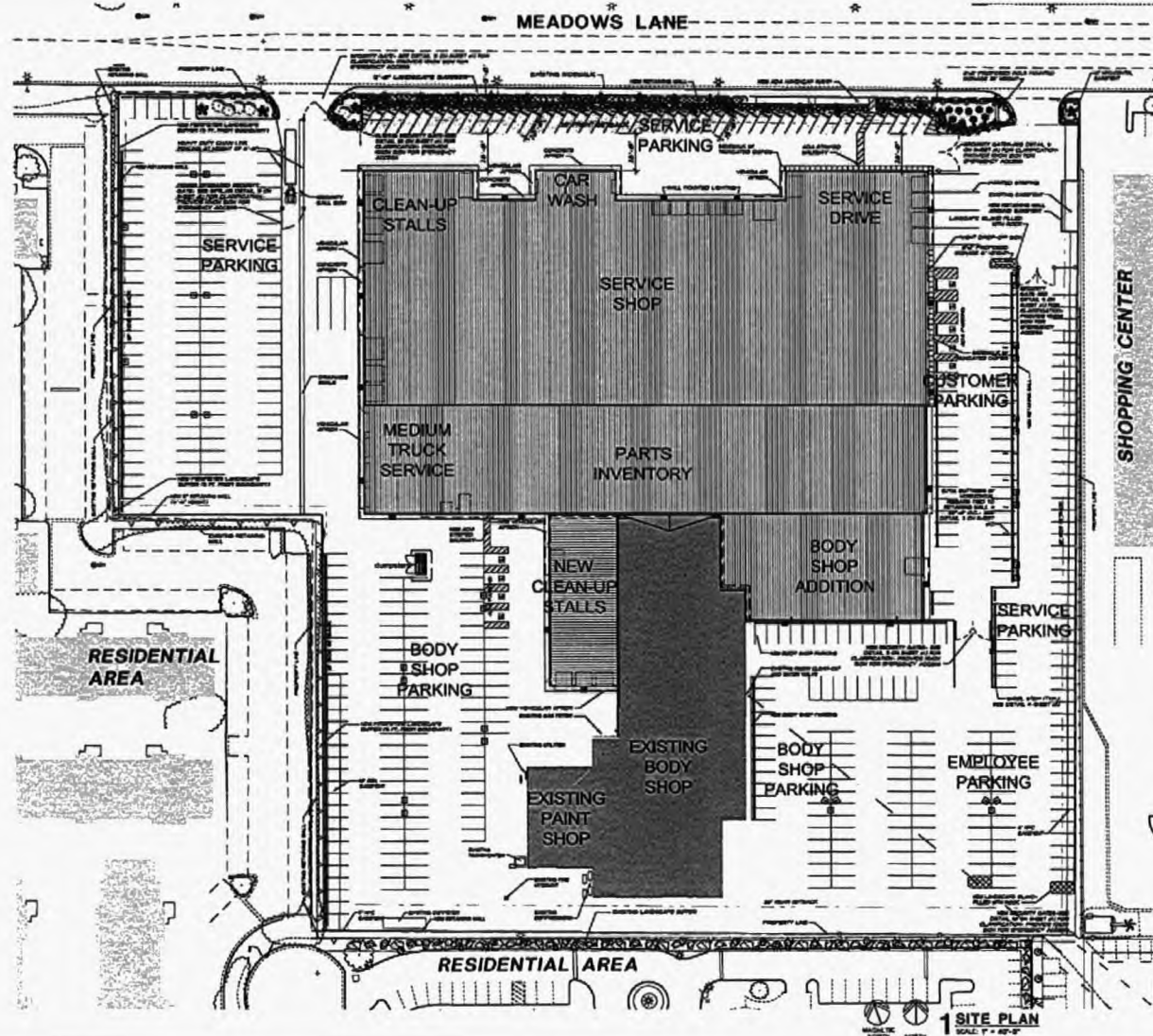


Glen A. Hedstrom

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

Submitted after final agenda

Date 3/16/07 Item 98 & 99



PARKING ANALYSIS			
TOTAL NUMBER OF PARKING SPACES REQUIRED BY 1 SF OF GFA	MIN. NUMBER OF ACCESSIBLE PARKING SPACES	MIN. # OF UNACCESSIBLE PARKING SPACES BY VOL. OF VEH. ACCESSIBLE	MIN. # OF ACCESSIBLE PARKING SPACES BY VOL. OF VEH. ACCESSIBLE
175	8	2	1
TOTAL NUMBER OF PARKING SPACES PROVIDED	ACCESSIBLE PARKING SPACES PROVIDED	UNACCESSIBLE PARKING SPACES BY VOL. OF VEH. ACCESSIBLE PROVIDED	ACCESSIBLE PARKING SPACES BY VOL. OF VEH. ACCESSIBLE PROVIDED
180	9	3	1

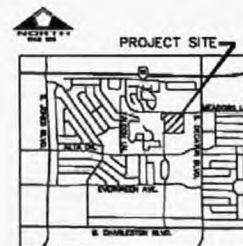
NOTE: PARKING AND LANDSCAPE SURVIVANCE IN PROPOSED OF NEW BUILDINGS

NOTE: ALL RETRACTIONS ARE BASED ON C-2 ZONING BARRED UPON-ADJACENT RESIDENTIAL AREAS TO COMMERCIAL.

F.A.R. ANALYSIS	LEGEND
EXISTING BUILDING: 31,200 SQ. FT.	PROPERTY LINE
TOTAL EXPANSION: 12,000 SQ. FT.	NEW SOURCE
NEW: 40,200 SQ. FT.	BUILDING RETRACTION
FLOOR AREA RATIO: 21.200/1000 SQUARE FEET	LANDSCAPE PLANT
REMARKS: 1. ALL RETRACTIONS ARE BASED ON C-2 ZONING BARRED UPON-ADJACENT RESIDENTIAL AREAS TO COMMERCIAL.	EXISTING BUILDING
FL-PROPERTY LINE	LANDSCAPE PLANT
LANDSCAPE ASB	

color legend:

RESIDENTIAL-YELLOW
 NEW PARKING-ORANGE
 COMMERCIAL-RED
 EXISTING BUILDING-BLACK
 EXISTING PARKING-BLACK
 EXISTING PLANT-BLACK



**david
 zenner
 a.i.a.**

210 Markville Street, N.W.
 Atlanta, Georgia 30318
 (404) 581-4370 Fax (404) 581-4175

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ALTERATIONS AND ADDITIONS TO:
BILL HEARD LAS VEGAS CHEVROLET
 444 S. DECATUR BLVD., LAS VEGAS, NEVADA, 89107

RECEIVED
 APR 13 2007

2 COLORED SITE PLAN

ISSUANCES:
 Revised Site Plan 02-28-07
 Revised Site Plan 03-02-07

PROJECT NO.: 100006
 SHEET NO.: 2/2

a.1
 PROPOSED
 SITE
 PLAN

ZON-18208 VAR-18210 SUP-19129 SDR-18206 05-02-07 CC

PRELIMINARY- NOT FOR CONSTRUCTION

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

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

February 16, 2007

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

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

Dear Mr. Reed,

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

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

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

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

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

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

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

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

Sincerely,

Don and Pam Gaines

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

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

February 21, 2007

Via Fax No. 702-385-7268 & Mail

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

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

Dear Honorable Planning Commission Members:

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

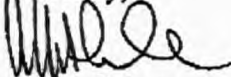
First, we would like to inform you that we have never been contacted by the Applicant or any of their representatives to see if we have any questions or concerns with their proposed project across the street. We have seen the staff report for the first time only a few hours ago.

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

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

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

Sincerely,



Albert Cohen

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

February 22, 2007

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

Via Fax No. 702-385-7268 & Mail

& 702-474-0352

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

Dear Honorable Planning Commission Members:

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

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

Sincerely,



Albert Cohen

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 2, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-18208 AND VAR-18210

SUP-19129 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST - Request for a Special Use Permit FOR A PROPOSED AUTO PAINT & BODY REPAIR SHOP WITH A WAIVER TO ALLOW SERVICE BAYS TO FACE PUBLIC RIGHT-OF WAY at 400 South Decatur Boulevard (APN 138-36-601-002), C-2 (General Commercial) Zone and R-1 (Single Family Residential) Zone [PROPOSED: C-2 (General Commercial)], Ward 1 (Tarkanian). The Planning Commission (4-1-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest letter from Gayle Silberman
6. Revised Site Plan dated 04-13-07
7. Backup referenced from the 02-22-07 Planning Commission Meeting Item 22

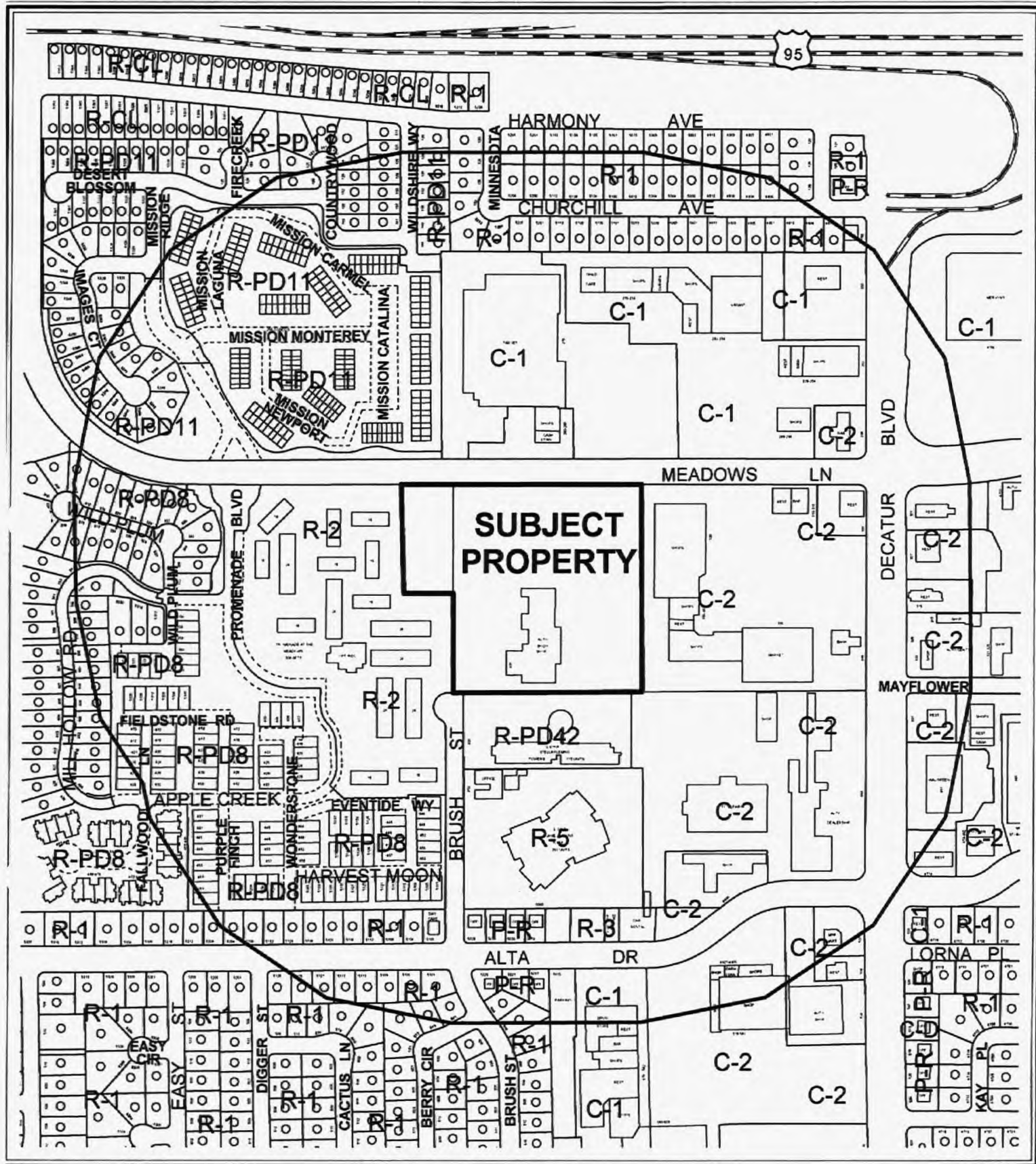
Motion made by GARY REESE to Hold in Abeyance Items 79 and 83 to 5/16/2007; Items 67-69, 80-82 and 85 to 6/6/2007; Strike Item 66 and Withdraw Without Prejudice Item 73

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

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

Minutes:

See Item 63 for related discussion.

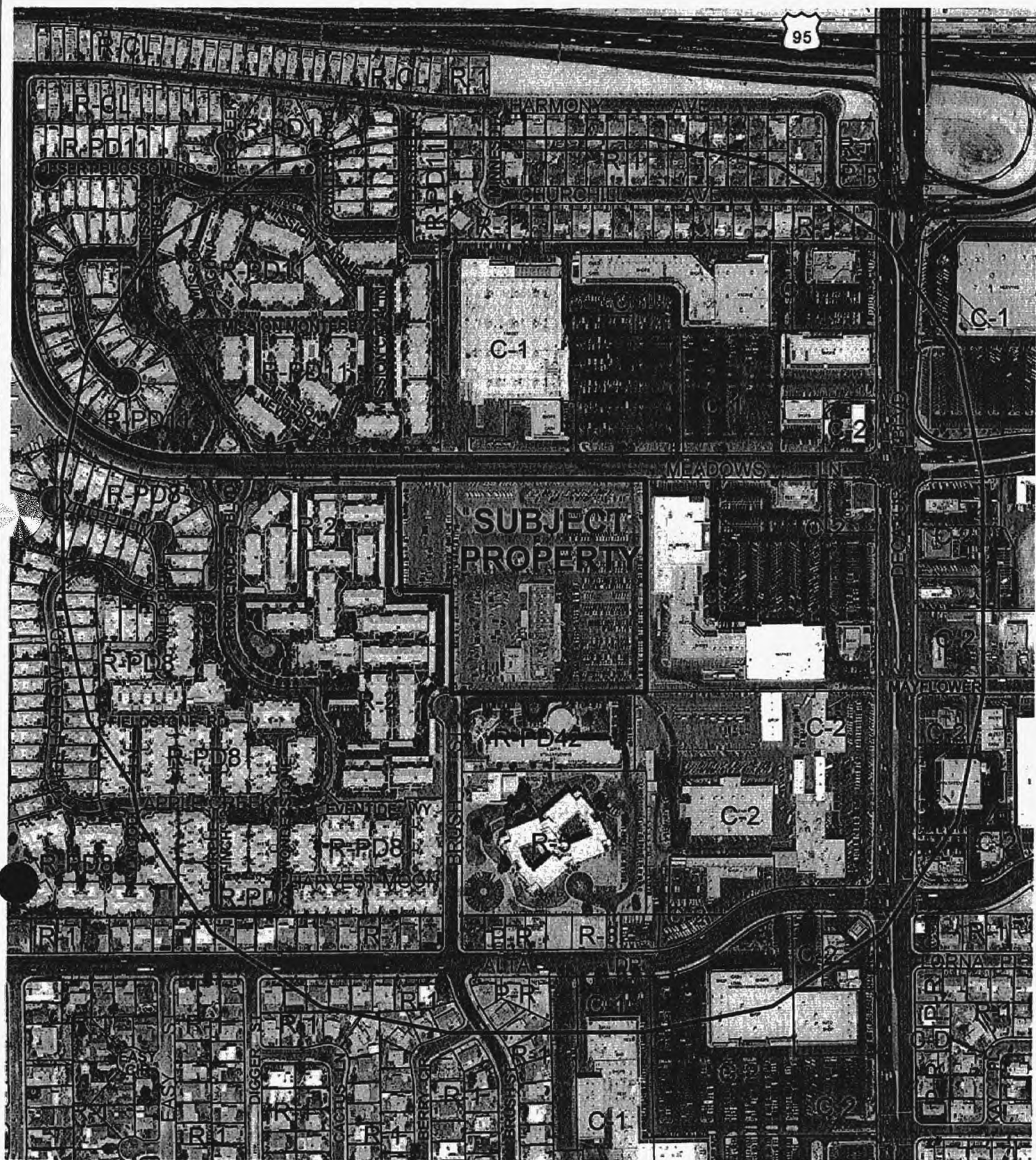


CASE: SUP-19129

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) AND R-1 (SINGLE FAMILY RESIDENTIAL)



CASE: **SUP-19129**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) AND R-1 (SINGLE FAMILY RESIDENTIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 2, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-19129 - APPLICANT: FLETCHER JONES
MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-18208), Variance (VAR-18210) and Site Development Plan Review (SDR-18206) if approved.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for a proposed Auto Paint and Body Repair Shop with a Waiver to allow service bays oriented towards the public Right-of-Way (ROW) located at 400 South Decatur Boulevard south of Meadows Lane. The project as designed does not meet the minimum standards under Title 19 and therefore staff recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/94	The City Council accepted at the request of the applicant, a Withdrawal without Prejudice a request (Z-0030-74 (6)) for a Review of Condition to allow commercial access onto Brush Street on property located on the south side of Meadows Lane approximately 650 feet west of Decatur Boulevard.
04/16/86	The City Council considered and approved the Plot Plan Review for the Meadows School expansion. The Planning Commission and staff recommended approval. The Meadows School ceased operations in June 1988.
03/20/85	The City Council considered and approved the Plot Plan Review for the Meadows School Project. The Planning Commission and staff recommended approval. The Planning Commission and staff recommended approval.
05/16/84	The City Council considered and approved the Plot Plan Review (Z-30-74) to operate a private elementary school on property located approximately 600 feet west of Decatur Boulevard. The Planning Commission and staff recommended approval.
11/3/76	The Board of City Commissioners considered and approved a request for a Plot Plan Review (Z-30-74) for a body shop and paint room at 444 South Decatur Boulevard. The Planning Commission and staff recommended approval.
08/01/74	The Board of City Commissioners considered and approved a request for Reclassification of Property (Z-30-74) located south of the westerly prolongation of Michael Way. The Planning Commission and staff recommended approval.
02/22/07	The Planning Commission recommended denial of companion items ZON-18208, VAR-18210 and SDR-18206 concurrently with this application. The Planning Commission voted 4-1/bg/1/rt to recommend DENIAL (PC Agenda Item #22/ja.
<i>Related Building Permits/Business Licenses</i>	
None	

Pre-Application Meeting	
01/09/07	A Pre-application was held with the applicant. Planning staff advised the applicant of the requirement for a Site Development Plan Review and Development Impact Notice and Assessment (DINA) application.
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	9.34 acres

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

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

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
	154,875	5 plus 1 space per 200 sf gfa	783	16	507	8	N
TOTAL			783		507		N
Loading Spaces			4		4		Y

Waivers		
Request	Requirement	Staff Recommendation
Allow Service Bays to face public ROW.	Oriented away from public right of way	DENIAL

ANALYSIS

The request is for a Auto Paint and Body Repair Shop on a 9.34 acre project site developed with a 31,000 square foot auto repair facility and associated parking area.

- General Plan and Zoning**

The project is located within the GC (General Commercial) land use category as designated in the General Plan. The site is zoned as C-2 (General Commercial) and the proposed use is allowed with a Special Use Permit. Existing uses surrounding the project site include commercial to the north, multi-family residential to the west and south, and commercial to the east.

- **Site Plan**

The site plan and elevations indicate service bays will be oriented to the north facing Meadows Lane as well as west towards a residential property line. In accordance with the Conditional Use requirements service bay access doors cannot face public ROW and such facilities shall be designed to minimize intrusion into adjoining properties. The Waiver request will allow service bays to face Meadows Lane. Staff recommends denial of the request as the project lacks landscape features to offset the visual effects of the bay doors.

- **Parking**

The project site contains 1,056 parking spaces serving an existing auto repair facility. However, the proposal requests a Variance (VAR-18210) to allow 509 parking spaces where 779 are required.

- **Special Use Permit – Conditional Use Regulations**

1. No use or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
2. All disabled or wrecked vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets.
3. Opening in service bays shall not face public right-of-way and shall be designed to minimize visual intrusion into adjoining properties.
4. All repair work shall be performed within an enclosed building.

FINDINGS

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

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

The proposal will not blend with surrounding land uses as the proposal lacks the design and features that sufficiently address Title 19.04 Conditional Use Regulations for visual intrusion and Title 19.08 Commercial Development Standards.

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

The intensity of use along with the traffic projected to be generated are considered unacceptable at this location. This type of structure is more suited to an industrial zoned parcel surrounded by similar uses.

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

Significant impacts to current surface street operations may result with implementation of this project. Greater than 4,000 average daily vehicle trips will be generated with the project as concluded in the traffic analysis.

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

The proposed use exceeds the intent of the current General Plan and the zoning regulations for commercial development as the proposal does not adequately address architectural design, landscaping, parking, and screening requirements.

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

The proposed use does not meet the conditions set forth under Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

20

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 300 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-19129** APN: 138-36-601-002

Name of Property Owner: Fletcher Jones, Sr. Trust

Name of Applicant: Fletcher Jones Management Group, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

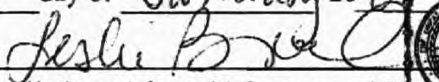
APN: _____

Signature of Property Owner: 

Print Name: Fletcher Jones, Jr., Successor Co-Trustee

Subscribed and sworn before me

This 9 day of January 2007


Notary Public in and for said County and State



LESLIE BOEDDEKER
Notary Public State of Nevada
No. 96-1579-1
My appt. Exp. May 1, 2008



1 GRAVITY WALL

The cross-section diagram shows a wall with a base width of 12' and a height of 12'. The wall is labeled "GRAVITY WALL" and "12' BASE". The plan view shows a rectangular wall with a "PROJECT SITE" indicated by a dashed line.

2 CANTILEVER WALL

The cross-section diagram shows a wall with a base width of 12' and a height of 12'. The wall is labeled "CANTILEVER WALL" and "12' BASE". The plan view shows a rectangular wall with a "PROJECT SITE" indicated by a dashed line.

3 VIGNITY WALL

The cross-section diagram shows a wall with a base width of 12' and a height of 12'. The wall is labeled "VIGNITY WALL" and "12' BASE". The plan view shows a rectangular wall with a "PROJECT SITE" indicated by a dashed line.



SECRET

444 S. DECATUR BLVD. LAS VEGAS, NEVADA 89102

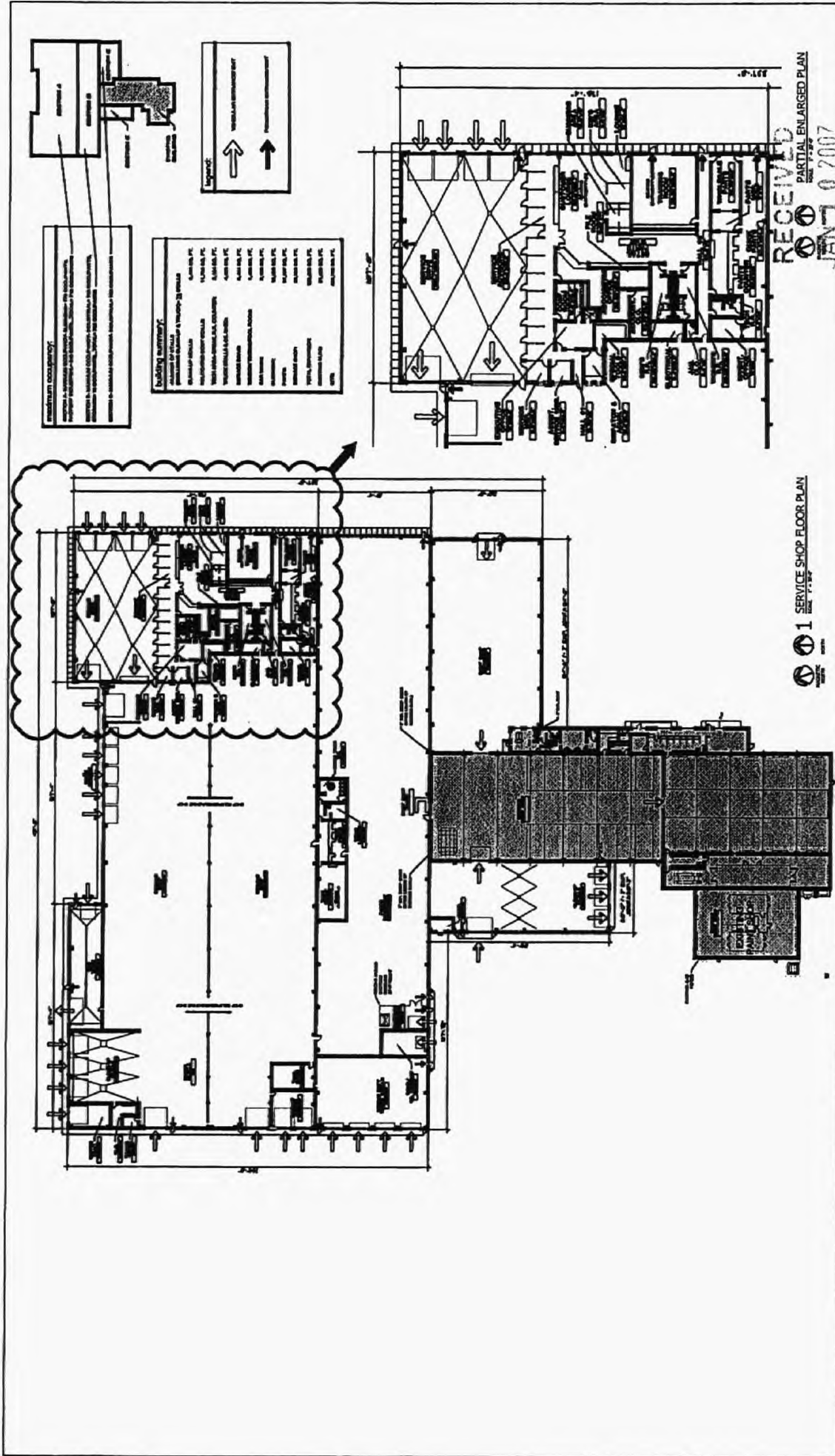
02/22/07 PC

For Case Submittal 10-114

8-78817-50 1N

a.

JAN 10 2007



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David Zimmer
a1-a

RECEIVED
JAN 10 2007
PARTIAL ENLARGED PLAN
DATE 12-29-06

ALTERATIONS AND ADDITIONS TO
BILL HEARD LAS VEGAS CHEVROLET
6665 DECATUR BLVD - LAS VEGAS, NEVADA 89107

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DATE 12-29-06

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DATE 12-29-06

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02/22/07 PC

JONES VARGAS

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

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

WWW.JONESVARGAS.COM

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MELVIN D. CLOSE, JR.
JOSEPH W. BROWN
ALBERT F. PAGNI
JOHN P. SANDE, III
WILLIAM J. RAGGIO
GARY R. GOODHEART
MICHAEL E. BUCKLEY
RICHARD F. JOST
JANET L. CHUBB
DOUGLAS M. COHEN
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ANN MORGAN
R. DOUGLAS KURDZIEL
KRIS T. BALLARD
CRAIG H. NORVILLE
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LINDA P. MCKENZIE*
MATTHEW T. MILONE
CHRISTOPHER C. MONEY
BINU G. PALAL**
TAMARA BEATTY PETERSON
ALEX RAMIREZ
RICHARD A. RAWSON
MOLLY MALONE REZAC
JOHN P. SANDE, IV
BRETT J. SCOLARI
STEVEN G. SHEVORSKI
TIFFANY J. SWANIS
STACIE A. TRUESDELL
JESSE A. WADHAMS
CHRISTINA H. WANG
GORDON H. WARREN
ANDREW WONG

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

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

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

BRIAN J. MATTER
EXECUTIVE DIRECTOR

January 9, 2007

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

HAND DELIVERED

RE: Justification Letter – Special Use Permit

Dear Planning and Development Department:

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

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

The Property is currently operating and will continue to operate as an automobile service facility in conjunction with the adjacent Bill Heard Dealership. However, because the current use of the Property as an automobile service facility is a non-conforming use, expansion of the existing automobile service facility requires a special use permit.

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

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

SUP-19129
02/22/07 PC

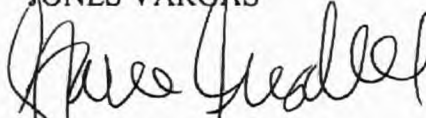
January 9, 2007

Page 2

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

Very truly yours,

JONES VARGAS

A handwritten signature in black ink, appearing to read "Stacie A. Truesdell". The signature is fluid and cursive, with the first name "Stacie" being more prominent than the last name "Truesdell".

Stacie A. Truesdell

ST

Enclosures.

RECEIVED
CITY CLERK

2007 MAR 21 A 8:13

Protest

City Clerks Office
City Hall
400 Stewart Avenue
Las Vegas, Nevada 89101

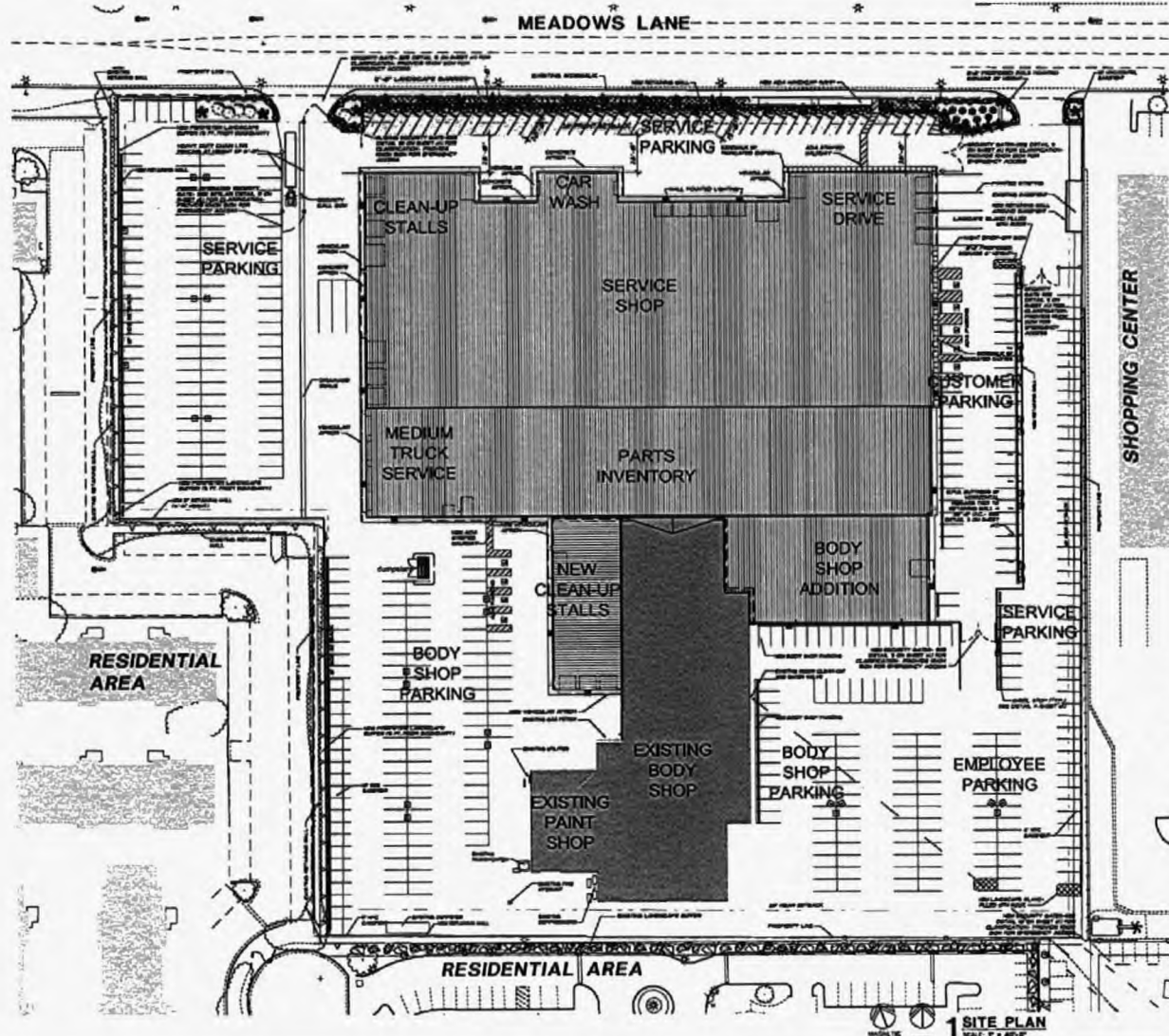
3/20/07

-To Beverly K Bridges :

I Gayle Silberman ~~protest~~ object
~~the~~ to the ~~request for a sp~~ request
of ref # Sup-19129

Gayle Silberman
2024 S Baldwin #27
Mesa AZ 85209

Date 3/21/07 Item #99



notes:

PARKING ANALYSIS		MIN. # OF AVAILABLE PARKING SPACES REQUIRED BY 1 PM 15.00		MIN. # OF AVAILABLE PARKING SPACES REQUIRED BY 1 PM 15.00	
TOTAL NUMBER OF PARKING SPACES REQUIRED BY 1 PM 15.00	174	TOTAL NUMBER OF AVAILABLE PARKING SPACES PROVIDED	174	TOTAL NUMBER OF AVAILABLE PARKING SPACES PROVIDED	174
TOTAL NUMBER OF PARKING SPACES PROVIDED	174	TOTAL NUMBER OF AVAILABLE PARKING SPACES PROVIDED	174	TOTAL NUMBER OF AVAILABLE PARKING SPACES PROVIDED	174

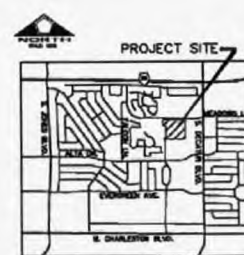
NOTE: ALL PARKING AND LANDSCAPE VARIANCE IN PROPOSED OR WERE REMOVED

FAR ANALYSIS

EXISTING BUILDING	31,200 SQ. FT.
TOTAL EXPANSION	123,800 SQ. FT.
WITH	155,000 SQ. FT.
FLOOR AREA RATIO	0.25 (123,800 SQ. FT. / 495,200 SQ. FT.)

LEGEND

- PROPERTY LINE
- NEW SERVICE
- EXISTING BUILDING
- LANDSCAPE BLANKS



david zenner a.i.a.

218 Madison Street, N.W.
Atlanta, Georgia 30318
(404) 581-4370 Fax (404) 581-4170

THIS DRAWING AND THE ASSOCIATED ELECTRONIC FILE ARE PROVIDED AS AN INSTRUMENT OF SERVICE FOR THE PROJECT LISTED BELOW. THE DESIGN REPRESENTED IN THESE DOCUMENTS REMAINS THE SOLE PROPERTY OF DAVID ZENNER A.I.A. ANY USE OF THESE DOCUMENTS FOR PURPOSES OTHER THAN THOSE ASSOCIATED WITH THE PROJECT LISTED BELOW WITHOUT THE EXPRESS WRITTEN PERMISSION OF DAVID ZENNER A.I.A. IS PROHIBITED. © 2007 DAVID ZENNER A.I.A.

ALTERATIONS AND ADDITIONS TO:
BILL HEARD LAS VEGAS CHEVROLET
444 S. DECATUR BLVD. LAS VEGAS, NEVADA. 89107

RECEIVED
APR 13 2007

2 COLORED SITE PLAN

ISSUANCES:
Revised Site Plan 03-28-07
Revised Site Plan 03-28-07

PROJECT NO. 18208
CLIENT: BILLY
CHECKED BY: [Signature]
DATE: 03-28-07

a.1
PROPOSED SITE PLAN

ZON-18208 VAR-18210 SUP-19129 SDR-18206 05-02-07 CC

PRELIMINARY - NOT FOR CONSTRUCTION

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

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

February 16, 2007

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

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

Dear Mr. Reed,

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

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

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

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

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

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

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

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

Sincerely,

Don and Pam Gaines

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

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

February 21, 2007

Via Fax No. 702-385-7268 & Mail

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

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

Dear Honorable Planning Commission Members:

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

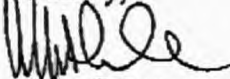
First, we would like to inform you that we have never been contacted by the Applicant or any of their representatives to see if we have any questions or concerns with their proposed project across the street. We have seen the staff report for the first time only a few hours ago.

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

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

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

Sincerely,



Albert Cohen

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

February 22, 2007

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

Via Fax No. 702-385-7268 & Mail

& 702-474-0352

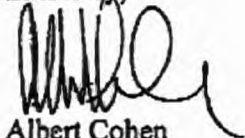
Re.: Opposition to ZON-18208, VAR-18210, SUP- 19129 And SDR- 18206 -
proposed expansion of existing Body shop on Meadows Lane by Applicant Fletcher Jones
Management Group, Inc.

Dear Honorable Planning Commission Members:

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

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

Sincerely,



Albert Cohen

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 2, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-18208 AND SUP-19129

SDR-18206 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST - Request for a Site Development Plan Review for a 123,669 SQUARE FOOT EXPANSION OF AN EXISTING AUTOMOBILE SERVICE FACILITY WITH WAIVERS OF THE PERIMETER LANDSCAPING REQUIREMENT TO ALLOW NO LANDSCAPING ALONG THE EAST PROPERTY LINE AND ALONG A PORTION OF THE SOUTH PROPERTY LINE WHERE AN EIGHT FOOT WIDE BUFFER IS REQUIRED; TO ALLOW A FIVE FOOT WIDE BUFFER ALONG A PORTION OF THE SOUTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; TO ALLOW A SIX FOOT WIDE BUFFER ALONG THE WEST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; AND TO ALLOW A ONE FOOT WIDE BUFFER ALONG THE NORTH PROPERTY LINE WHERE 15 FEET IS REQUIRED ADJACENT TO A PUBLIC RIGHT OF WAY on 9.34 acres at 400 South Decatur Boulevard (APN 138-36-601-002), R-1 (Single Family Residential) Zone and C-2 (General Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED TO ALLOW A 12-FOOT WIDE BUFFER ALONG THE NORTH PROPERTY LINE WHERE 15 FEET IS REQUIRED ADJACENT TO A PUBLIC RIGHT OF WAY. The Planning Commission (4-1-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised Site Plan dated 04-13-07
6. Revised Landscape Plan dated 04-13-07
7. Backup referenced from the 02-22-07 Planning Commission Meeting Item 23

CITY COUNCIL MEETING OF: MAY 2, 2007

Motion made by GARY REESE to Hold in Abeyance Items 79 and 83 to 5/16/2007; Items 67-69, 80-82 and 85 to 6/6/2007; Strike Item 66 and Withdraw Without Prejudice Item 73

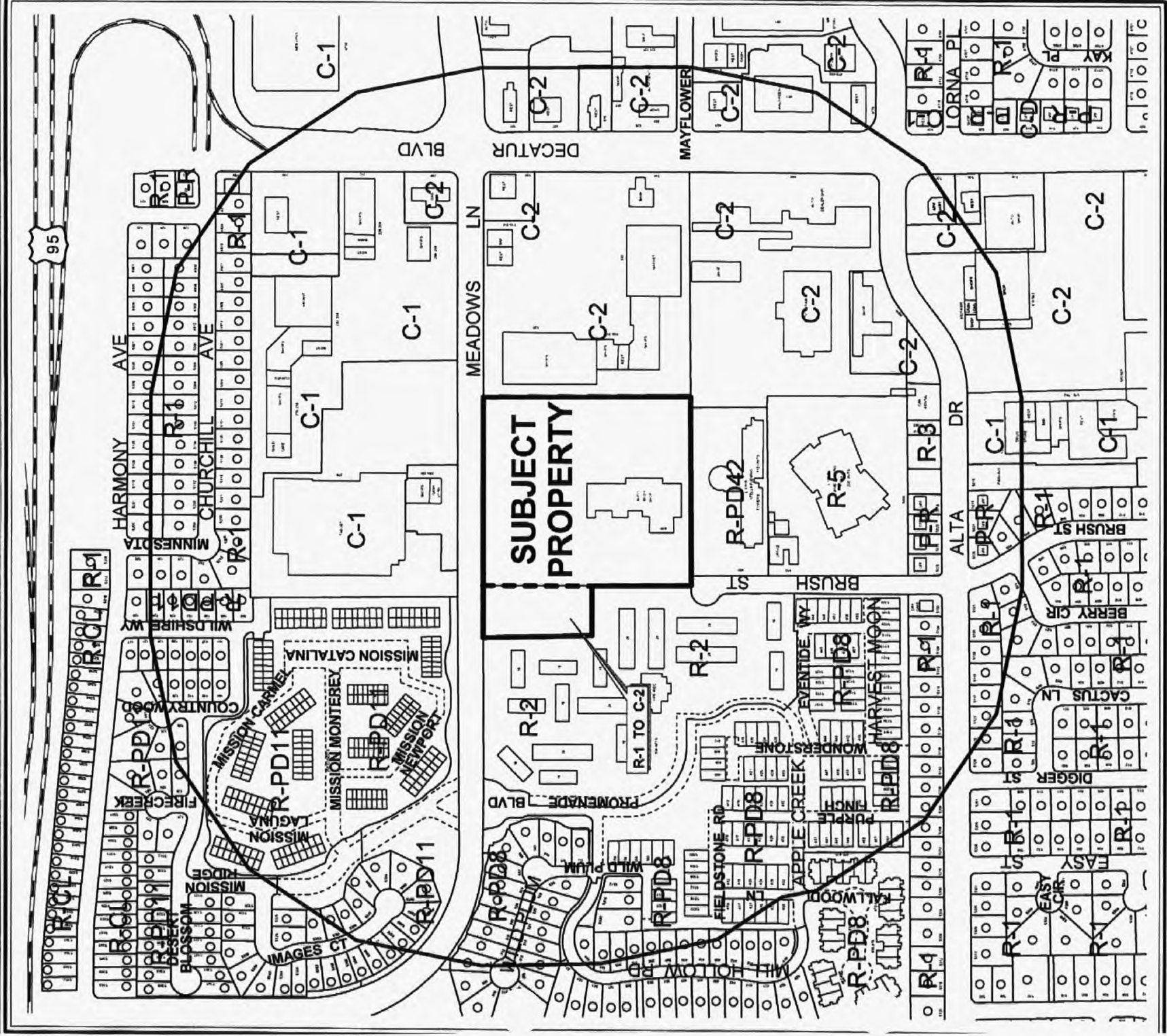
Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

See Item 63 for related discussion.





CASE: SDR-18206

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE FAMILY RESIDENTIAL)
PROPOSED ZONING OF SUBJECT PROPERTY:
C-2 (GENERAL COMMERCIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 2, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-18206 - APPLICANT: FLETCHER JONES
MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18208), Variance (VAR-18210), and Special Use Permit (SUP-19129) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan date stamped 04/13/07, and building elevations date stamped 11/17/06 except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow a zero foot landscape buffer along the east property line and along a portion of the south property line where an eight foot wide buffer is required; a five foot wide buffer along a portion of the south property line where eight feet is required; a six foot wide buffer along the west property line where eight feet is required; a 12-foot wide buffer along the north property line where 15 feet is required adjacent to a public Right-of-Way.
5. A revised site plan shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect the changes herein: Screening shall be provided along all residential property lines in accordance with Title 19.08.050.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-18208 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Site Development Plan Review for a 123,669 square-foot expansion of an existing automobile service facility located on 9.34 acres at 400 South Decatur Boulevard, south of Meadows Lane.

The proposal includes Waivers of perimeter landscaping requirements to allow a zero foot landscape buffer along the east property line and along a portion of the south property line where an eight foot wide buffer is required; a five foot wide buffer along a portion of the south property line where eight feet is required; a six foot wide buffer along the west property line where eight feet is required; and a 12-foot wide buffer along the north property line where 15 feet is required adjacent to a public Right-of-Way. Companion items to this request include a Rezone (ZON-18208), Special Use Permit (SUP-19129), and Variance (VAR-18210). The existing structure was constructed in 1978.

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

BACKGROUND INFORMATION

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

11/03/76	The Board of City Commissioners considered and approved a request for a Plot Plan Review (Z-30-74) for a body shop and paint room at 444 South Decatur Boulevard. The Planning Commission and staff recommended approval.
08/01/74	The Board of City Commissioners considered and approved a request for Reclassification of Property (Z-30-74) located south of the westerly prolongation of Michael Way. The Planning Commission and staff recommended approval.
02/22/07	The Planning Commission recommended denial of companion items ZON-18208, VAR-18210 and SUP-19129 concurrently with this application. The Planning Commission voted 4-1/bg/1/rt to recommend DENIAL (PC Agenda Item #23/ja.
Related Building Permits/Business Licenses	
None	
Pre-Application Meeting	
01/09/07	A Pre-application was held with the applicant. Planning staff advised the applicant of the requirement for a Site Development Plan Review and Development Impact Notice and Assessment (DINA) application.
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	9.34 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive	GC (General Commercial)	Split Zoned: C-2 (General Commercial) R-1 (Single Family Residential)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Residential	H (High Density Residential)	R-PD24 (Residential Planned Development – 24 Units Per Acre)
East	Commercial	SC (Service Commercial)	C-2 (General Commercial)
West	Residential	MLA (Medium Low Attached Residential)	R-2 (Medium-Low Density Residential)

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

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

DEVELOPMENT STANDARDS

The following Title 19 - Section 19.08 Commercial Development Standards apply:

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

The following Title 19 – Section 19.12 Landscape Standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Trees/6 uncovered space 1 Trees/6 landscape island	130 Trees 130 Trees = 130 landscape islands	None	N
Buffer: Min. Trees	1 Trees/20 Linear Feet Adjacent to residential	32 Trees (West property line) 27 (South property line)	None	N
			None	N
	1 Trees/30 Linear Feet Adjacent to commercial	21 Trees (East property line) 23 Trees (North property line)	None	N
			7	N
TOTAL			7	N
Min. Zone Width	15 feet (adjacent to Right-of-Way) 8 feet (interior lot lines)		12 feet along the north property line 0 feet (east and south property lines) 5 feet (along a segment of the south property line) 6 feet (along the west property line)	N* N N N
Wall Height	8 feet (adjacent to residential) 6 feet (adjacent to commercial)		None	N

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
	154,875	5 plus 1 space per 200 sf gfa	783	16	507	8	N
TOTAL			783		507		N
Loading Spaces			4		4		Y

Waivers		
Request	Requirement	Staff Recommendation
Reduction in landscape buffer zone widths:		
• 0 feet along a 170 foot segment of the south property line	8 feet	DENIAL
• 0 feet along the east property line	8 feet	DENIAL
• 6 feet along the west property line	8 feet	DENIAL
• 12 feet along the north property line	15 feet	DENIAL

ANALYSIS

The project proposes the construction of a one story 123,669 square-foot addition to an existing 31,206 one story auto service facility on a 9.34 acre parcel.

- **General Plan and Zoning**

The General Plan designated land use for the entire project site is GC (General Commercial) with the underlying zoning split as 7.8 acres of the project site is categorized as C-2 (General Commercial) and the remainder of the 9.34 acre site zoned R-1 (Single family Residential). The C-2 (General Commercial) zone is consistent with the General Commercial land use plan designation. An Auto Paint and Body Repair Shop is a permitted use under a Special Use Permit. A request to change the R-1 (Single

Family Residential) zoning to a C-2 (General Commercial) zone designation shall be considered with this request (ZON-18208). Development surrounding the project site includes commercial to the north and east and southeast, and residential to the west and south.

- **Site Plan and Elevations**

The project site is developed with an existing single story 31,206 square-foot Auto Paint and Body Repair Shop. The project as proposed will expand the current facility with a one-story 123,699 square-foot addition resulting in a 154,905 square-foot structure. The expansion is a monolithic design containing minimal architectural features to offset bulk and scale. The building is designed with service bays that will be oriented towards a public Right-of-Way (ROW) - Meadows Lane. In accordance with Title 19 Special Use Permit conditions for Automobile use service bays are not permitted to open toward the ROW. As such, a companion (SUP-19129) shall be considered with this request with a Waiver request to relieve the project of this requirement. An existing combination brick wall and chain link fence ranging in height from 6-12 feet borders the project site.

- **Parking**

The existing use contains 1,053 parking spaces and the proposal would eliminate 549 parking spaces. A Variance (VAR-18210) request to reduce the minimum required parking from 779 spaces shall be considered with this application.

- **Landscaping - Waivers**

The proposal includes requests to waive Title 19 Landscape Standards including reductions of landscape buffer zones along all property lines and associated perimeter landscaping. Parking lot landscaping and pedestrian open space required under Title 19 is not proposed. Both elements could assist the project in alleviating the visual effect of the vast structure and parking areas from adjacent residential. Staff is unable to support the Waiver request as an alternative landscape design has not been proposed which could reduce the effect of the development upon adjacent residential uses.

- **Development Impact Notification and Assessment (DINA) - Traffic**

The proposal has the potential to result in impacts to street operations and intersections as the project exceeds the City of Las Vegas DINA Threshold of Significance for traffic. Pursuant to City Ordinance No. 5227, a project is deemed to be a "Project of Significant Impact" if it is a commercial or industrial facility generating more than 3,000 Average Daily Trips (ADT). A Traffic Analysis Report was prepared for the project in November 2006 (Solaegui Engineers, Ltd.) and is available for review at the Planning and Development Department. The report determined that the expansion will result in the generation of 4,115 ADT with 253 morning peak hour trips and 242 trips during the afternoon peak hour.

FINDINGS

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

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

The bulk and scale of the proposal is considered too intense and incompatible with existing adjacent residential uses. The project provides minimal landscape and screening elements that could reduce the perception of the proposed monolithic structure to a human scale. The project is more suitable within a manufacturing and/or industrial zoned area of the city.

- 2. The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development is consistent with the land use designation of the General Plan and underlying commercial zone. The project design, bulk and scale, and minimal landscaping are inconsistent with Title 19.

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

Adequate vehicular access is provided to the project site via Meadows Lane. The proposed project will result in the generation of 4,100 Average Daily Trips (ADT) and may impact street and intersection operations along Meadows Lane and South Decatur Boulevard.

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

Building materials are appropriate for this type of development. The minimal amount of landscaping proposed is inappropriate for this area of the City.

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

The elevation and overall scale of the proposed structure is considered uncomplimentary for this area of the city. The project does not address the architectural design requirements of Title 19 nor provides insufficient landscaping and screening from adjacent residential.

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

Intensification of the current use has the potential to adversely affect the existing senior living/residential uses directly west of the project site as perimeter screening, parking lot landscaping, and architectural elements to reduce the bulk and scale of the building are absent from the site design and elevations. Furthermore, ADT generated from the expansion may impact street operations on adjacent roadways and intersection of Meadows Lane at South Decatur Boulevard. As the proposal does not meet the intent of the General Plan and urban design standards of Title 19, the project may impact the quality of life for residents within the immediate vicinity.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 300 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18206** APN: _____

Name of Property Owner: Fletcher Jones Sr Trust

Name of Applicant: Fletcher Jones Management Group, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

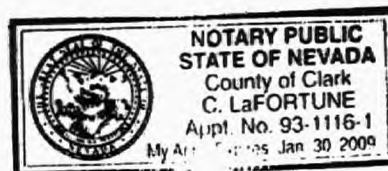
Signature of Property Owner: [Signature]

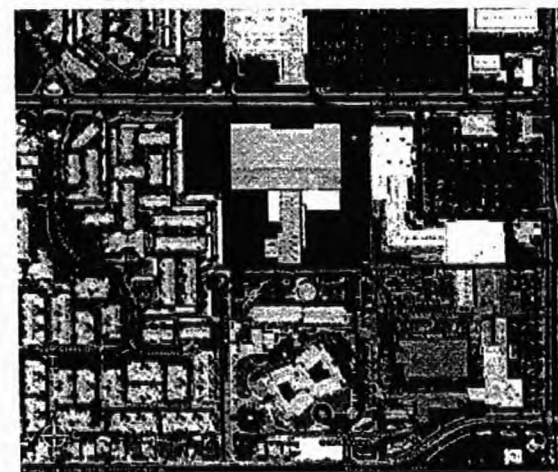
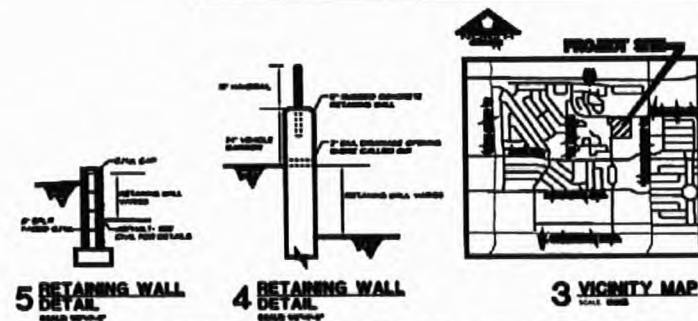
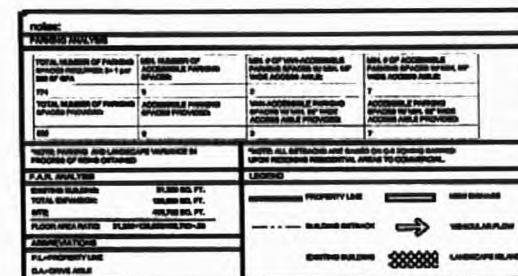
Print Name: Fletcher Jones Jr.

Subscribed and sworn before me

This 14 day of NOV, 2006

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





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818 Murrella Street, N.W.
Atlanta, Georgia 30316
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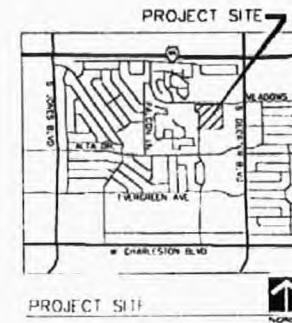
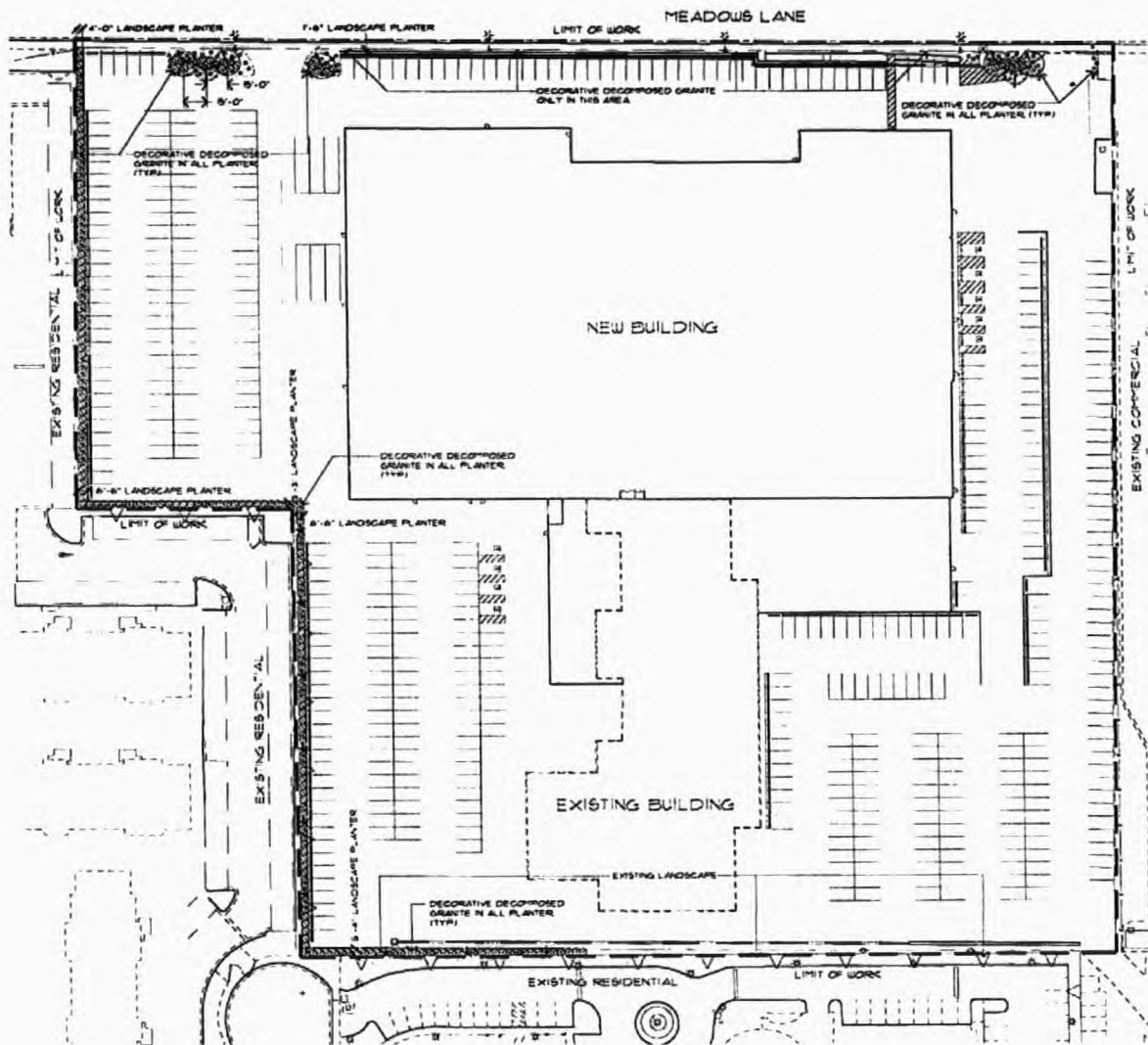
STEVEN DAVID JESSUP A.A.

444 S. DECATUR BLVD., LAS VEGAS, NEVADA, 89107


2 COLORED SITE PLAN

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

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JUN 17 2008



PROPOSED PLANT SCHEDULE

SYMBOL	QTY	SIZE	BOTANICAL NAME	COMMON NAME	COMMENTS
	2	24"-Box	Chrysomela 'Yell. Chry'	Chrysomela	Deciduous flowering
		24"-Box	Cercidiphyllum 'Downy Pinn'	Downy Pinn	Semi-Evergreen
		24"-Box	Cercidiphyllum 'Downy Pinn'	Downy Pinn	Semi-Evergreen
	5	24"-Box	Aspid. 'Humboldt'	Aspid. 'Humboldt'	Evergreen
		24"-Box	Aspid. 'Humboldt'	Aspid. 'Humboldt'	Evergreen
		24"-Box	Aspid. 'Humboldt'	Aspid. 'Humboldt'	Evergreen
	10	4'-6" CANES	Fraxinus velutina	Osage	Deciduous flowering
		9'-Gal	Taxus canadensis	Eastern White Pine	Evergreen
		9'-Gal	Pinus strobus	White Pine	Evergreen
	1	5'-Gal	Pinus strobus	White Pine	Evergreen
		5'-Gal	Pinus strobus	White Pine	Evergreen
		5'-Gal	Pinus strobus	White Pine	Evergreen
	100	5'-Gal	Pinus strobus	White Pine	Evergreen
		5'-Gal	Pinus strobus	White Pine	Evergreen
		5'-Gal	Pinus strobus	White Pine	Evergreen
	100	5'-Gal	Pinus strobus	White Pine	Evergreen
		5'-Gal	Pinus strobus	White Pine	Evergreen
		5'-Gal	Pinus strobus	White Pine	Evergreen
	100	5'-Gal	Pinus strobus	White Pine	Evergreen
		5'-Gal	Pinus strobus	White Pine	Evergreen
		5'-Gal	Pinus strobus	White Pine	Evergreen

REVISIONS
1. HOUSE COMMENTS
2. HOUSE COMMENTS
3. HOUSE COMMENTS
4. HOUSE COMMENTS
5. HOUSE COMMENTS
6. HOUSE COMMENTS
7. HOUSE COMMENTS
8. HOUSE COMMENTS
9. HOUSE COMMENTS
10. HOUSE COMMENTS

WLB
The WLB Group
Landscape Architecture
255 N. Green St. Suite 200
MILWAUKEE, WI 53204 (414) 481-1001

BILL HEARD CHEVROLET

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

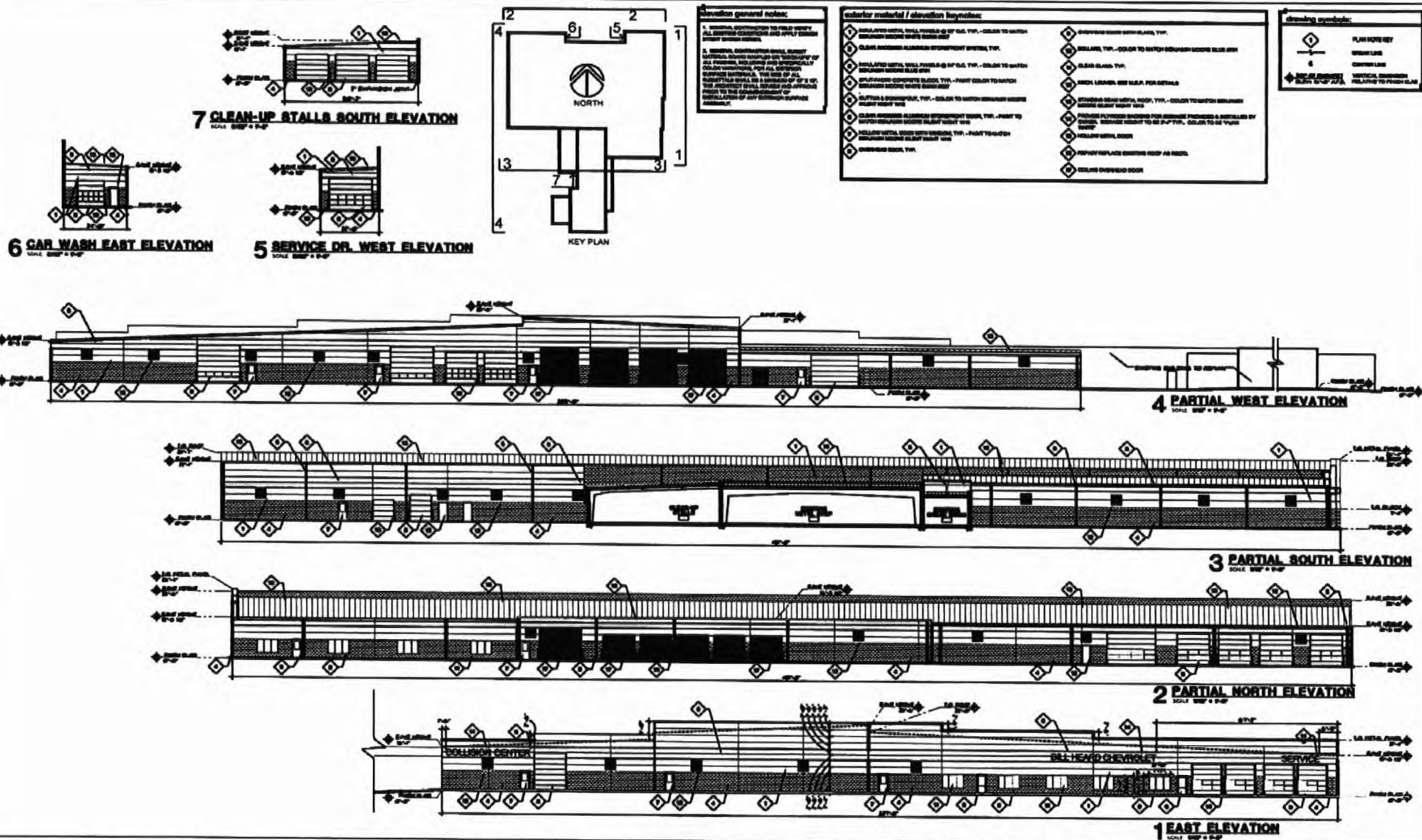
Call before you Overhead 888-871-1111

Call before you Dig 1-800-227-2600

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NOV 17 2006

LANDSCAPE PLAN

Sheet 8 of 8
Date 10-17-06
Scale 1"=40'-0"
Job No. 406041-A-001
File No. 60410NDWG
Sheet 11



**david
zenner
a.i.a.**

315 Maletta Street, N.W.
Atlanta, Georgia 30318
(404) 521-8710 Fax (404) 521-8717

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ALTERATIONS AND ADDITIONS TO: **BILL HEARD LAS VEGAS CHEVROLET**

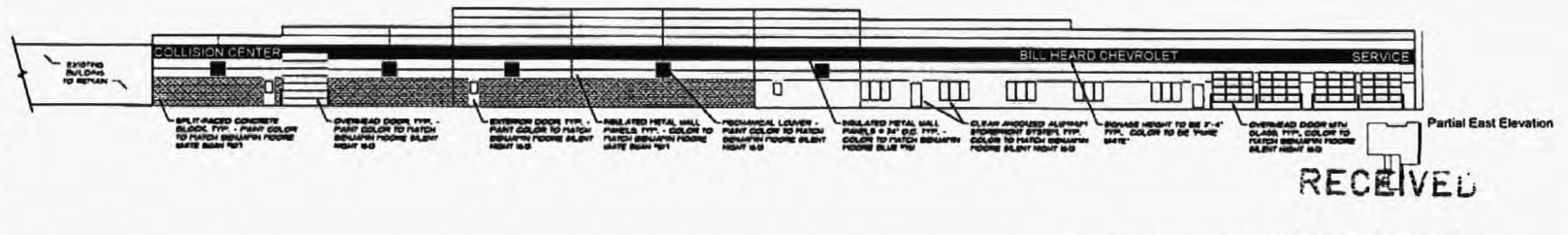
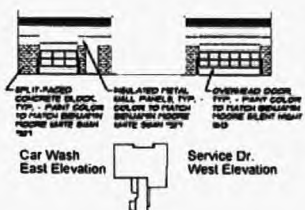
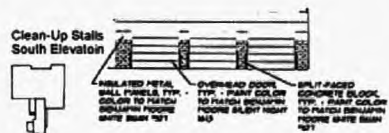
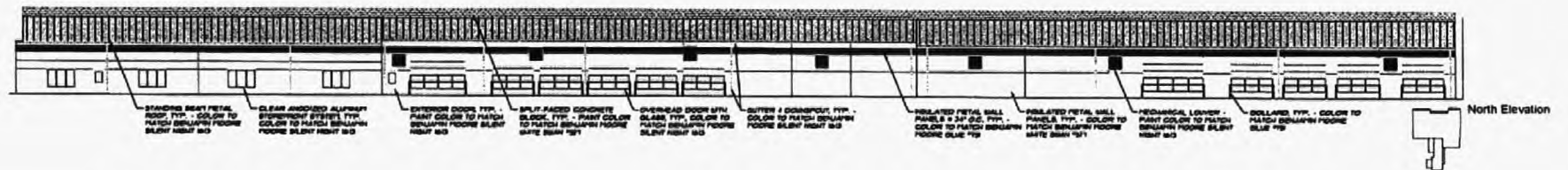
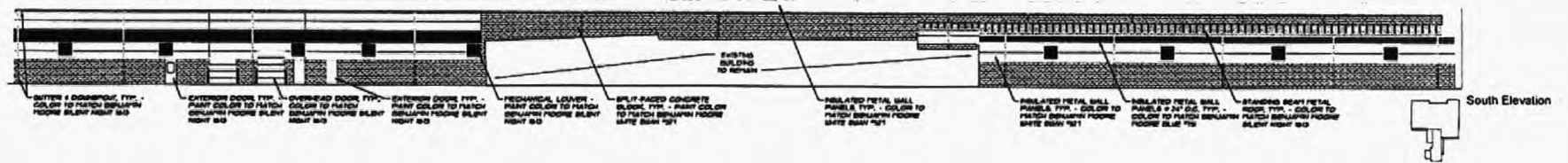
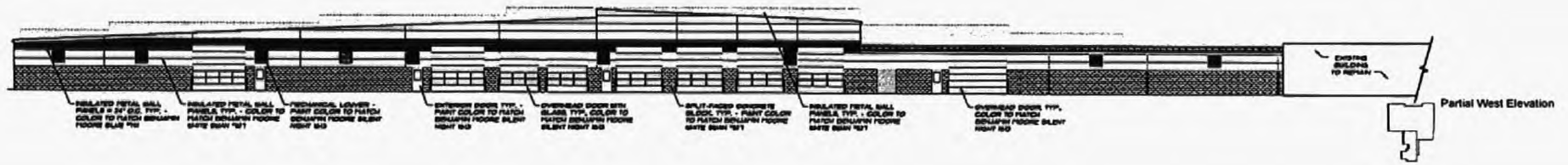
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02/22/07 PC

ZON-18208 VAR-18210
SDR-18206

Drawn by	Per Site Supervisor	10-12-06	Project No.	18208
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DATE		BY		

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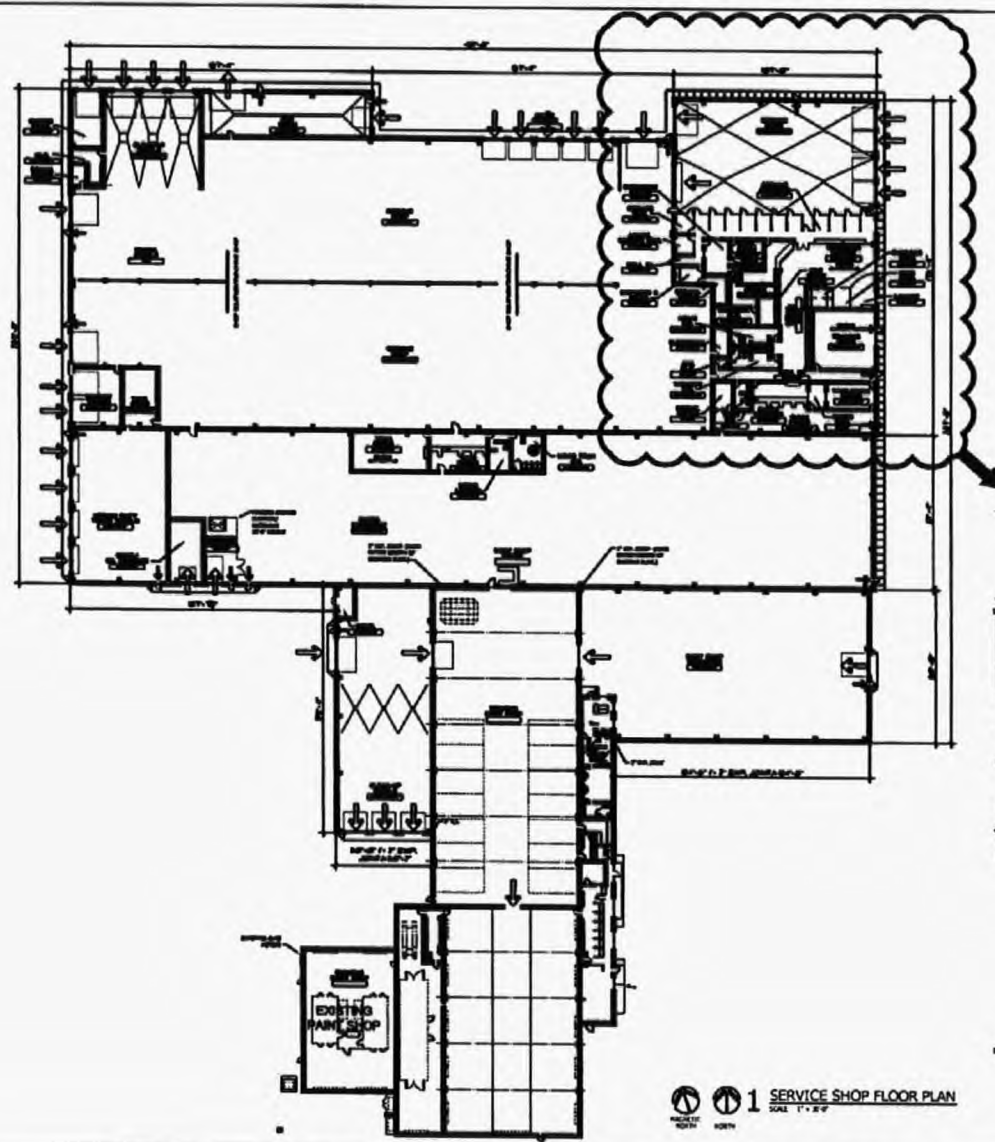


BILL HEARD LAS VEGAS CHEVROLET

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

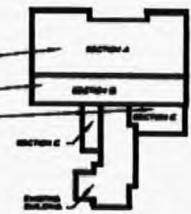
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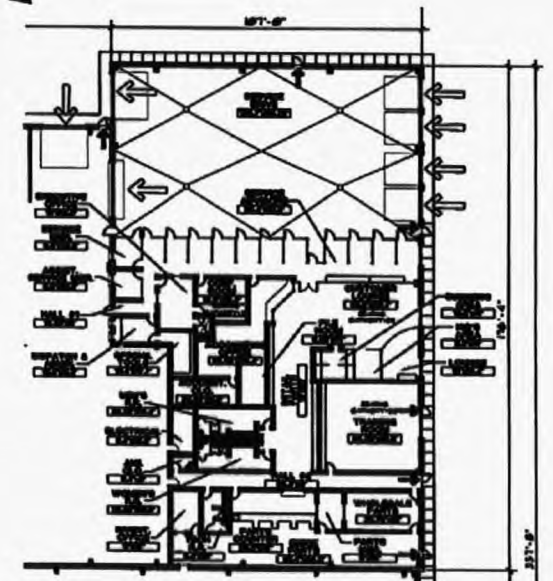
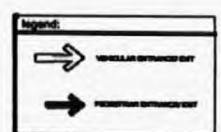
maximum occupancy:

SECTION A - MECHANICAL EQUIPMENT ROOMS - 10 OCCUPANTS
SECTION B - MECHANICAL EQUIPMENT ROOMS - 10 OCCUPANTS
SECTION C - MECHANICAL EQUIPMENT ROOMS - 10 OCCUPANTS
SECTION D - MECHANICAL EQUIPMENT ROOMS - 10 OCCUPANTS



building summary:

SECTION OF BUILDING	SQ. FT.
SECTION A - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION B - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION C - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION D - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION E - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION F - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION G - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION H - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION I - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION J - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION K - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION L - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION M - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION N - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION O - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION P - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION Q - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION R - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION S - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION T - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION U - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION V - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION W - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION X - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION Y - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.
SECTION Z - MECHANICAL EQUIPMENT ROOMS	11,700 SQ. FT.



1 SERVICE SHOP FLOOR PLAN
SCALE 1" = 8'-0"

PARTIAL ENLARGED PLAN
SCALE 1" = 8'-0"

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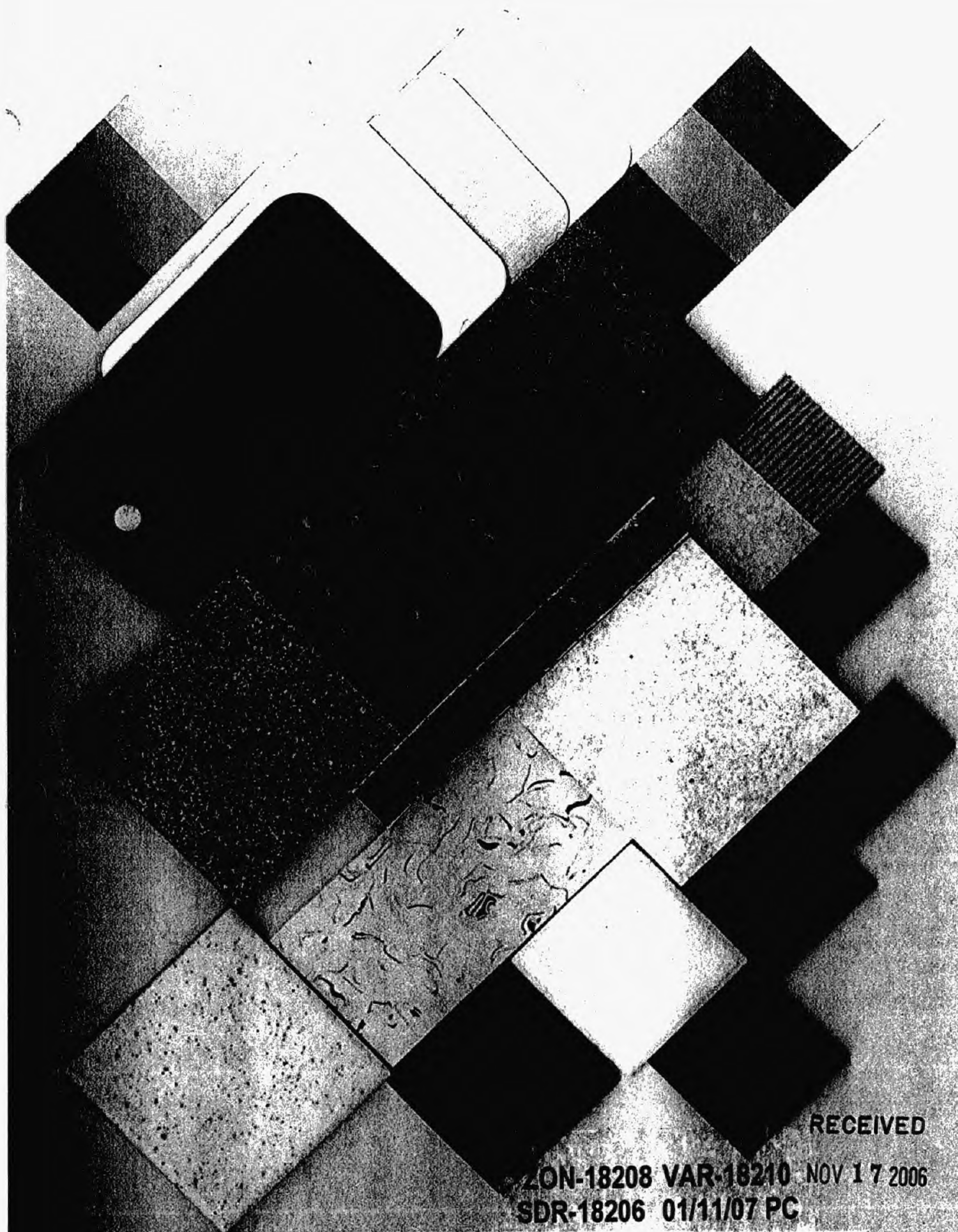
ALTERATIONS AND ADDITIONS TO
BILL HEARD LAS VEGAS CHEVROLET
444 S. DECATUR BLVD., LAS VEGAS, NEVADA 89107

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ZON-18208 VAR-18210
SDR-18206

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ZON-18208 VAR-18210 NOV 17 2006
SDR-18206 01/11/07 PC

CHEVROLET IMAGE 2000 - LIGHT SCHEME

SDR 18206				
Fletcher Jones Management Group, Inc.				
400 S. Decatur				
Proposed 123.669 thousand square foot expansion of an automobile service facility.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	NEW CAR SALES [1000SF]	123.669	33.34	4,123
AM Peak Hour			2.05	254
PM Peak Hour			2.64	326
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Meadows Lane				
Average Daily Traffic (ADT)	16,900			
PM Peak Hour	1352			
(heaviest 60 minutes)				
Decatur Boulevard				
Average Daily Traffic (ADT)	52,413			
PM Peak Hour	4193			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Meadows Lane	32585			
Decatur Boulevard	51700			
This project will add approximately 4,123 trips per day on Meadows and Decatur. This will increase expected volumes by about twenty four percent on Meadows and about eight percent on Decatur. Meadows is at about 52 percent of capacity and Decatur is over capacity.				
Based on Peak Hour use, this development will add roughly 326 additional cars into the area; which works out to about two every eleven minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



ZON-18208, VAR-18210, SUP-19129 & SDR-18206 - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST
400 SOUTH DECATUR BOULEVARD
FEBRUARY 22, 2007 PLANNING COMMISSION



ZON-18208, VAR-18210, SUP-19129 & SDR-18206 - APPLICANT: FLETCHER JONES MANAGEMENT
GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST
400 SOUTH DECATUR BOULEVARD
FEBRUARY 22, 2007 PLANNING COMMISSION

12/12/06

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

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MICHAEL G. ALONSO
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CONSTANCE L. AKRIDGE
EDWARD M. GARCIA

JONES VARGAS

ATTORNEYS AT LAW
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LAS VEGAS, NEVADA 89169

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

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WHITNEY D. BOCCI
JENNIFER BEATTY BRINTON
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ADAM K. BULT
DAVID A. CARROLL
TYRUS O. COBB
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ANDREW WONG

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

BRIAN J. MATTER
EXECUTIVE DIRECTOR

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

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

November 7, 2006

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

HAND DELIVERED

RE: Justification Letter – Site Development Plan Review

Dear Planning and Development Department:

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

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

Additionally, the Applicant is requesting waivers of the following perimeter landscaping requirements:

1. A waiver of the perimeter landscaping along the east Property line. Currently, there is no perimeter landscaping provided along the east Property line. Moreover, the property to the east is a developed commercial center, the back side of which abuts the Property, and this property has not provided perimeter landscaping adjacent to the Property.
2. A reduction for the perimeter landscaping requirement along the southern Property line. Currently, there is no perimeter landscaping provided along the southern Property line. The existing building is approximately 27 feet from the property to the south. Therefore, perimeter landscaping cannot be provided here and maintain the existing access along the

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

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

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

November 7, 2006

Page 2

southern end of the Property. The Applicant is proposing to provide limited landscaping of 5.5 feet along the western half of the southern Property line where such landscaping will not interfere with on site traffic flow.

3. A reduction for the perimeter landscaping along the western Property line to permit 6.5 feet of landscaping where 8 feet is required. Currently, there is no perimeter landscaping provided along the western Property line. Here, the Property abuts parking structures for the residential property to the west. 6.5 feet of landscaping in conjunction with the landscaping provided by the property to the west should form an increased barrier from what is currently provided.
4. A reduction for the perimeter landscaping along the north Property line. Currently, there is no perimeter landscaping provided along the north Property line. The Applicant is proposing to provide a sidewalk with 1.5 feet of landscaping along the north Property line and approximately 20 feet of landscaping at both northern entrances to the Property.

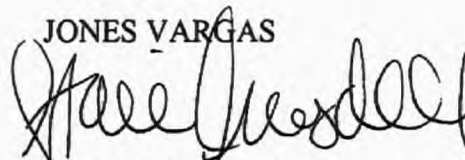
Due to that fact that the Property is currently operating and will continue to operate as an automobile service facility in conjunction with the adjacent Bill Heard Dealership, pedestrian use of the Property is not intended and could be unsafe due to the large number of automobiles that will be operating on the Property. Therefore, the Applicant is also requesting a waiver of the pedestrian open space requirement. Additionally, all of the parking provided on site will be used in conjunction with the service facility and a majority of the parking is not visible from Meadows Lane. Therefore, the Applicant is requesting a waiver of the requirement for landscaping islands within the parking lot.

Finally, the Applicant would like to request a waiver of the perimeter fencing requirements in order to retain the existing perimeter fencing which consists of chain link. The Property is contiguous with the Bill Heard Dealership to the southeast and the Applicant would like to maintain the existing fencing so that it is uniform with that provided on the contiguous property.

The proposed expansion will result in a more aesthetically pleasing view of the Property from Meadows Lane and the proposed landscaping will be an enhancement over what is currently provided. Thank you for your consideration of this request. Please contact me at (702) 863-3342 if you have any questions or comments.

Very truly yours,

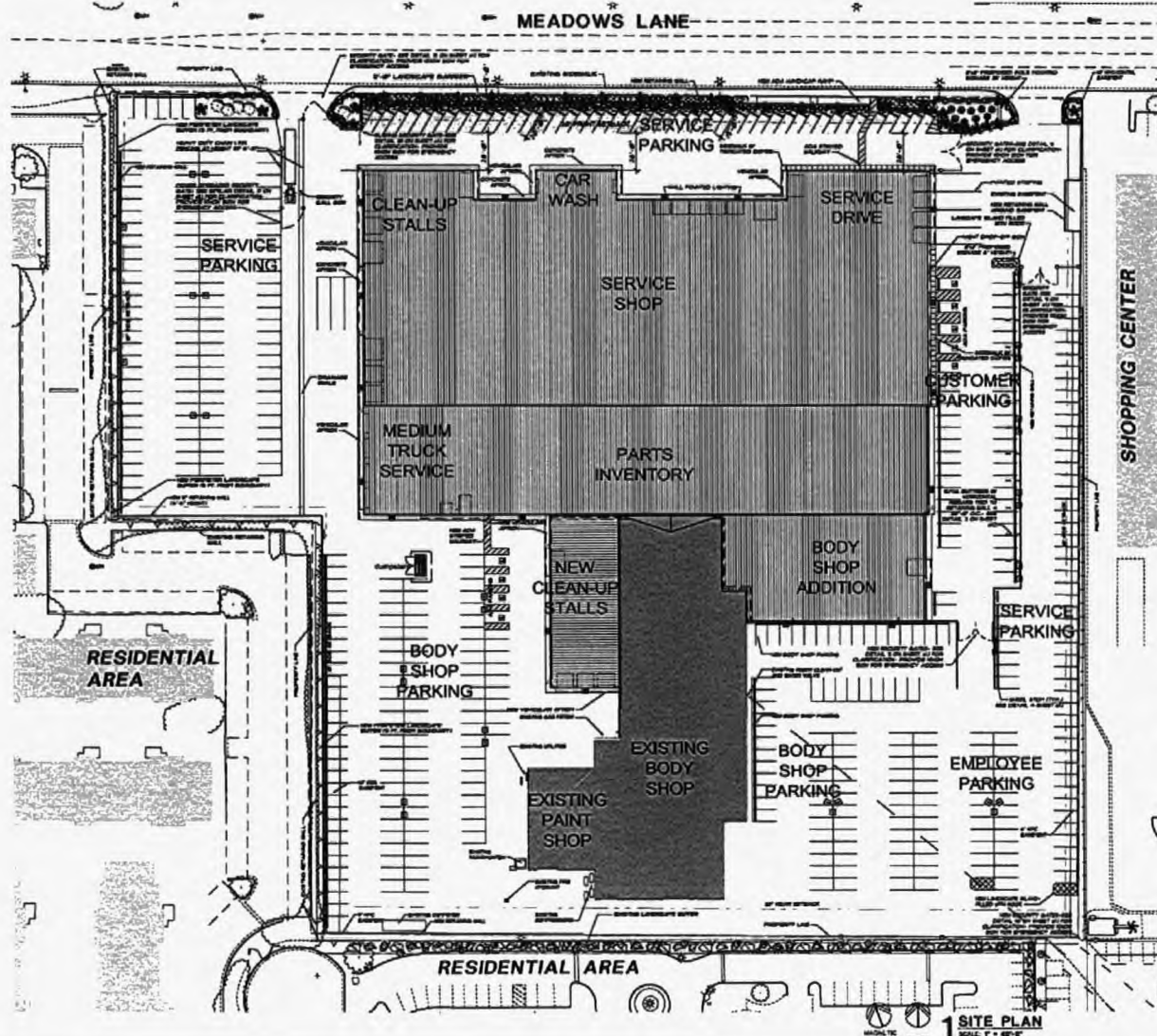
JONES VARGAS



Stacie A. Truesdell

ST
Enclosures.

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



NOTES:

PARKING ANALYSIS

TOTAL NUMBER OF PARKING SPACES REQUIRED BY 1 PM PER 1000	MIN. NUMBER OF ACCESSIBLE PARKING SPACES	MIN. # OF HANDICAPPED PARKING SPACES W/ MIN. 10' X 12' ACCESS AREA	MIN. # OF ACCESSIBLE PARKING SPACES W/ MIN. 10' X 12' ACCESS AREA
174	8	2	7
TOTAL NUMBER OF PARKING SPACES PROVIDED	ACCESSIBLE PARKING SPACES PROVIDED	HANDICAPPED PARKING SPACES W/ MIN. 10' X 12' ACCESS AREA PROVIDED	ACCESSIBLE PARKING SPACES W/ MIN. 10' X 12' ACCESS AREA PROVIDED
186	8	2	7

NOTE: PARKING AND LANDSCAPE IMPROVE IN PROGRESS OF ROAD IMPROVEMENTS

F.A.S. ANALYSIS

EXISTING BUILDING	21,200 SQ. FT.
TOTAL EXPANSION	12,000 SQ. FT.
NEW	10,000 SQ. FT.
FLOOR AREA RATIO	21,200/12,000=1.77

LEGEND

--- PROPERTY LINE

--- BUILDING FOOTPRINT

--- EXISTING BUILDING

--- NEW SERVICE

--- LANDSCAPE PLANT

--- LANDSCAPE PLANT

color legend:

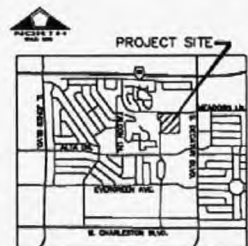
EXISTING BUILDING

NEW BUILDING

NEW SERVICE

NEW LANDSCAPE PLANT

NEW LANDSCAPE PLANT



david zenner a.i.a.

278 Market Street, N.W.
Atlanta, Georgia 30318
(404) 521-6375 fax (404) 521-4173

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ALTERATIONS AND ADDITIONS TO:

BILL HEARD LAS VEGAS CHEVROLET

444 S. DECATUR BLVD. LAS VEGAS, NEVADA. 89107

RECEIVED

APR 13 2007

2 COLORED SITE PLAN

100000

05-28-07

05-28-07

05-28-07

a.1

PROPOSED SITE PLAN

ZON-18208 VAR-18210 SUP-19129 SDR-18206 05-02-07 CC

PRELIMINARY - NOT FOR CONSTRUCTION

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

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

February 16, 2007

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

email: areed@lasvegasnevada.gov

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

Dear Mr. Reed,

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

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

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

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

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

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

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

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

Sincerely,

Don and Pam Gaines

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

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

February 21, 2007

Via Fax No. 702-385-7268 & Mail

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

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

Dear Honorable Planning Commission Members:

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

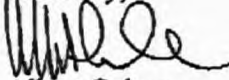
First, we would like to inform you that we have never been contacted by the Applicant or any of their representatives to see if we have any questions or concerns with their proposed project across the street. We have seen the staff report for the first time only a few hours ago.

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

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

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

Sincerely,



Albert Cohen

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

February 22, 2007

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

Via Fax No. 702-385-7268 & Mail

8 702-474-0352

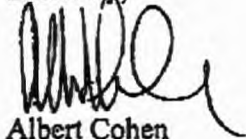
**Re.: Opposition to ZON-18208, VAR-18210, SUP- 19129 And SDR- 18206 -
proposed expansion of existing Body shop on Meadows Lane by Applicant Fletcher Jones
Management Group, Inc.**

Dear Honorable Planning Commission Members:

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

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

Sincerely,



Albert Cohen

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 2, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REQUIRED SIX MONTH REVIEW

RQR-20054 - PUBLIC HEARING - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY - OWNER: CARDAN LINDELL NORTH, L.L.C. - Required Six Month Review of a Variance TO ALLOW A PROPOSED 100-FOOT TALL FLAGPOLE WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED at 5550 West Sahara Avenue (APN 163-01-404-022), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

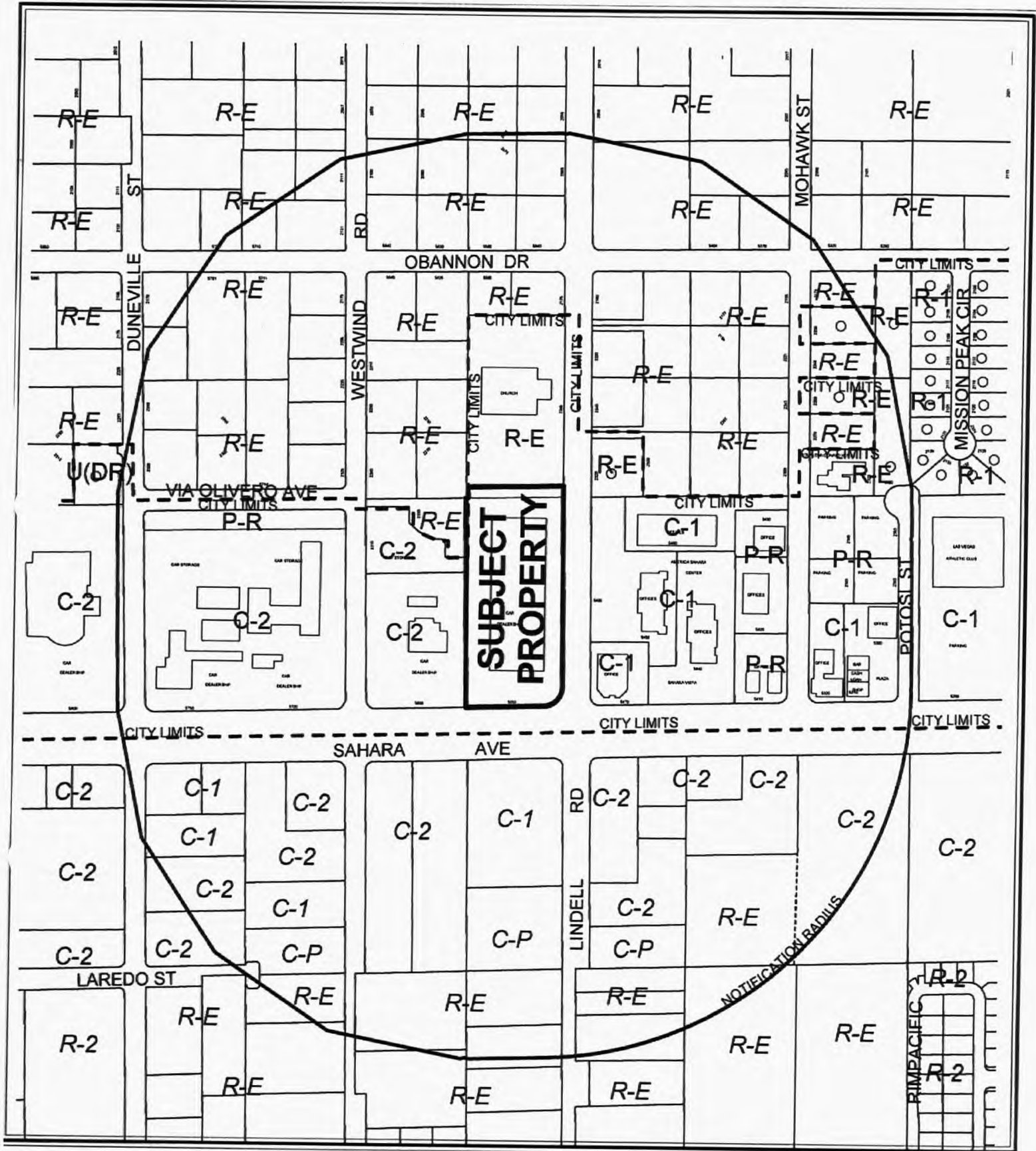
BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council approval letter for VAR-11759
5. Submitted after final agenda – Abeyance request by Las Vegas Development Company, LLC and 24 protest letters

Motion made by GARY REESE to Hold in Abeyance Items 79 and 83 to 5/16/2007; Items 67-69, 80-82 and 85 to 6/6/2007; Strike Item 66 and Withdraw Without Prejudice Item 73

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

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 2, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-20054 - APPLICANT: LAS VEGAS DEVELOPMENT
COMPANY - OWNER: CARDAN LINDELL NORTH, L.L.C.

**** CONDITIONS ****

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

Planning and Development

1. The applicant shall obtain a demolition permit and remove the subject flagpole within 60 days.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Six Month Review of a Variance (VAR-11759) to allow a proposed 100-foot tall flagpole where 40 feet is the maximum height allowed at 5550 West Sahara Avenue.

The subject flagpole has generated complaints from surrounding neighbors regarding noise. Additionally, the flagpole is not in conformance to the site plans that were submitted with the Variance (VAR-11759) as the monument to the Veterans has not been constructed. Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/03/06	The City Council approved a request for a Variance (VAR-11759) to allow a proposed 100-foot tall flagpole where 40 feet is the maximum height allowed on the subject property. The Planning Commission recommended approval. Staff recommended denial.
<i>Related Building Permits/Business Licenses</i>	
04/28/06	A building permit (#6003130) was issued for the subject flagpole. A final inspection was not conducted.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.14

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Dealership	GC (General Commercial)	C-2 (General Commercial) C-1 (Limited Commercial)
North	Church	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Auto Dealership	Clark County	Clark County
East	Offices	SC (Service Commercial)	C-1 (Limited Commercial)
West	Auto Dealership	GC (General Commercial)	C-2 (General Commercial)

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

DEVELOPMENT STANDARDS

Per Title 19.14:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Maximum Flagpole Height	40 Feet	100 Feet	N

ANALYSIS

Complaints have been received regarding the noise that flag and the hooks that hold on the flag make in the wind. It is further noted that the monument for the Veterans of Foreign Wars that was to be provided has not been installed; thus the flagpole is not in compliance with the plans that were provided with the Variance (VAR-11759) submittal. The subject flagpole is considered too large for the subject property and denial of this request is recommended.

Conditions of approval from VAR-11759:

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-4549), Rezoning (ZON-4550), and Site Development Plan Review (SDR-4551).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

3. The maximum height of the flagpole shall be limited to 100 feet.
4. This Variance shall be reviewed in six (6) months at which time the City Council may require the flagpole be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the flagpole is removed.
5. The flagpole shall not be located within the public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship through their design choices. Alternative design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 110

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-20054** APN: ⁴⁰⁴163-01-~~404~~-022

Name of Property Owner: CARDON LINSKILL NOENB LLC

Name of Applicant: LAS VEGAS DEVELOPMENTS CO.

Name of Representative: CARL D. MARSH

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:

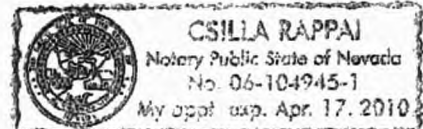
Print Name: _____

DANIEL TOWBIN

Subscribed and sworn before me

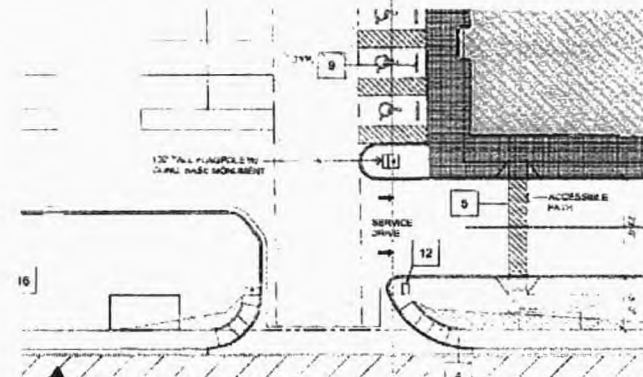
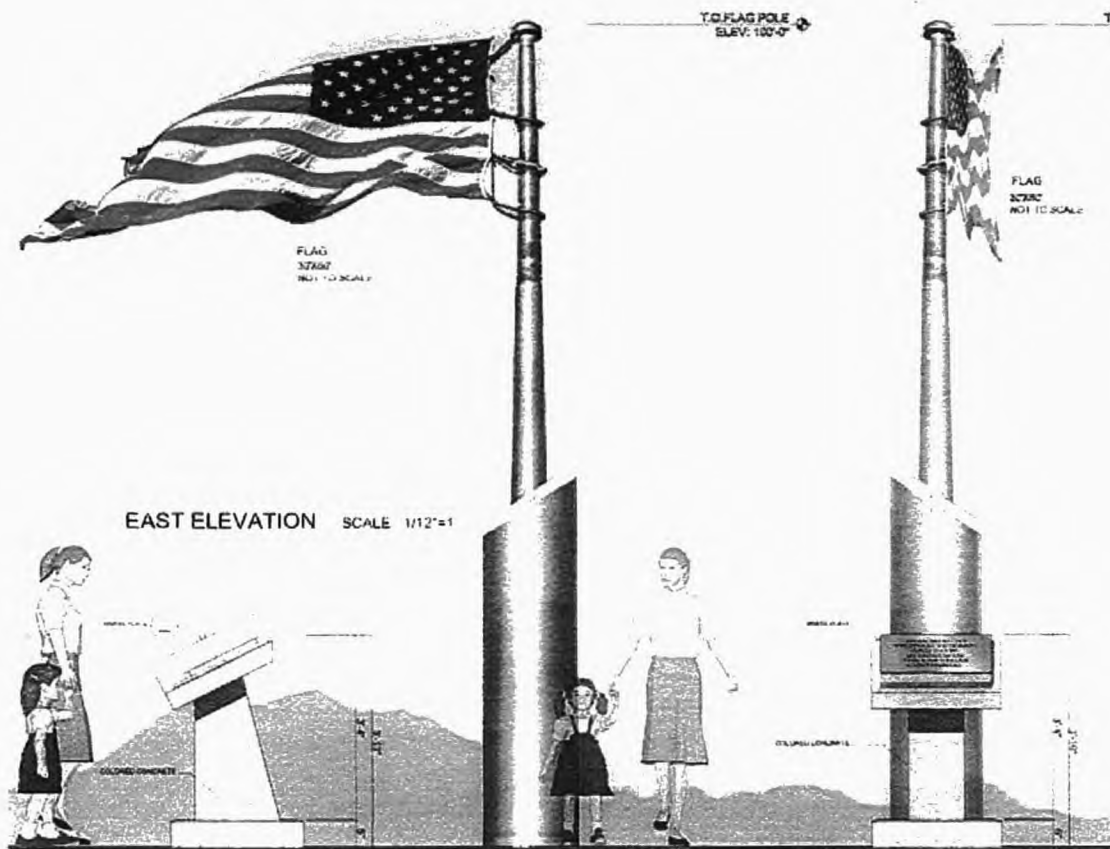
This 19th day of February, 2007

Clark County Nevada
Notary Public in and for said County and State

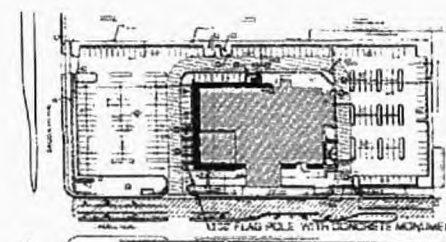


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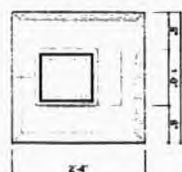
FEB 20 2007



SITE PLAN SCALE: 1/16"=1'



KEY PLAN



PLAN SCALE: 1/12"=1'



PLATE PLAN

TOWBIN HUMMER

CLARK COUNTY
LAS VEGAS, NEVADA

FLAG POLE AND MONUMENT

JMA #2003340

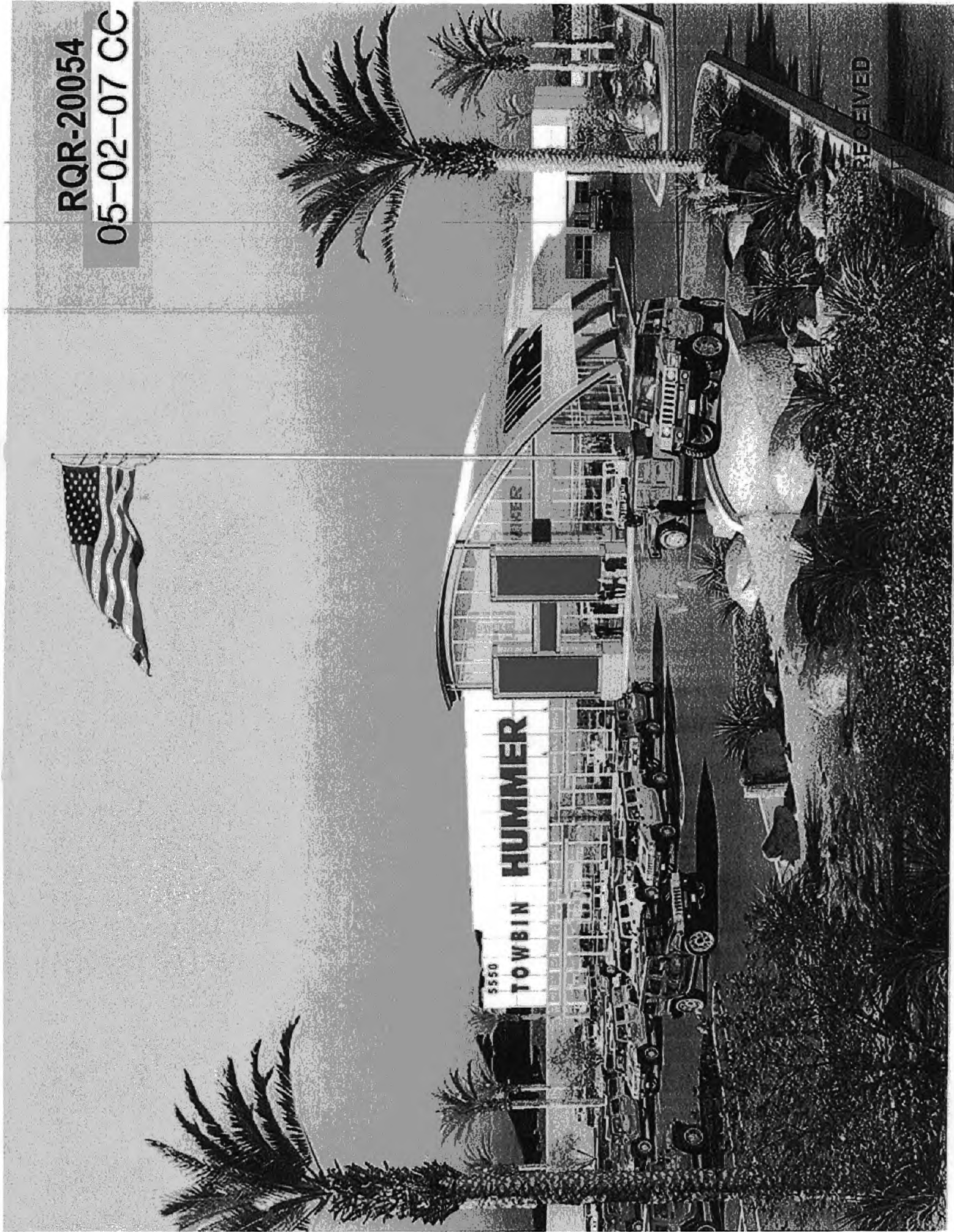
10150 CONVENTION CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 753-2033
FAX: (702) 753-2033
WWW.JMAARCH.COM

RQR-20054 RECEIVED
05-02-07 CC FEB 20 2007

DATE: 03-21-2008

FLAG POLE AND MONUMENT

RQR-20054
05-02-07 CC



RECEIVED



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

May 4, 2006

Mr. Dan Towbin
Cardan Lindell North, LLC
5605 West Sahara Avenue
Las Vegas, Nevada 89146

RE: VAR-11759 - VARIANCE
CITY COUNCIL MEETING OF MAY 3, 2006

Dear Mr. Towbin:

The City Council at a regular meeting held May 3, 2006 APPROVED the Review by Council of a request for a Variance TO ALLOW A PROPOSED 130-FOOT TALL FLAGPOLE WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED on 4.14 acres at 5550 West Sahara Avenue (APN 163-01-404-022), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 4, 2006. This approval is subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-4549), Rezoning (ZON-4550), and Site Development Plan Review (SDR-4551).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. The maximum height of the flagpole shall be limited to 100 feet.
4. This Variance shall be reviewed in six (6) months at which time the City Council may require the flagpole be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the flagpole is removed.

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

Mr. Dan Towbin
VAR-11759 – Page Two
May 4, 2006

Public Works

5. The flagpole shall not be located within the public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

Sincerely,

A handwritten signature in cursive script, appearing to read "Angela Crolli".

Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

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

Mr. Carl Marcello
Las Vegas Development Company
4795 South Durango Drive
Las Vegas, Nevada 89147



April 30, 2007

City Clerk
City of Las Vegas
1st Floor
400 East Stewart Street
Las Vegas, NV 89101

SENT VIA FAX TO DAMITI SIMPSON 382-4803

RE: ITEM #83 VAR 11759 – APN# 163-01-404-022 REQUIRED SIX MONTH REVIEW

RAR-20054

City Clerk:

I Carl D. Marcello owner of Las Vegas Development Company, llc represents Dan Towbin Cardan Lindell North, llc the owner of the above-mentioned property.

When we originally submitted our application on February 20, 2007 we were told that we would be going before the Planning Commission on April 26, 2007. When I checked the agenda for the Planning Commission I saw that we were not on it. I called planning and spoke with and was notified that we had been moved to the City Council meeting on May 2, 2007 item # 83.

My client Dan Towbin will be out of town that day and I would like to request that the item be held in abeyance until the next City Council meeting on May 16, 2007.

Also, please send all further notices to me at 4069 Dean Martin Drive Las Vegas, NV 89103

I would very much appreciate your consideration in this matter.

Sincerely,

Carl D. Marcello
Managing Member / Broker

Submitted after final agenda

Date *4-30-07* Item *#83*

♦ 4069 Dean Martin Drive ♥ Las Vegas, Nevada 89103 ♣ Phone (702) 798-4800 ♠ Fax (702) 798-8484



Charles M. Damus & Associates

A Professional Law Corporation

RECEIVED
CITY CLERK

April 26, 2007 2007 APR 30 A 10: 46

Protest

City Clerk
First Floor, City Hall
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: RQR-20054
City Counsel Meeting scheduled for
May 2, 2007 at 1:00 p.m.
Applicant: Las Vegas Development Co.

Members of the Council:

My name is Charles Damus, and I reside at 2243 S. Mohawk Street, Las Vegas, Nevada, within about 600 feet of the hundred-foot tall flagpole and gigantic flag. I have been a resident since 1955, and have maintained a law office in downtown Las Vegas since 1974. Although the property owner, Dan Tobin, is a nice guy, my neighbors and myself strongly feel that the hundred-foot flagpole and the gigantic flag on the pole are totally out of proportion with the dealership and especially with our rural-type neighborhood. Additionally, on windy days (which we have several) the flag makes a tremendous amount of noise that invades our neighborhood.

Unlike the situation with the McCarran right turn flights, the abatement of this noise requires no expenditure of City funds. The dealership's grand opening is over, and they no longer need this huge flag. Accordingly, it is hoped that you will not approve an extension of the variance, and require the dealership to remove the giant flagpole and flag. My neighbors and myself are as patriotic as anyone, but the sheer size is inappropriate.

Very truly yours,

CHARLES M. DAMUS, ESQ.

CMD/bs

Submitted after final agenda

Date 4-30-07 Item # 83

RQR-20054

City of Las Vegas
Councilpersons/Mayor Goodman, City Attorney
400 Stewart Ave.
Las Vegas, NV 89101

Protest

Dear Council Members;

June 27, 2006

I want it to be on the record that Towbin Hummers has a entirely too large flag which pops in the wind and can be heard at my home which is on O'Bannon and Westwind. This was our concern with a flag of that size being allowed within a neighborhood. If for some reason the neighborhood is not notified of the 6 months review of this flag we shall feel partial treatment given to Towbin dealership again.

I also have been called by Jennifer Hardman, Gary Swanciger, T.J. and Coleen Rice, Shreela Chakmian, Marianne Jorgensen, Paul and Susie Schofield concerning this noise. All of these people called because of the wind blowing last night!

As Mr. Towbin told the residents at the neighborhood meeting when this entire hummer dealership fiasco started; "I will get what I want!" I ask the City, "Is there some reason he knew he would get whatever he wanted?"

Once again for the record, Towbin Hummer flag is too large for a neighborhood and makes a lot of noise when the wind blows! It would be better suited for a business located along the freeway and not within a neighborhood.

We are by know means anti flag. I myself served in the military. I was offended and still am offended that Towbin dealership would use the United States flag for a way to sell a vehicle.

Thank you,

Conita Jones
5645 O'Bannon Drive
Las Vegas, NV 89146
702-364-1395/cell 702-381-4923

Cc: Dan Towbin

Submitted after final agenda

Date 4-30-07 Item # 83

2007 APR 30 A 9:00

RECEIVED
CITY CLERK

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

Protest

SIX MONTH REVIEW OF
RQR-20054

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

- ① Allowing the variance would establish a precedent for future requests in regards to flagpole height allowances and/or a possible permanent change in flagpole height allowances.
- ② The height of the pole requires a larger flag which OVERWHELMS surrounding areas, as well as making the NV flag look ridiculous due to size difference. In addition, the larger flag "pops" with such a loud sound that it resounds throughout the neighborhood.

Printed Name:

Connie King

Date

4/27/07

Signature:

Connie King

Address

5640 O'Bannon Dr, LV 89146

Submitted after final agenda

Date 4-30-07 Item #83

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

Noise factor - spinning at night
Visual factor - too large out
proportion
too high also

RECEIVED
CITY CLERK
2007 APR 25 03:04 PM
APR 25 2007

Printed Name: Joseph Piracci Date: Apr 25, 07

Signature: [Signature] Address: 2330 Westwind
LV NV 89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

FLAG IS OVERSIZED AND VERY NOISY

RECEIVED
CITY CLERK
2007 APR 30 A 9:05

Printed Name: PAUL O'BANNON Date 4-25-07

Signature:  Address 5710 W. O'BANNON DR

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

TO CLOSE TO OUR HOMES! KEEPS US
UP AT NIGHT! GOOD GRIEF, IT'S JUST
TO BIG TOO BE SO CLOSE TO OUR HOMES.
HAVE MERCY, CANCEL THERE VARIANCE
AND ALLOW THEM A 40 FOOT POLE.
GOD BLESS AMERICA.

THANK YOU,

Printed Name:

JASON P O'BANNON

Date

04-25-07

Signature:

JASON P O'BANNON

Address

5710 W O'BANNON DR
LV NV 89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

The noise factor as it is right in front of the property.

The other reason is due to the size as it looks to be an eye sore and takes it away from the residential look.

Printed Name: SHREELA CHAKMIAN

Date

4/24/07

Signature: 

Address

2325 WESTBEND RD.
L.V. NV 89146

2007 APR 30

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CITY CLERK

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

I do not object to anyone flying the American
flag; in fact, I am for it as a patriotic
gesture.

In this case, however, the flag is so large that
when the wind blows it makes a loud flapping
noise which throughout the night (the flag flies
24 hours) ^{is} so loud it affects my sleeping.

Printed Name: John M. DuBois Date 871-1831

Signature: John M. DuBois Address 2047 Westwind Rd.,
Las Vegas 89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

Needs to be smaller
not so loud!

RECEIVED
CITY CLERK
2007 APR 30 A 9:06

Printed Name: Mary E Early Date 4/27/07

Signature: Mary Early Address 2960 Westwind Rd
Las Vegas, NV 89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

The flag is too large - decrease in size please.

RECEIVED
CITY CLERK
APR 30 A 9:06

Printed Name: Dolly L. Earl Date 4-27-07

Signature: Dolly L Earl Address 2260 Westwind Rd
Livermore 94546

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

The flag that is flown is too big and when the wind blows as it frequently does, especially at night it is noisy and interferes with restful sleep.

RECEIVED
CITY CLERK
2007 APR 30 A 9:06

Printed Name: HAROLD WAYNE EARL Date 4/27/07

Signature: Harold Wayne Earl Address 2260 Westward Rd
Las Vegas, NV 89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

I do not care for the huge flag whipping around & snapping noise that when the wind is blowing over way we are kept awake at night.

RECEIVED
CITY CLERK
2007 APR 30 A 9:06

Printed Name: JUDITH A DUBOIS Date 4/24/07

Signature: Judith A Dubois Address 2047 WESTWIND RD
89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

It is awfully big, noisy &
there is no memorial as first
said.

Printed Name: Terry Hanley Date 4/26/07
Signature: Terry Hanley Address 2250 Westwind Rd.

RECEIVED
CITY CLERK
2007 APR 30
A 106

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

Current noise in area is obnoxious
Potential exists for future noise from
flags installed by other dealerships on
Sahara

Donald K. Parker
2313 Duneville
Las Vegas, NV 89146-3150

Printed Name: _____

Date

04/28/07

Signature: _____

Address _____

2007 APR 30 AM 9:06

RECEIVED
CITY CLERK

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

1. Sets a precedence for other businesses.
2. The size of the flag produces significant noise in windy weather and is disruptive to the neighborhood.

RECEIVED
CITY CLERK
2007 APR 30 A 9:06

Printed Name: Merideth J Parker Date 4-28-07

Signature: Merideth J Parker Address 2313 Duraville St
89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

In the short amount of time the flag has been in place, it's free edge is tattered, torn and dirty, creating an unattractive attempt at patriotism. The large flag flaps & snaps on breezy days, disrupting the quiet, and creating more noise for an inner city neighborhood. Please do not allow this variance.

Printed Name: Marianne Sampson Date: 4-28-07

Signature: Marianne Sampson Address: 5625 O'Brien Dr

RECEIVED
CITY CLERK
APR 30 9:06

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

Noise plus poss. of more
flags to come.

Printed Name:

F. Franky

Date

4/29/07

Signature:

F. Franky

Address

2180 Lindell Rd.

2007 APR 30 A
RECEIVED
CITY CLERK

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

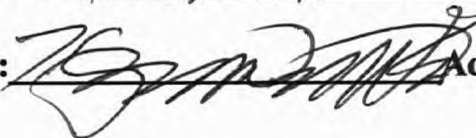
My reason for opposing this 100 foot tall flagpole is:

I DON'T KNOW WHAT THEY INTEND
TO FLY ON IT. & A POLE THAT
IS $2\frac{1}{2}$ TIMES TALLER THAN
ALLOWED. ITS TIME TO STOP
THESE VARIANCES. WHAT WILL
THEY ASK FOR NEXT???

Printed Name: HUGH WINESETT

Date

4-26-07

Signature: 

Address

WINESETT
5620 O'BANNON DR.
LAS VEGAS, NEVADA 89146

RECEIVED
CITY CLERK
2007 APR 30 9:01 AM

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF RQR-20054

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

Excessive noise - depending
on direction of wind -
also - Somewhat unsightly
in that it is simply too
large for the entire area

Printed Name:

Paul H. Schofield Date 4-26-07

Signature:

Address 2210 Westwind Rd
L 210 89146

RECEIVED
CITY CLERK
2001 APR 30 A

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

Pole too tall. Extra large flag causes
excessive noise in neighborhood on
windy days.

RECEIVED
CITY CLERK
2001 APR 30 A 9 09

Printed Name: Glen Hardman Date 4-26-01

Signature: [Signature] Address 2260 Lindell Rd

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

Flagging is noisy. Don't oppose the flag,
just noise is disturbing when windy.

RECEIVED
CITY CLERK
2007 APR 30 A 9:07

Printed Name: Vick Battley Date 4-26-07
Signature: Vick Battley Address 2320 Lindell

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

Lighting of ^{flag} pole at night is

disturbing — interferes with

the peaceful "rest" in the neighborhood —

too bright and up so high it is
visible from almost every window in my home.

Printed Name: Suzanne Bruner Date 4/23/07

Signature: Suzanne Bruner Address 5540 O'Bannon

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

THE FLAPPING IS VERY NOISY

Printed Name: JERRY STERN Date 4-28-07

Signature: [Signature] Address 2175 WESTWIND

2007 APR 30 A 9:07

RECEIVED
CITY CLERK

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

The Pole Is To High Which Allows The Flapping
Noise From The Flag To Travel Across The Neighborhood.
This Flagpole Is Suited For A Business Area
Along A Freeway and Not Beside A Neighborhood.
This Would Also Set A Precedent For
Others To Put Such A Tall Flag Pole
Up. This Variance Needs To Be
Denied. I Also Am A Veteran And

Printed Name:

Capita Jones

Date

4-29-07

Signature:

Capita Jones

Address

5645 Obregon Dr

For A Business To Sell Vehicles
Under This Pretense Is An Insult.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 2, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REQUIRED ONE YEAR REVIEW

RQR-19512 - PUBLIC HEARING - APPLICANT/OWNER: NANCY ESTOCADO - Required One Year Review of an approved Special Use Permit (SUP-7299) FOR A PROPOSED HORSE CORRAL OR STABLE (COMMERCIAL) FOR 33 HORSES on 4.94 acres at 5820 West La Madre Way (APN 125-36-302-008), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SUP-7299
6. Protest letter by Mabel Robbins
7. Submitted after final agenda – Support letter by Lawrence P. Mooney and protest letter by Annamarie Pantuso

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

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

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

NOTE: COUNCILMAN ROSS disclosed he lives one street away from MS. ESTOCADO'S ranch but feels he is not affected negatively or positively, so he will vote on the item.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF: MAY 2, 2007

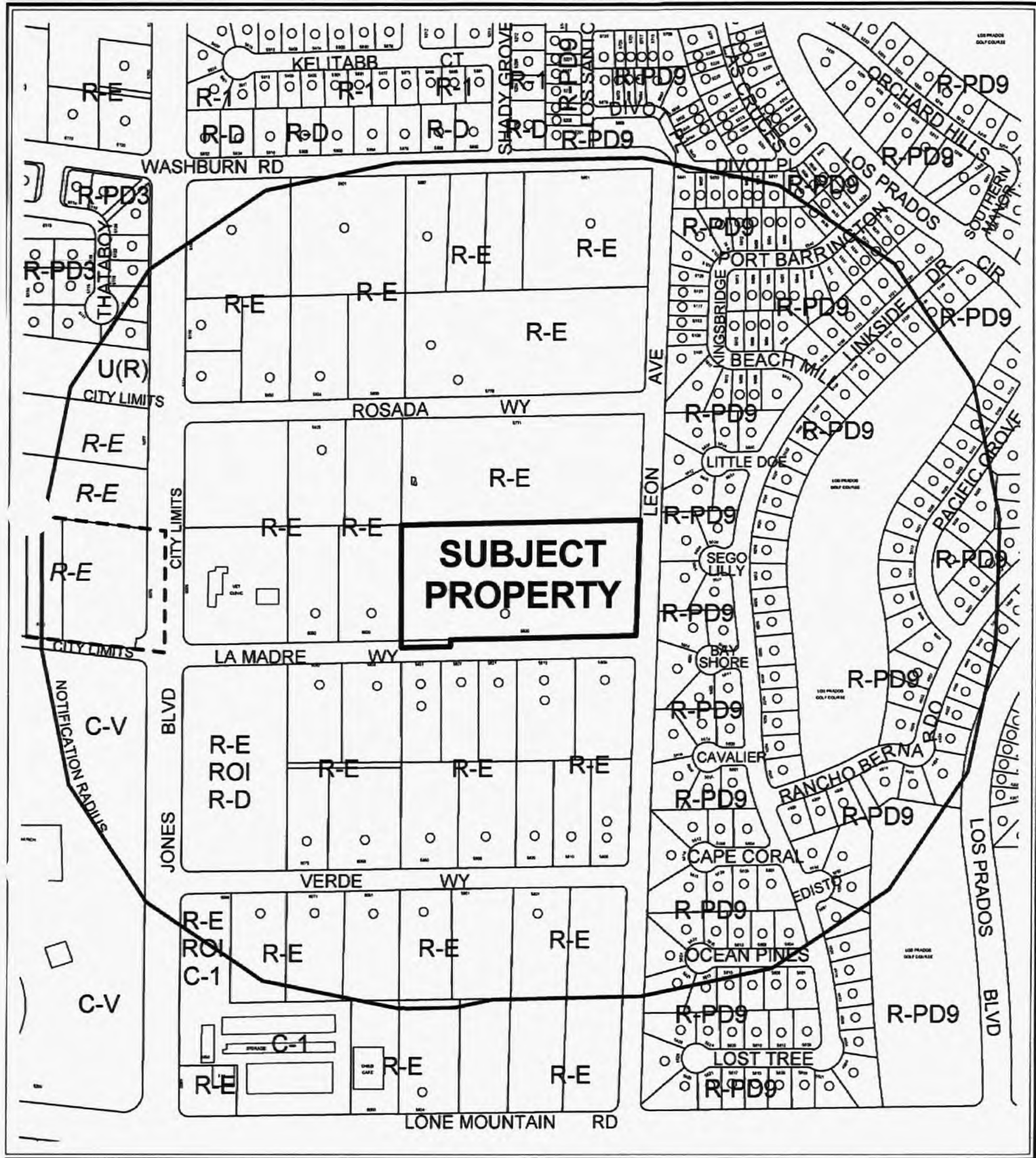
NANCY ESTOCADO, owner of Hawaiian Paniolo Ranch, was present accompanied by MR. KAUFMAN.

MAYOR GOODMAN pointed out that when the application was initially approved there were concerns about the number of horses. However, he has heard nothing but praises and positive comments about the ranch.

COUNCILMAN ROSS referred to two protests letters from MR. MOONEY and MS. ROBERTS; he believes they misread the notification thinking the request was for another equestrian facility. The applicant has done a fabulous job with the facility.

MAYOR GOODMAN declared the Public Hearing closed.





CASE: **RQR-19512**

RADIUS: 1000 FT

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





CASE: **RQR-19512**

RADIUS: 1000 FT

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

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 2, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-19512 - APPLICANT/OWNER: NANCY ESTOCADO

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions of approval for Special Use Permit (SUP-7299) and all other site related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required One Year Review of an approved Special Use Permit (SUP-7299) for a proposed Horse Corral or Stable (Commercial) for 33 horses on 4.94 acres at 5820 West La Madre Way.

The continued use of the subject Horse Corral or Stable (Commercial) is considered appropriate at this location. The Horse Corral or Stable (Commercial) was inspected on 04/11/07 and found to be in conformance to the conditions of approval from the original application SUP-7299. Additionally, since approval of the Special Use Permit, no complaints or problems have been noted. Therefore, staff is recommending approval of this Required Review with no additional review required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/20/00	The City Council approved a request for a Special Use Permit (U-0096-00) for a Horse Corral or Stable (Commercial) for 28 horses on 4.5 acres adjacent to the northwest corner of Leon Avenue and Rosada Way (approximately 350 feet north of the subject property). The Planning Commission and staff recommended approval of the application. (The number of horses was later increased to 58 – see the 03/02/05 date below.)
11/23/04	The Neighborhood Response Division of the Neighborhood Services Department processed a complaint concerning commercial events. An inspection on 11/27/04 revealed the following: “Having numerous commercial events which bring additional traffic and noise to area and are certain this is being done without permits or without permits from the Health Department for the numerous food items being sold. Owners stated they have permission from the City. Area is zoned R-E. There is no type of commercial zoning designated for this property.” The case was resolved on 11/30/2004.
03/02/05	The City Council approved a request for a Review of Condition (ROC-5988) for an approved Special Use Permit (U-0096-00) to allow 58 horses where a maximum of 28 horses were allowed for a Horse Corral or Stable (Commercial) at 5770 West Rosada Way (approximately 350 feet north of the subject property). The staff recommended approval.

03/08/05	The Code Enforcement Division processed a complaint concerning the smell from cows and manure on the property. An inspection on 03/09/05 revealed the following violations: "High weeds on all areas of property including right of way areas; refuse and waste on property; maintain and dispose of all horse and bovine manure at all times; usable items stored on property in public view; Land use – Special Use Permit required for bovines; Vehicles on unimproved surface; recreational vehicles/trailers on unimproved surface; an excessive number of vehicles on property." The case was resolved on 05/18/2005.
09/21/05	The City Council approved a Special Use Permit (SUP-7299) for a proposed Horse Corral or Stable (Commercial) for 33 horses and accompanying applications for a Variance (VAR-7303) and a Site Development Plan Review (SDR-7306) on the subject property. The Planning Commission and Staff recommended approval.
04/11/07	A site inspection was conducted. A total of 28 horses were counted and the subject site was found to be in compliance with conditions.
Related Building Permits/Business Licenses	
02/14/06	A building permit (#6001180) was issued for the subject property. No final inspection was conducted.
03/08/06	A business license (R19-00004) for Horse Rentals was issued for the subject property.
Pre-Application Meeting	
A pre-application meeting is not required, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	4.94

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Horse Corral	R (Rural Density Residential)	R-E (Residence Estates)
North	Horse Corral	R (Rural Density Residential)	R-E (Residence Estates)
South	Single Family Residential	R (Rural Density Residential)	R-E (Residence Estates)
East	Single Family Residential	ML (Medium Low Density Residential)	R-PD9 (Residential Planned Development – 9 Units per Acre)
West	Single Family Residential	R (Rural Density Residential)	R-E (Residence Estates)

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

ANALYSIS

The original application, Special Use Permit (SUP-7299), along with the associated Variance and Site Development Plan Review were conditioned to ensure that the surrounding single family residences would be minimally effected by the subject Horse Corral or Stable (Commercial). A site visit yielded that the subject property is in compliance with the conditions of approval. A total of 28 horses were counted, where 33 are the maximum allowed. No cattle were found on the property and it appeared to be clean and in good working order. As such approval of this request is recommended.

Conditions of approval from SUP-7299:

1. No more than 33 horses shall be boarded for commercial purposes on the subject property.
2. Cattle shall be removed from the premises prior to operation of the Horse Corral or Stable (Commercial). Roping steers may be brought to the premises during scheduled practice times, provided they are removed the same day as the scheduled practice.
3. The Horse Corral or Stable (Commercial) shall be subject to the following restrictions:
 - Stalls shall be cleaned twice daily.
 - The hours of operation shall be restricted to 6:30 am to 9:00 pm Monday through Friday and 6:30 am to 10 pm Saturday and Sunday.
 - Horse trainers shall carry liability insurance.
 - A horse boarding employee/owner shall be present at all times or within five minutes access time. A cell phone communication system shall be in place at all times.
4. Conformance to all other minimum requirements under Title 19.04.050 for a Horse Corral or Stable (Private) and other requirements of Title 19, except for those requirements for which a Variance (VAR-7303) may be granted.
5. Approval of and conformance to the conditions of approval for applications for a Site Development Plan Review (SDR-7306).

6. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City. This use shall be reviewed within one year after establishment of the operation at which time the City Council may require the use to cease or require such measures as are necessary to ameliorate the effects of the use. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the use cease at this location.
7. All City code requirements and design standards of all City departments must be satisfied.

FINDINGS

The continued use of the subject Horse Corral or Stable (Commercial) is considered appropriate at this location. The Horse Corral or Stable (Commercial) was inspected on 04/11/07 and found to be in conformance to the conditions of approval from the original application SUP-7299. Additionally, since approval of the Special Use Permit, no complaints or problems have been noted. Therefore, staff is recommending approval of this Required Review with no additional review required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 206

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-19512** APN: 125-36-302-008

Name of Property Owner: Nancy F Stocardo

Name of Applicant: Nancy Esposito

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

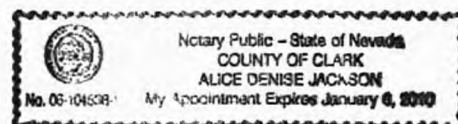
Signature of Property Owner: _____

Print Name: _____

Subscribed and sworn before me

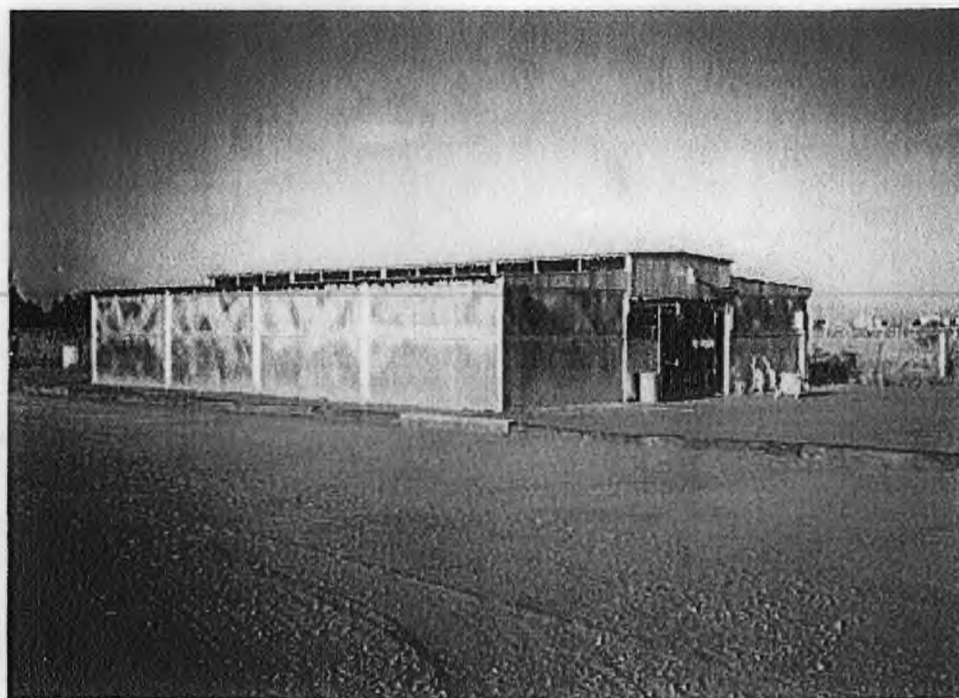
This 29th day of August, 2006

Alicia Denise Jackson
Notary Public in and for said County and State



RECEIVED

JAN 30 2007



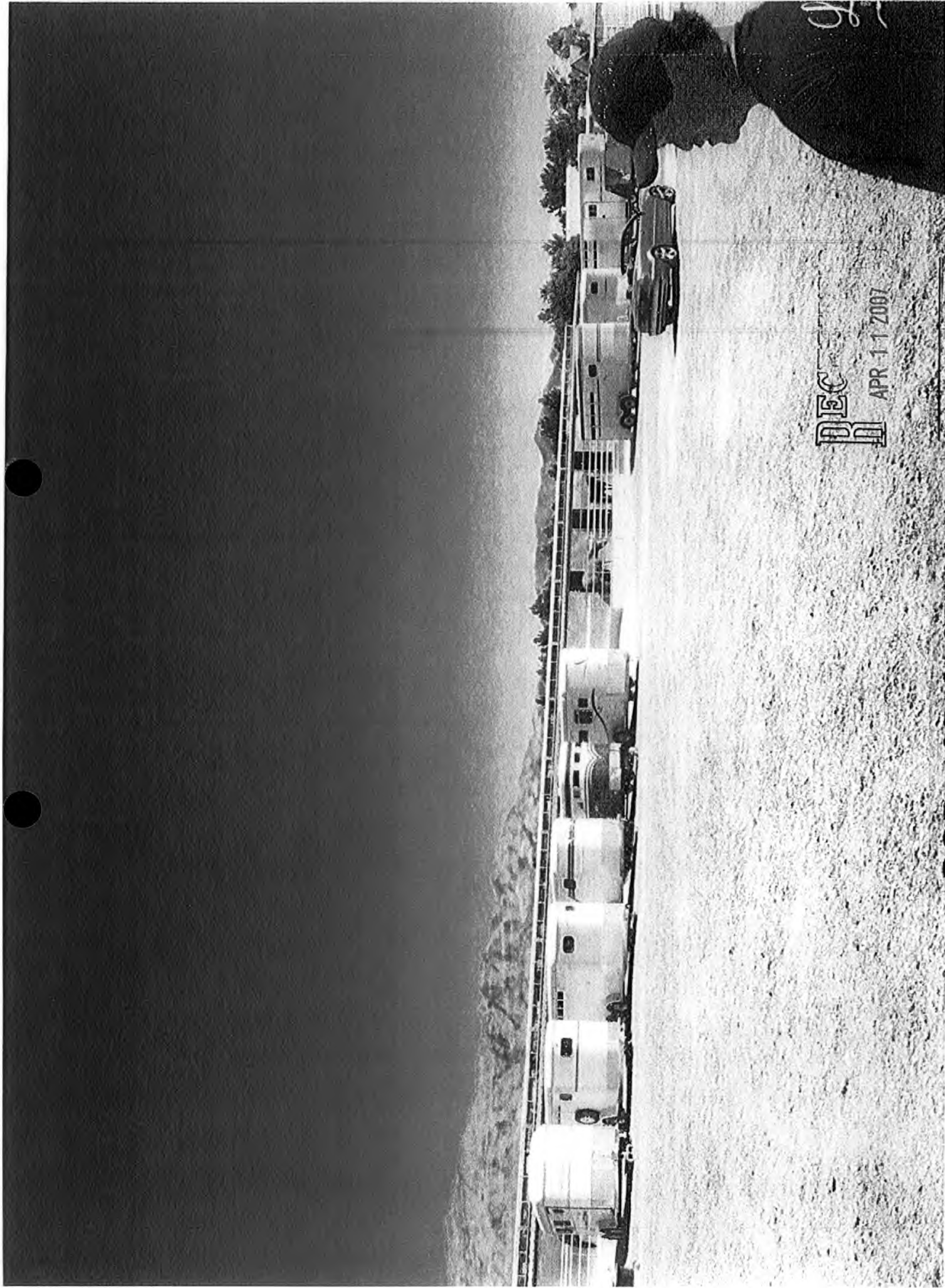
RECEIVED

RQR-19512 JAN 30 2007
05-02-07 CC



RECEIVED
APR 11 2007

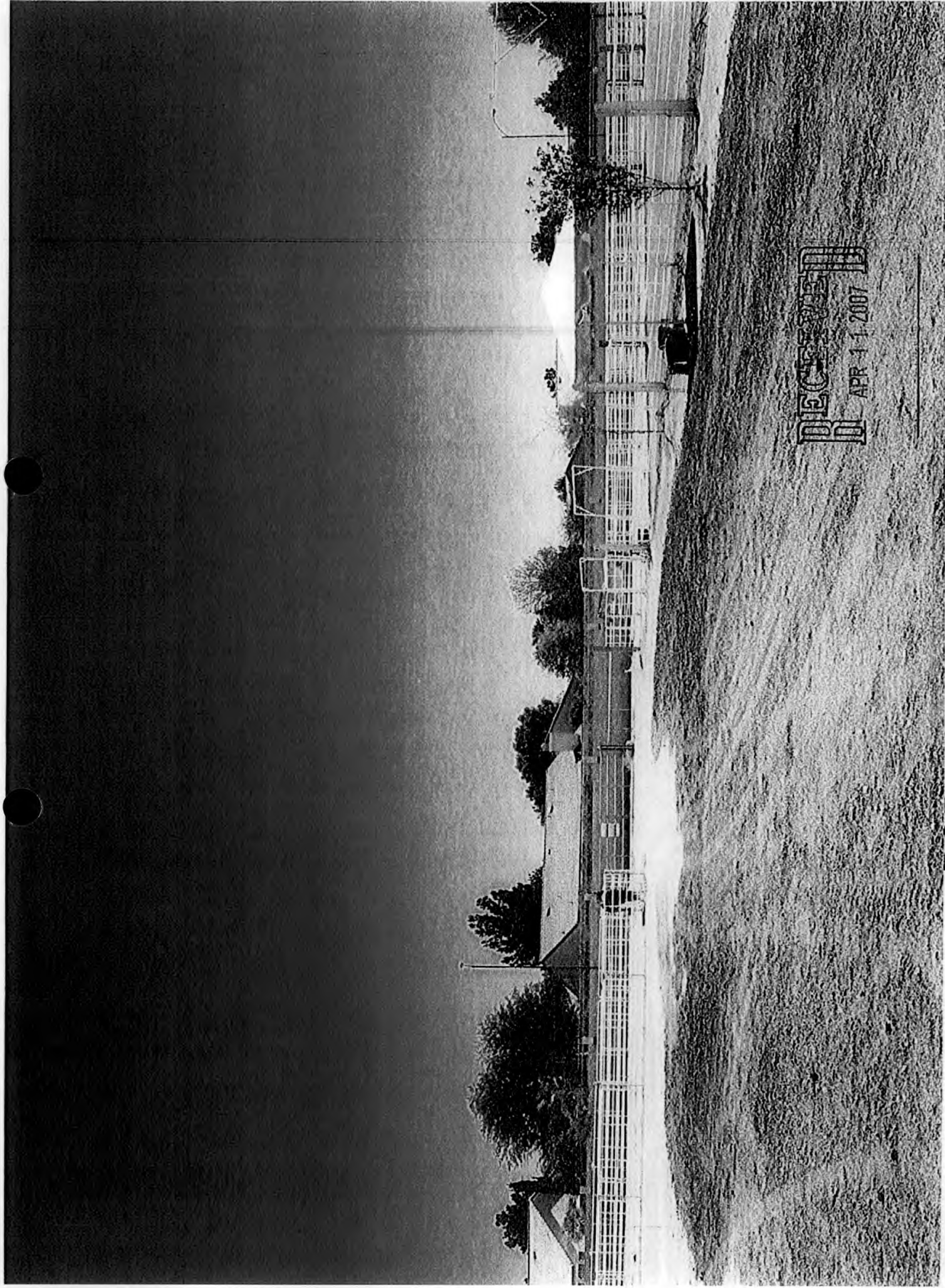
RQR-19512 05-02-07 CC



REC

APR 11 2007

RQR-19512 05-02-07 CC



RECEIVED
APR 11 2007

RQR-19512 05-02-07 CC



RECEIVED
APR 11 2007

RQR-19512 05-02-07 CC



RECEIVED
APR 11 2007

RQR-19512 05-02-07 CC

September 1, 2006

Las Vegas City Council

Re: One Year Review after operation has been established for commercial horse boarding.

Nancy Estocado
D.E. Hawaiian Paniolo Ranch, LLC.
5820 W. La Madre Way
Las Vegas, NV 89130
APN # 125-36-302-008

SDR-7306
VAR-7303
SUP-7299

SDR-7306

3. Met: All development is in conformance with the approved site plan and building elevations. The landscaping is not complete as we are working with the Las Vegas Valley Water Department to cap our well and bring in the city water. All fees to complete the project have been paid.
4. Met: All site plans were approved before the building permit was issued.
5. Met: conditions for trash areas and equipment.
6. N/A
7. N/A
8. Met: Arena lights are no more than 20 feet in height and are pointed in a downward direction.
9. Met: All City Code requirements and design have been met.
10. Met: There is no parking of horse trailers on the La Madre or Leon streets. We have enough parking area on the property.
11. Met: The Covenant Running with Land agreement has been signed and recorded.
12. Met: Flood control and Public works conditions have been met.
13. Met: Clark County Health district signed off for conditions being met.
14. Met: Gate entry conditions have been met (18 feet clearance).
15. N/A: Block Wall was denied.

VAR-7303

1. Met: We currently board 25 horses + 3 of our own (33 allowed commercial horses for boarding).
2. Met: All Bovine /Cattle have been removed from the property.

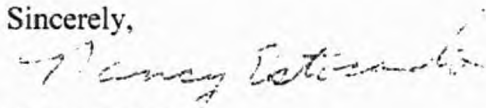
RQR-19512
05-02-07 CC
RECEIVED
JAN 30 2007

3. Met: Stalls are cleaned 2 x daily; hours of operation are from 6:30am – 10pm.; Horse trainers carry liability insurance; horse boarder owner/employee/trainer are present on the property at all times or within 5 minutes access time. A cell phone communication system is in place.
4. Met: Conformance to all minimum requirements under title 19.04.050 for a horse corral or stable (private) are satisfied.
5. Met: Approved SDR-7306
6. Met: This application for approval is to satisfy the required review within one year after establishment of the operation.
7. Met: All City Code requirements and design standards were met (Fire, Animal Control and Business Licenses).

VAR-7303

1. Met: Approved SUP-7299 and SDR-7306.
2. Met: Front solid wall was denied. A chain-linked fence is in place.
3. Met: We are running our commercial horse boarding business.
4. Met: Gate entrance meets the 18 feet clearance rule.
5. Met: N/A Wall was denied.

Sincerely,



Nancy Estocado

Owner

D.E. Hawaiian Paniolo Ranch, LLC.

RQR-19512
05-02-07 CC



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

September 22, 2005

Ms. Nancy Estocado
5820 West La Madre Way
Las Vegas, Nevada 89130

RE: SUP-7299 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF SEPTEMBER 21, 2005
RELATED TO VAR-7303 AND SDR-7306

Dear Ms. Estocado:

The City Council at a regular meeting held September 21, 2005 APPROVED the request for a Special Use Permit FOR A PROPOSED HORSE CORRAL OR STABLE (COMMERCIAL) FOR 33 HORSES adjacent to the northwest corner of La Madre Way and Leon Avenue (APN 125-36-302-008), R-E (Residence Estates) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 22, 2005. This approval is subject to:

Planning and Development

1. No more than 33 horses shall be boarded for commercial purposes on the subject property.
2. Cattle shall be removed from the premises prior to operation of the Horse Corral or Stable (Commercial). Roping steers may be brought to the premises during scheduled practice times, provided they are removed the same day as the scheduled practice.
3. The Horse Corral or Stable (Commercial) shall be subject to the following restrictions:
Stalls shall be cleaned twice daily.
The hours of operation shall be restricted to 6:30 am to 9:00 pm Monday through Friday and 6:30 am to 10 pm Saturday and Sunday.
Horse trainers shall carry liability insurance.
A horse boarding employee/owner shall be present at all times or within five minutes access time. A cell phone communication system shall be in place at all times.
4. Conformance to all other minimum requirements under Title 19.04.050 for a Horse Corral or Stable (Private) and other requirements of Title 19, except for those requirements for which a Variance (VAR-7303) may be granted.

5. Approval of and conformance to the conditions of approval for applications for a Site Development Plan Review (SDR-7306).

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

VOICE 702.229.6011
TTY 702.386.9108

www.lasvegasnevada.gov

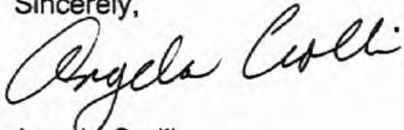
18112-001-06-05
CLV 7009

RQR-19512 05-02-07 CC

Ms. Nancy Estocado
SUP-7299 – Page Two
September 22, 2005

6. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City. This use shall be reviewed within one year after establishment of the operation at which time the City Council may require the use to cease or require such measures as are necessary to ameliorate the effects of the use. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the use cease at this location.
7. All City code requirements and design standards of all City departments must be satisfied.

Sincerely,



Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

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

Mr. Herb Kaufman
3379 Seneca Drive
Las Vegas, Nevada 89109

RQR-19512 05-02-07 CC

April 22, 2007

RECEIVED
CITY CLERK

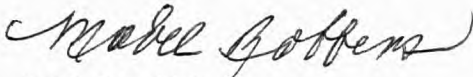
2007 APR 24 A 10: 38

City Clerk
1st Floor, City Hall
400 Stewart Ave.
Las Vegas, NV 89101

Dear Sirs:

I am filing my objection in regard to the proposed horse corral or stable for 33 horses on 4.94 acres at 5820 West La Madre Way. I cast my vote for it not to be approved.

Sincerely,



Mabel Robbins

May Robbins
5541 Port Barrington Way
Las Vegas, NV 89130

Protest

RECEIVED
CITY CLERK

2007 APR 25 A 10: 32

5036 Linkside Drive
Las Vegas, Nevada, 89130
April 24, 2007

City Clerk
1st Floor, City Hall
400 Stewart Street
Las Vegas, Nevada, 89101

Dear Sirs:

RE: RQR 19512

In response to the notification of the above matter, scheduled to be heard on May 2, 2007, kindly record this as our approval of the proposed land use change.

As there are two existing similar facilities, including one veterinarian, already located within the 1000 foot radius indicated on the property map, there is absolutely no objection to adding another. The special use permit, SUP 7299, should be granted.

Sincerely,


Lawrence P. Mooney

Support

4/25/07 Item #84

April 24, 2007

Beverly Bridges
Acting City Clerk
City of Las Vegas

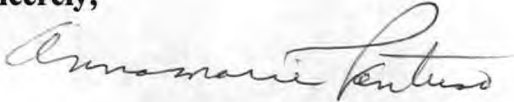
Protest

Reference: RQR-195¹²~~21~~

Dear Ms. Bridges;

In reference to the Special Use Permit (SUP-7299), I am submitting my comments for your consideration. More than a year ago, I submitted my first set of comments opposing the approval of SUP-7299. I would like to restate that same position. I find the location of a proposed horse corral and/or stable for 33 horses on 4.94 acres at 5840 West La Madre Way most objectionable. I have resided in the adjacent community of Los Prados for the last 18 years. Many of the residents of this adult community are seniors and suffer respiratory ailments. In my case, I suffer from allergies, asthma and chronic bronchitis and often need the use of inhalers and supplemental oxygen. My concern here is that additional air borne dust and perhaps infectious material might find its way into the air that often flows from the location of the proposed horse corral directly into the adjacent residential community. Based on these facts, I stand opposed to the approval of the special use permit as described.

Sincerely,



Mrs. Annamaria Pantuso
4904 Rancho Bernardo Way
Las Vegas, NV 89130
702.658.2728

RECEIVED
CITY CLERK
2007 APR 27 A 10:38

Submitted after final agenda

Date 4-27-07 Item #84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 2, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REVIEW OF CONDITION

ROC-18260 - PUBLIC HEARING - APPLICANT: CBS OUTDOOR - OWNER: CITY PARKWAY IV - Request for a Review of Condition Number 1 of an approved Required Review (RQR-13616) TO REMOVE THE CONDITION THAT REQUIRED THE APPLICANT TO OBTAIN BUILDING PERMITS AND CALL FOR A FINAL INSPECTION BY THE BUILDING AND PLANNING DEPARTMENT WITHIN THIRTY (30) DAYS OF APPROVAL BY THE CITY COUNCIL for an existing billboard adjacent to the north side of the Oran K. Gragson Highway (U.S. 95), between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks (APN 139-27-401-031), M (Industrial) Zone, Ward 5 (Williams). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

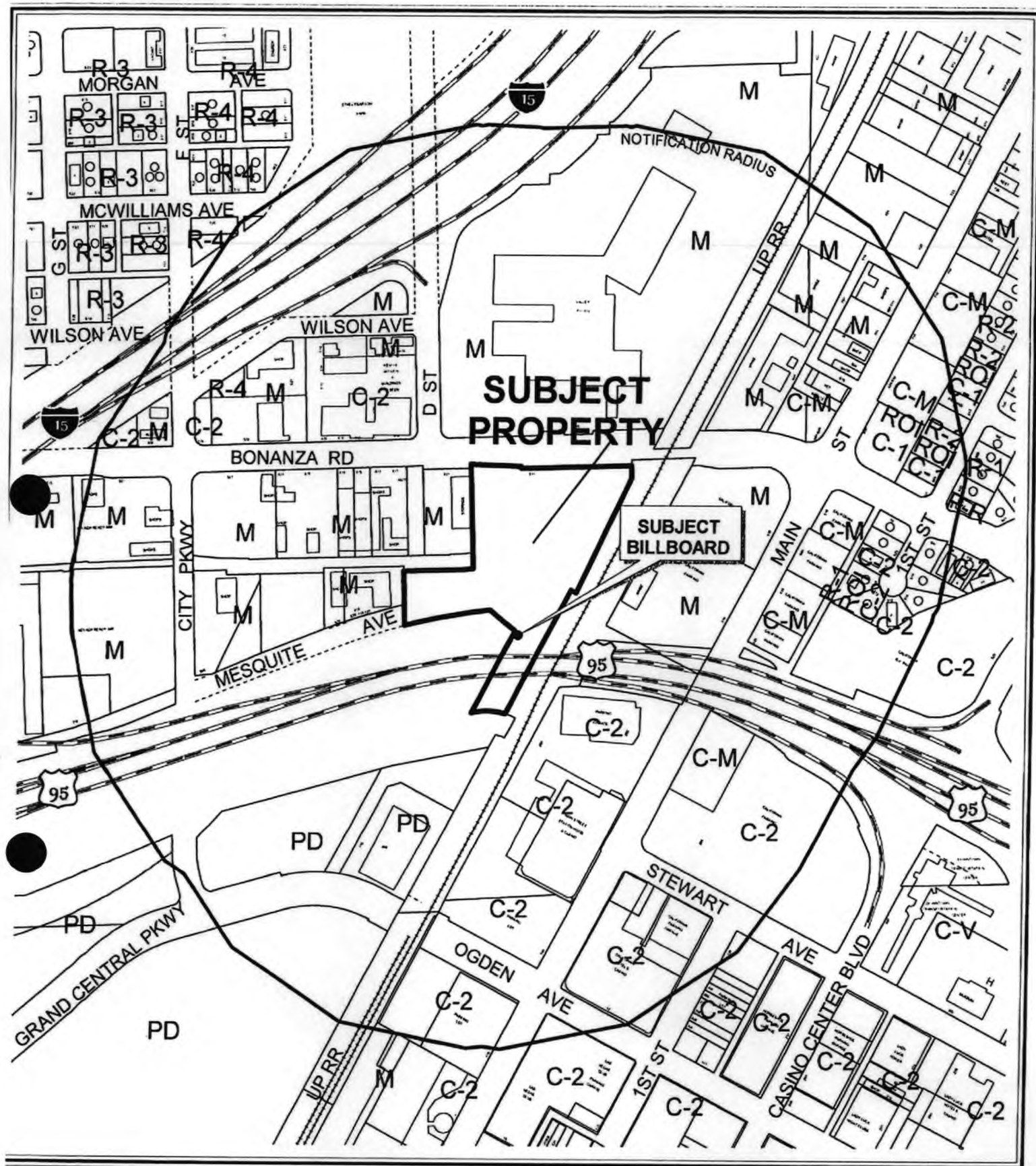
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for RQR-13616
6. City Council Minutes from 08-16-06 for RQR-13616
7. City Council Minutes from 04-03-02 for V-0046-92(4)
8. City Council Minutes from 05-20-92 for V-46-92
9. Submitted after final agenda – Abeyance request by The Skancke Company

Motion made by GARY REESE to Hold in Abeyance Items 79 and 83 to 5/16/2007; Items 67-69, 80-82 and 85 to 6/6/2007; Strike Item 66 and Withdraw Without Prejudice Item 73

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

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

NOTE: Due to an error, this item was placed on the 6/20/2007 Council meeting and not the 6/6/2007 Council meeting.



CASE: ROC-18260

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 2, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-18260 - APPLICANT: CBS OUTDOOR - OWNER: CITY PARKWAY IV

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Condition Number 1 of Required Review (RQR-13616) shall be removed.
2. Conformance to all other conditions of approval of Required Review (RQR-13616) and all other subsequent related actions as required by the Planning and Development Department and the Public Works Department.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Review of Condition Number 1 of an approved Required Review (RQR-13616) to remove the condition that required the applicant to obtain building permits and call for a final inspection by the Building and Planning Department within thirty (30) days of approval by the City Council for an existing billboard adjacent to the north side of the Oran K. Gragson Highway (U.S. 95), between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks.

The Building Department states that either a permit shall be pulled for the subject sign and final inspected according to Code, or an appeal shall be filed to the Building Department. The Planning and Development Department is in agreement with the Building Department. The lack of a proper building permit fails to satisfy the Code, the conditions of approval, and poses a potential safety hazard. Therefore, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/28/99	The City Council approved a Required Two Year Review [U-0238-91(2)] for an approved Special Use Permit on property located on the south side of Oran K. Gragson Highway (U.S. 95) between 'F' Street and Main Street, which allowed a 14-foot, by 48-foot off-premise (billboard) sign. Staff recommended the Special Use Permit be reviewed in November 2000 so the sign can be reviewed in conjunction with the Union Pacific development.
07/12/99	The City Council approved a Required Two Year Review [V-0046-92(2)] of an approved Variance on property located on the south side of Oran K. Gragson Highway (U.S. 95) between 'F' Street and Main Street which allowed a 14 foot by 48 foot off-premise (billboard) sign 690 feet from an existing off-premise (billboard) sign where 750 feet is the minimum distance required.
12/20/00	The City Council approved a Required Review [V-0046-92(3)] of an approved Variance on property located on the south side of Oran K. Gragson Highway (U.S. 95) between 'F' Street and Main Street which allowed a 14 foot by 48 foot off-premise (billboard) sign 690 feet from an existing off-premise (billboard) sign where 750 feet is the minimum distance required.
02/21/01	The City Council approved a Required Review [U-0238-91(3)] for an approved Special Use Permit on this property, which allowed a 14-foot by 48-foot off-premise (billboard) sign. Staff recommended that the Special Use Permit be reviewed one year from the date of approval, so the sign can be reviewed in conjunction with development of the Union Pacific property.
02/14/02	The City Council approved a Required One Year Review [U-0238-91(4)] on an approved Special Use Permit which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign. The Planning Commission and staff recommended approval on 02/28/02.

04/03/02	The City Council approved a Required One Year Review [V-0046-92(4)] of an approved Variance which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign 690 feet from an existing off-premise advertising (billboard) sign where 750 feet is the minimum distance separation allowed on the north side of the Oran K. Gragson Highway (U.S. 95), between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Planning Commission and staff recommended approval on 04/03/02.
05/21/03	The City Council approved a Required One Year Review (RQR-1993) of an approved Special Use Permit [U-0238-94(4)] which allowed a 14 x 48 foot Off-Premise Advertising (Billboard) Sign adjacent to the south side of Oran K. Gragson Highway (U.S. 95) between "F" Street and Main Street. The Planning Commission and staff recommended approval on 04/24/03.
06/04/03	The City Council approved a Required One Year Review (RQR-1909) of an approved Variance [V-0046-92(4)] which allowed a 14 x 48 foot Off-Premise Advertising (Billboard) Sign to be 690 feet from an existing Off-Premise Advertising (Billboard) Sign where 750 feet is the minimum distance separation allowed. The Planning Commission and staff recommended approval on 06/04/03.
07/06/05	The City Council approved a Required Two-Year Review (RQR-6252) of an approved Special Use Permit (U-0238-94) which allowed on 14 x 48 foot Off-Premise Advertising (Billboard) Sign. Also, an additional Required Two Year Review (RQR-6345) was approved to allow a 14 foot x 48 foot Off-Premise Advertising (Billboard) Sign to be 690 feet from an existing Off-Premise Advertising (Billboard) Sign where 750 feet is the minimum distance required adjacent to the south side of Oran K. Gragson Highway (U.S. 95) between "F" Street and Main Street. The Planning Commission and staff recommended approval of the Required Review (RQR-6252) on 05/26/05. The Planning Commission and staff recommended approval of the other Required Review (RQR-6345).
08/16/06	The City Council approved a Required Review (RQR-13616) Required One Year Review of an approved Variance [V-0046-92(4)] which allowed a 40-foot, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign to be located 69- feet from an existing Off-Premise Advertising (Billboard) Sign where 750 feet is the minimum distance separation required adjacent to the north side of the Oran K. Gragson Highway (U.S. 95), between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Planning Commission and staff recommended approval on 07/13/06.
<i>Related Building Permits/Business Licenses</i>	
06/19/92	A building permit (#92149742) was issued for the subject billboard. The permit expired on 02/13/93.
08/03/92	A building permit (#92155091) was issued for electrical service on the subject billboard. The electrical service was finaled on 08/13/92.

Details of Application Request	
Site Area	
Gross Acres	5.28

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MXU (Mixed-Use)	M (Industrial)
North	Food Processing Plant	MXU (Mixed-Use)	M (Industrial)
South	US-95 R.O.W. with undeveloped land south of US-95	MXU (Mixed-Use)	M (Industrial)
East	Union Pacific Railroad and Hotel/Casino	C (Commercial)	C-2 (General Commercial)
West	Industrial	MXU (Mixed-Use)	M (Industrial)

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

ANALYSIS

The applicant never obtained a final inspection on the original building permit that was pulled for the subject Off Premise Advertising (billboard) Sign. The permit was issued (06/19/92) and then was allowed to expire (02/13/93). This creates a potential hazard to the public safety. The Building Department states that either a permit shall be pulled for the subject sign and final inspected according to Code, or an appeal shall be filed to the Building Department. The Planning and Development Department is in agreement with the Building Department. The lack of a proper building permit fails to satisfy the Code, the conditions of approval, and poses a potential safety hazard. Therefore, denial of this request is recommended.

Conditions of approval from RQR-13616:

1. The applicant shall obtain building permits and call for a final inspection by the Building and Planning Department within thirty (30) days of approval by the City Council.
2. The existing graffiti shall be removed within ten (10) days of final approval.

3. The Variance shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign to be removed. The applicant shall be responsible for notification costs of the review.
4. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising sign (billboard).

FINDINGS

Both the Building Department and the Department of Planning and Development find that this request is not supported as the requested removal of this condition is not in compliance with Code and creates a potential safety hazard. Therefore, denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 51

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-18260 APN: 139-27-401-031

Name of Property Owner: City Parkway IV

Name of Applicant: CBS Outdoor

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

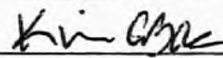
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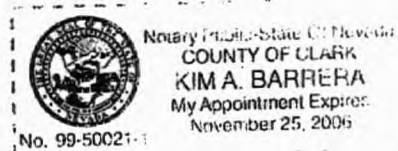
Signature of Property Owner: 

Print Name: Douglas Selby

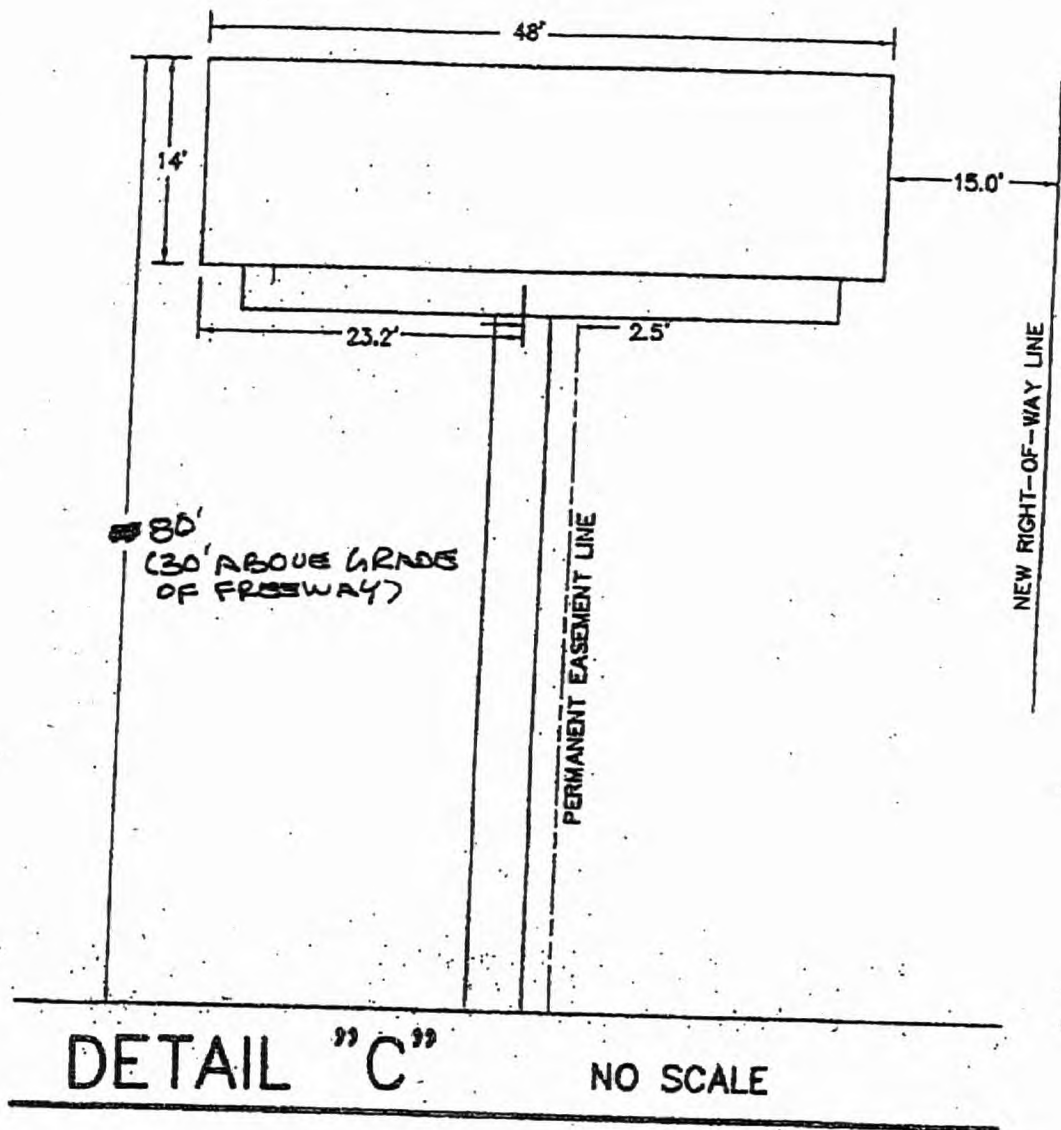
Subscribed and sworn before me

This 7 day of November, 2006


Notary Public in and for said County and State



L-36-26-01
J&B

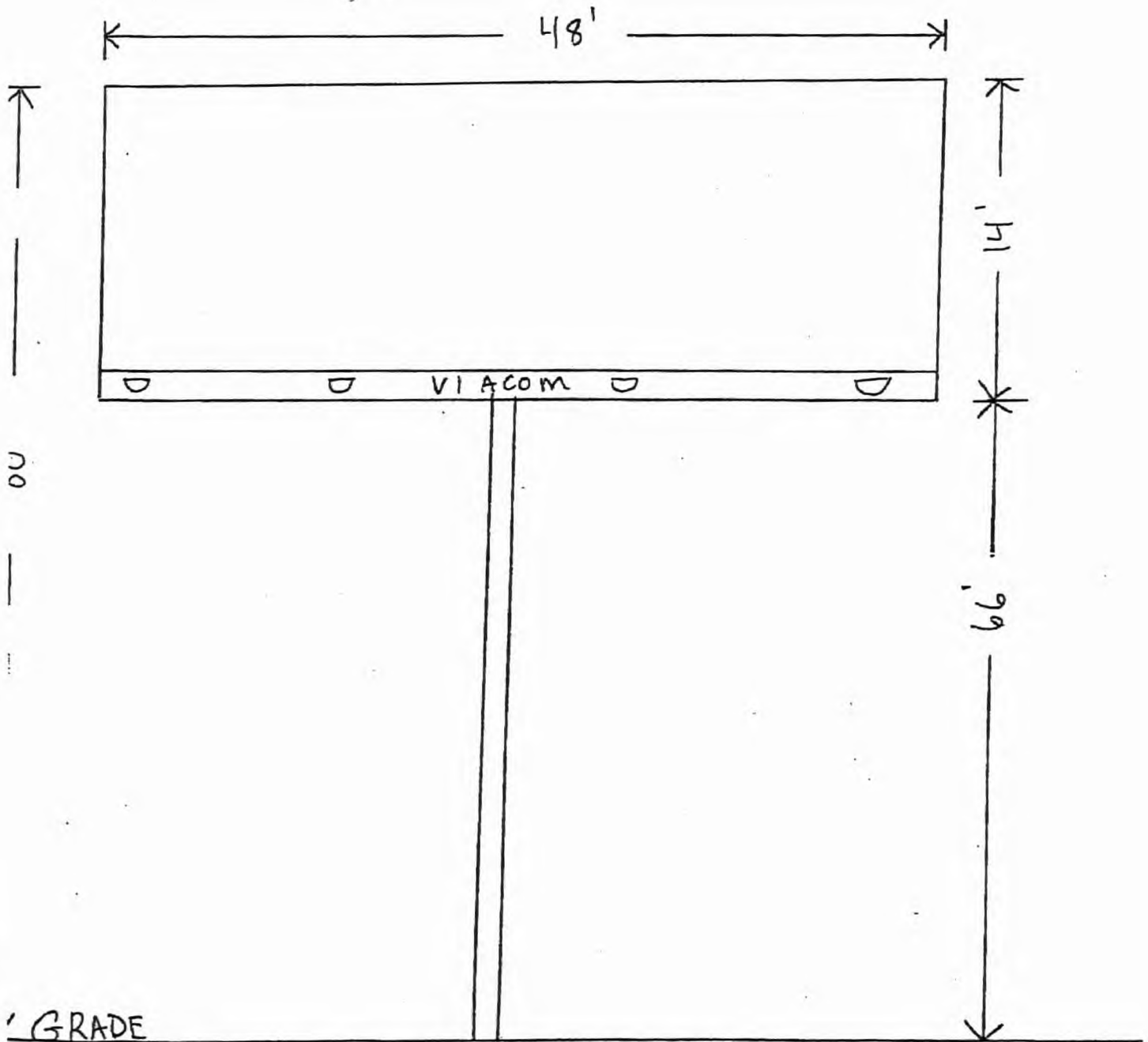


Spag bowl

ROC-18260
05-02-07 CC

NOV 21

SIGN ELEVATION



ROC-18260
05-02-07 CC

NOV 21 2006

The Skancke Company

► November 8, 2006

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

RE: RQR-13616 / Review of Condition

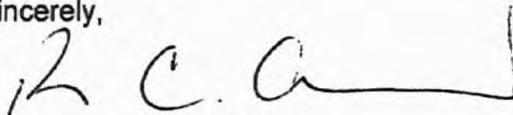
To Whom It May Concern:

On behalf of my client, CBS Outdoor, please consider this our letter of justification for a Review of Condition #1 on the approval of RQR-13616, an off-premise billboard, dated 8/16/06.

At the City Council meeting of November 1, 2006, the City Council agreed to remove an identical condition on items RQR-13791 and RQR-15054. Based on this precedent, we are now requesting the same consideration for our application.

If you should have any questions, please feel free to contact me at 702.870.7068.

Sincerely,



Ryan C. Arnold
Vice President

702.870.7068

3225-B South Rainbow Blvd.
Suite 204
Las Vegas, Nevada 89146
Fax 702.474.4606

ROC-18260
05-02-07 CC

NOV 01 2006



August 18, 2006

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

Mr. Doug Selby
City of Las Vegas
400 South Las Vegas Boulevard
Las Vegas, Nevada 89101

RE: RQR-13616 – REQUIRED ONE YEAR REVIEW
CITY COUNCIL MEETING OF AUGUST 16, 2006

Dear Mr. Selby:

The City Council at a regular meeting held August 16, 2006 APPROVED the Required One Year Review of an approved Variance [V-0046-92(4)] WHICH ALLOWED A 40-FOOT, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE LOCATED 690 FEET FROM AN EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 750 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED adjacent to the north side of the Oran K. Gragson Highway (U.S. 95), between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks (APN 139-27-401-031), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 17, 2006. This approval is subject to:

Planning and Development

1. The applicant shall obtain building permits and call for a final inspection by the Building and Planning Department within thirty (30) days of approval by the City Council.
2. The existing graffiti shall be removed within ten (10) days of final approval.
3. The Variance shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign to be removed. The applicant shall be responsible for notification costs of the review.

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

VOICE 702.229.6011
TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

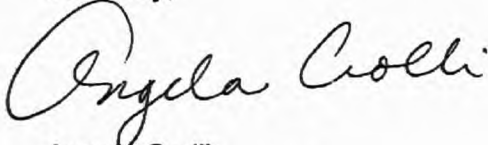
NOV 21 2006

ROC-18260
05-02-07 CC

Mr. Doug Selby
RQR-13616 – Page Two
August 18, 2006

4. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising sign (billboard).

Sincerely,



Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

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

Mr. Shawn Paulsen
CBS Outdoor
5425 South Valley View Boulevard
Las Vegas, Nevada 89118

Mr. Ryan Arnold
The Skancke Company
3225-B South Rainbow, Suite #204
Las Vegas, Nevada 89146

ROC-18260
05-02-07 CC

NOV 21 2006

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 16, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REQUIRED ONE YEAR REVIEW

RQR-13616 - PUBLIC HEARING - APPLICANT: CBS OUTDOOR - OWNER: CITY PARKWAY, IV - Required One Year Review of an approved Variance [V-0046-92(4)] WHICH ALLOWED A 40-FOOT, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE LOCATED 690 FEET FROM AN EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 750 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED adjacent to the north side of the Oran K. Gragson Highway (U.S. 95), between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks (APN 139-27-401-031), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting documentation
4. City Council approval letter for RQR-6345
5. Backup referenced from the 07-13-06 Planning Commission meeting Item 7

Motion made by LAWRENCE WEEKLY to Approve subject to conditions

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

RYAN ARNOLD, Skoncke Company, 3225-B South Rainbow, appeared on behalf of the applicant, thanked staff for the positive recommendation and requested approval.



Agenda Item No.: 111.

CITY COUNCIL MEETING OF: AUGUST 16, 2006

TOM McGOWAN, Las Vegas resident, queried why the sign is not in conformance with required separation distances and MR. ARNOLD responded that the sign has a permitted waiver. MR. McGOWAN stated there are many signs in that vicinity and suggested that all information about each be shared publicly.

MAYOR GOODMAN declared the Public Hearing closed.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 3, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REQUIRED ONE YEAR REVIEW - VARIANCE - PUBLIC HEARING - V-0046-92(4) - CITY PARKWAY IV A, INC. ON BEHALF OF VIACOM OUTDOOR (INFINITY) - Required One Year Review of an approved Variance which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign 690 feet from an existing off-premise advertising (billboard) sign where 750 feet is the minimum distance separation allowed on the north side of the Oran K. Gragson Highway (U.S. 95), between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks (APN: 139-27-401-031), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RYAN ARNOLD, B-225 South Rainbow Boulevard, Suite 204, appeared on behalf of the applicant and concurred with staff's recommendations.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:37)

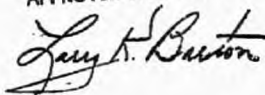
4-1008

AGENDA & MINUTES

Page 68

ITEM	COUNCIL CHAMBERS • 400 EAST STEWART AVENUE	ACTION
X. COMMUNITY PLANNING AND DEVELOPMENT (CONTINUED)	F. VARIANCE - PUBLIC HEARING	HAWKINS - GRANTED THE APPEAL THEREBY APPROVING THE VARIANCE subject to the conditions
4. V-46-92 - TDI Transportation Displays Incorporated	Appeal filed by Outdoor Media Group on behalf of TDI Transportation Displays Incorporated on the action of the Board of Zoning Adjustment in DENYING its application for a Variance to allow a 14 x 48 foot off-premise illuminated advertising (billboard) sign, and to allow the sign to be 690 feet from another existing off-premise advertising (billboard) sign, where a 750 foot minimum separation is required on property located on the north side of U.S. 95 Highway, 150 feet west of the centerline of Union Pacific railroad tracks, in Zoning District M. Board of Zoning Adjustment unanimously (5-0 vote) DENIED the request. If approved, subject to: 1. This action does not constitute a waiver of the Nevada Department of Transportation off-premise sign control regulations or relief from the requirement of obtaining a state building permit. 2. This use shall be reviewed by the Board in five years at which time the billboard may be removed. 3. Standard conditions 1 and 5. Staff Recommendation: DENIAL PROTESTS: 0	UNANIMOUS Clerk to notify and Planning to proceed ***** MAYOR JONES declared the Public Hearing open. MARSHALL COALTER, Outdoor Media Group, 26525 Jefferson Avenue, Murietta, California, stated that the 60 feet they are requesting is a short distance and it is also at a bend in the road so it is very hard to see. In fact, you cannot see the other approaching sign that is, in fact, 690 feet away. COUNCILMAN HAWKINS indicated that he has talked with the concerned protestor and he does not have a problem with this variance. COUNCILMAN HAWKINS further stated he did not see there was any problem with this request and made the approval motion. MAYOR JONES declared the Public Hearing closed. COUNCILMAN HAWKINS asked Mr. Coalter if this was a 24 hour sign and if they will take it down if someone purchases the property. MR. COALTER said unfortunately it is the same type of situation. (1458 - 1501)

APPROVED AGENDA ITEM



The Skancke Company

RECEIVED
CITY CLERK

2007 MAY -1 P 3:52

► May 1, 2007

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

VIA FACSIMILE: 382-4803

RE: ROC-18260

To Whom It May Concern:

On behalf of my client, CBS Outdoor, I would like to formally request that item number 85 (ROC-18260) on tomorrow's City Council agenda, be held in abeyance for 30 days. Unfortunately, we never received notice of our item being placed back on the agenda for consideration. This item has been in limbo ever since the billboard moratorium was enacted earlier this year.

Your attention to this matter is greatly appreciated. If you have any questions, please feel free to contact me at 702.870.7068.

Sincerely,



Ryan Arnold
Vice President

Submitted after final agenda

Date 5-01-07 Item #85

702.870.7068

3225-B South Rainbow Blvd.
Suite 204
Las Vegas, Nevada 89146
Fax 702.474.4606

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 2, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REVIEW OF CONDITION

ROC-20820 - PUBLIC HEARING - APPLICANT: KEEP MEMORY ALIVE FOUNDATION - OWNER: CITY PARKWAY V, INC. - Request for a Review of Condition to remove Condition Number 18 of an approved Site Development Plan Review (SDR-15042) WHICH STATED TO GRANT PEDESTRIAN ACCESS EASEMENTS FOR ALL SIDEWALKS LOCATED OUTSIDE THE PUBLIC RIGHT-OF-WAY ADJACENT TO THIS SITE PRIOR TO THE ISSUANCE OF ANY PERMITS; COORDINATE WITH THE RIGHT-OF-WAY SECTION OF THE DEPARTMENT OF PUBLIC WORKS FOR ASSISTANCE IN THE PREPARATION OF APPROPRIATE DOCUMENTS on 1.9 acres at 22 South Grand Central Parkway (a portion of APN 139-34-110-003), PD (Planned Development) Zone, Ward 5 (Williams). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SDR-15042

Motion made by BRENDA J. WILLIAMS to Approve Subject to Condition

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

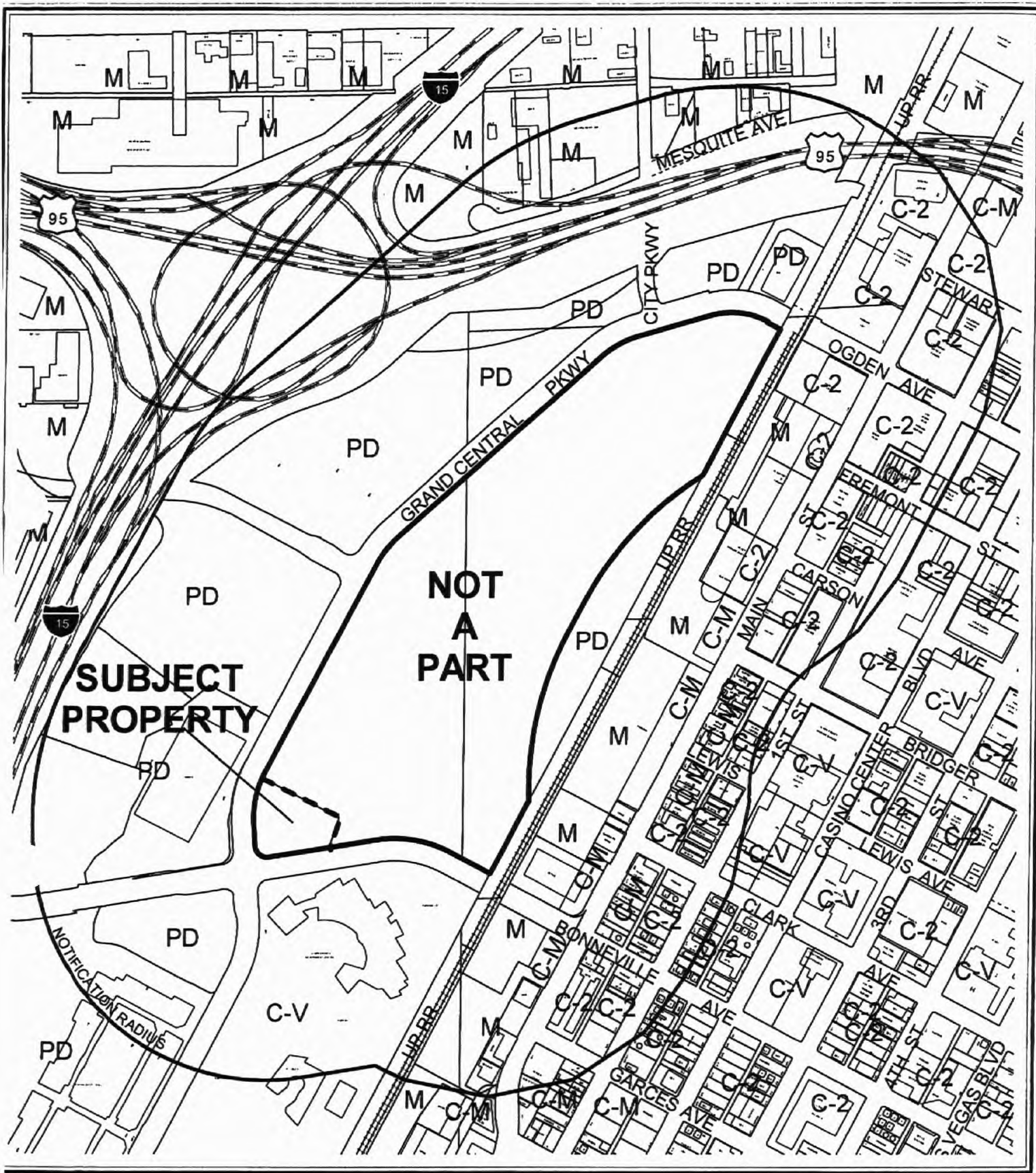
BRENDA J. WILLIAMS, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

There being no one present to speak, MAYOR GOODMAN declared the Public Hearing closed.



CASE: ROC-20820

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 2, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-20820 - APPLICANT: KEEP MEMORY ALIVE
FOUNDATION - OWNER: CITY PARKWAY V, INC.

**** CONDITIONS ****

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

Planning and Development

1. Condition Number 18 from Site Development Plan Review (SDR-15042), which stated: to grant pedestrian access easements for all sidewalks located outside the public right-of-way adjacent to this site prior to the issuance of any permits; coordinate with the right-of-way section of the department of public works for assistance in the preparation of appropriate documents on 1.9 acres at 22 South Grand Central Parkway, shall be deleted.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Review of Condition to remove Condition Number 18 of an approved Site Development Plan Review (SDR-15042) which stated to grant pedestrian access easements for all sidewalks located outside the public right-of-way adjacent to this site prior to the issuance of any permits; coordinate with the right-of-way section of the department of public works for assistance in the preparation of appropriate documents on 1.9 acres at 22 South Grand Central Parkway.

The applicant is seeking to have this condition removed as the sidewalks for the proposed project are located on private property and that access will be provided via written agreement. The Department of Public Works is in agreement with this proposal and recommends approval of this request. The Planning and Development Department supports the Department of Public Works and as the removal of this condition will not adversely effect the surrounding area or the general welfare recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/23/98	The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject property. The Planning Commission and staff recommended approval.
01/02/02	The City Council approved the Parkway Center Development Standards, which have since been incorporated as part of the Las Vegas Downtown Centennial Plan.
09/20/06	The City Council approved a request for a Site Development Plan Review for a proposed 62,616 commercial development consisting of a medical research and treatment building, museum and activities center, and waivers of the parkway center build-to-line requirement and exterior materials requirements on the subject property. The Planning Commission and staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this request.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.9

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MXU (Mixed-Use)	PD (Planned Development)
North	Undeveloped	MXU (Mixed-Use)	PD (Planned Development)
South	Government Use	PF (Public Facilities)	C-V (Civic)
East	Undeveloped	MXU (Mixed-Use)	PD (Planned Development)
West	Furniture Mart	MXU (Mixed-Use)	PD (Planned Development)

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		
Gaming District	X	
Airport Overlay District	X	
Trails	X	
Rural Preservation Overlay District		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

ANALYSIS

The subject condition states that: to grant pedestrian access easements for all sidewalks located outside the public right-of-way adjacent to this site prior to the issuance of any permits; coordinate with the right-of-way section of the department of public works for assistance in the preparation of appropriate documents.

The applicant is seeking to have this condition removed as the sidewalks for the proposed project are located on private property and that access will be provided via written agreement. The Department of Public Works is in agreement with this proposal and recommends approval of this request. The Planning and Development Department supports the Department of Public Works and as the removal of this condition will not adversely effect the surrounding area or the general welfare recommends approval of this request.

FINDINGS

The removal of Condition Number 18 from SDR-15042 will not adversely affect the surrounding area and will not endanger the public health or the general welfare. Approval of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 87

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-20820 APN: 139-34-110-003

Name of Property Owner: City Parkway V, Inc.

Name of Applicant: City Parkway V, Inc.

Name of Representative: Douglas A. Selby

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: _____

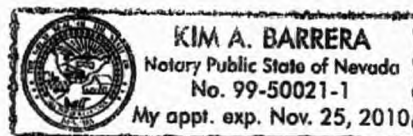
Signature of Property Owner: Douglas Selby

Print Name: Douglas Selby

Subscribed and sworn before me

This 28 day of March, 2007

Kim A. Barrera
Notary Public in and for said County and State



ARCHITECT
12000 BELTWAY, SUITE 100
LOS ANGELES, CALIFORNIA 90044 USA
TEL: 310-465-1000
FAX: 310-465-1001

CONSULTANTS
KEEP MEMORY GROUP
10000 BELTWAY, SUITE 100
LOS ANGELES, CALIFORNIA 90044 USA
TEL: 310-465-1000
FAX: 310-465-1001

CONSULTANTS
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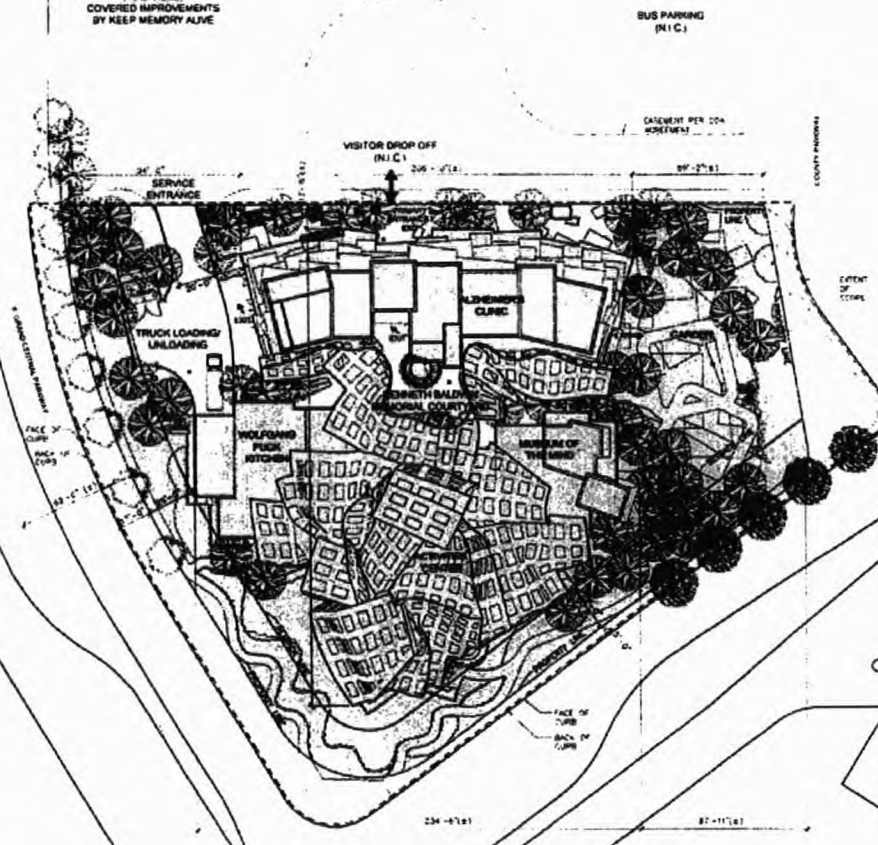
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FAX: 310-465-1001

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TEL: 310-465-1000
FAX: 310-465-1001

PHASE 1
SURFACE PARKING
(BY CITY OF LAS VEGAS)
(N.I.C.)
TO BE FURTHER COORDINATED BETWEEN CITY OF
LAS VEGAS AND KEEP MEMORY ALIVE

EMPLOYEE COVERED
PARKING
(40 SPACES)
COVERED IMPROVEMENTS
BY KEEP MEMORY ALIVE

BUS PARKING
(N.I.C.)



PARKING ANALYSIS	
PUBLIC ASSEMBLY ACTIVITIES CENTER	500 SEATS AT 1/10 SEATS
MUSEUM	50 SPACES (3 DISABLED SPACES)
400 OCCUPANTS	AT 1/10
40 SPACES	(3 DISABLED SPACES)
20 OCCUPANTS	AT 1/10
2 SPACES	(3 DISABLED SPACES)
34,750 SQ. FT.	AT 1/10
40 SPACES	(3 DISABLED SPACES)
TOTAL STANDARD SPACES	100 SPACES
TOTAL DISABLED SPACES	10 SPACES
TOTAL SPACES REQUIRED	110 SPACES
TOTAL SPACES PROVIDED (BY CITY OF LAS VEGAS)	110 SPACES

SITE INFORMATION	
PROJECT SITE	82,100 SQ. FT. (1.9 ACRES)
BUILDING SIZE	82,100 SQ. FT.
FLOOR AREA RATIO	75
PROJECT SIZE	82,100 SQ. FT.
BUILDING FOOT PRINT	24,500 SQ. FT.
OPEN SPACE	57,600 SQ. FT. (1.3 AC)



LOU RUVO
ALZHEIMER'S INSTITUTE
10000 BELTWAY, SUITE 100
LOS ANGELES, CALIFORNIA 90044 USA

SITE PLAN

SDR-15042
08/24/06 PC

PROJECT
2006-002
DATE
11/13/06
DRAWN BY
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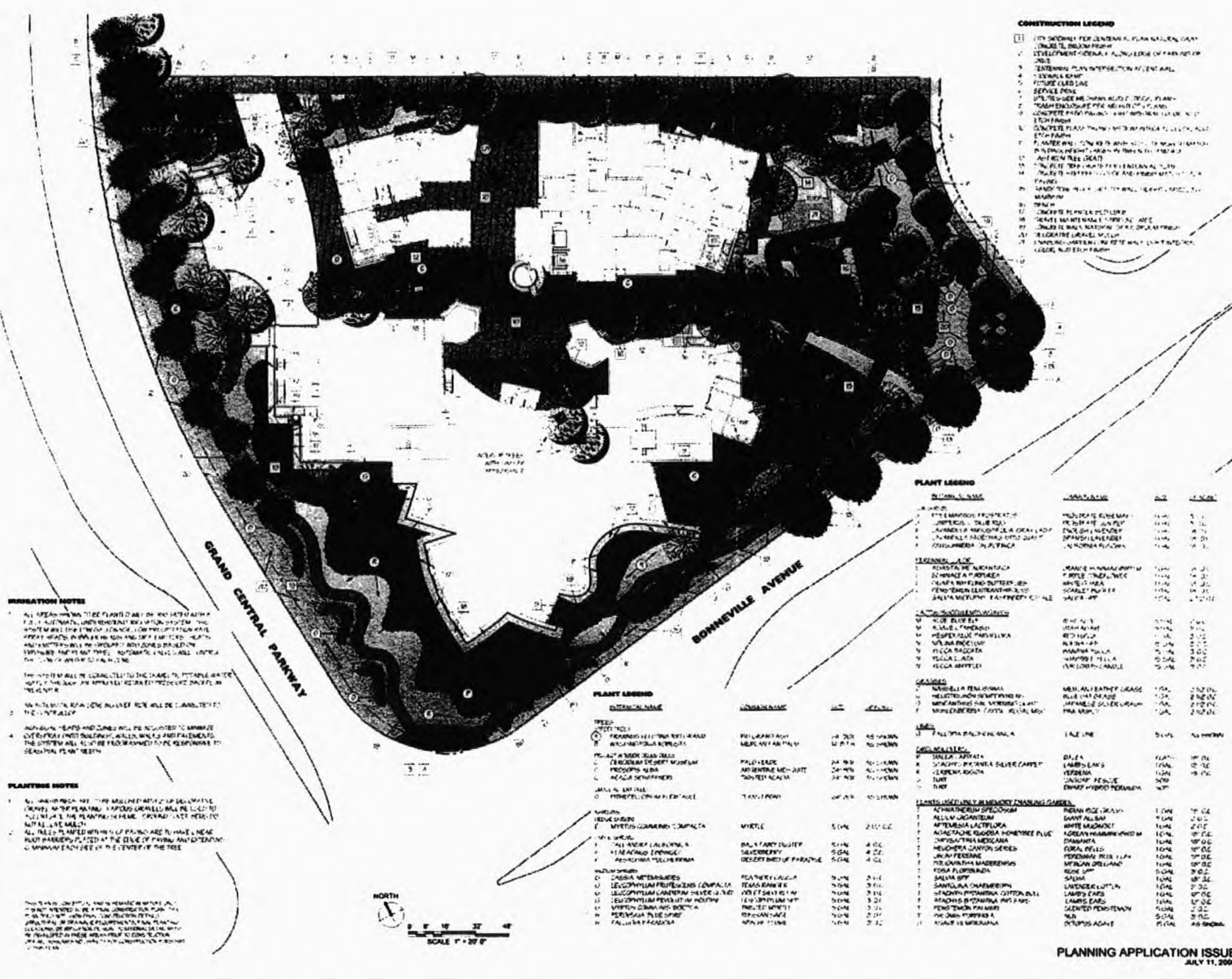
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PLANNING APPLICATION ISSUE
JULY 11, 2006

ROC-20820
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APR 13 2007



IRRIGATION NOTES

1. ALL IRRIGATION SHALL BE PLANNED TO BE AN AUTOMATIC SYSTEM. THE SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO ALL PLANTS AND TO MAINTAIN SOIL MOISTURE AT ALL TIMES. THE SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO ALL PLANTS AND TO MAINTAIN SOIL MOISTURE AT ALL TIMES.
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PLANTING NOTES

1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL LANDSCAPE ARCHITECTURE PLANTING GUIDE.
2. ALL PLANTS SHALL BE PLANTED IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL LANDSCAPE ARCHITECTURE PLANTING GUIDE.
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PLANT LEGEND

PLANT CODE	PLANT NAME	PLANT CODE	PLANT NAME
1	ACACIA GUMMI	11	PLANT CODE 11
2	ACACIA GUMMI	12	PLANT CODE 12
3	ACACIA GUMMI	13	PLANT CODE 13
4	ACACIA GUMMI	14	PLANT CODE 14
5	ACACIA GUMMI	15	PLANT CODE 15
6	ACACIA GUMMI	16	PLANT CODE 16
7	ACACIA GUMMI	17	PLANT CODE 17
8	ACACIA GUMMI	18	PLANT CODE 18
9	ACACIA GUMMI	19	PLANT CODE 19
10	ACACIA GUMMI	20	PLANT CODE 20

PLANT LEGEND

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8	ACACIA GUMMI	18	PLANT CODE 18
9	ACACIA GUMMI	19	PLANT CODE 19
10	ACACIA GUMMI	20	PLANT CODE 20

CONSTRUCTION LEGEND

1. CITY STREETS PER LANDMARK PLANNING BOARD
2. CITY STREETS PER LANDMARK PLANNING BOARD
3. CITY STREETS PER LANDMARK PLANNING BOARD
4. CITY STREETS PER LANDMARK PLANNING BOARD
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19. CITY STREETS PER LANDMARK PLANNING BOARD
20. CITY STREETS PER LANDMARK PLANNING BOARD

GEHRY PARTNERS, LLP.

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100 BATTERY STREET
NEW YORK, NY 10038

LANDSCAPE CONCEPT PLAN

SDR-15042
08/24/06 PC

PROJECT
2005-002
TITLE
L1-1.0
DATE
JUL 11, 2006

RECEIVED
APR 13 2007

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CITY PARKWAY V, INC.

An Affiliate of the City of Las Vegas

April 13, 2007

Ms. Margo Wheeler, Director
City of Las Vegas Department of Planning & Development
731 South Fourth Street
Las Vegas, NV 89101

RE: Justification Letter for ROC 20820 for May 2 City Council meeting

Dear Ms. Wheeler:

I respectfully request that Condition #18 for Site Development Plan Case No. 15042 be waived. The Condition was imposed for a pedestrian access easement. This Condition is not needed because (1) new sidewalks for the aforementioned project will be constructed on private property and not on City rights-of-way and (2) the City will be assured of private, pedestrian access by way of written agreement with the pending property owner, Keep Memory Alive. The City of Las Vegas and City Parkway V, Inc. are under contract with Keep Memory Alive for the disposition and development of the property. The terms in this contract provide adequate protection for the City that pedestrians who are using the private facilities of Keep Memory Alive will be able to transverse across the sidewalks. In addition, the Union Park Owners' Association – currently under formation – will help oversee the management of any common areas within the project site, including private sidewalks.

Please process this Review of Condition application for the May 2 Las Vegas City Council meeting. This application is needed prior to transfer of title to the property which is scheduled to occur on or after May 3, 2007.

Sincerely,

Scott D. Adams
Vice President and Chief Operating Officer

Enclosure

cc: Steve van Gorp, Redevelopment Manager
Bill Arent, Redevelopment Officer
David Bratcher, Redevelopment Officer

ROC-20820
05-02-07 CC



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05



064084

September 21, 2006

Mr. Doug Selby
City Parkway V, Inc.
400 Stewart Avenue, 9th Floor
Las Vegas, Nevada

RE: **SDR-15042 – SITE DEVELOPMENT PLAN REVIEW**
CITY COUNCIL MEETING OF SEPTEMBER 20, 2006

Dear Applicant:

The City Council at a regular meeting held September 20, 2006 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 62,616 COMMERCIAL DEVELOPMENT CONSISTING OF A MEDICAL RESEARCH AND TREATMENT BUILDING, MUSEUM AND ACTIVITIES CENTER, AND WAIVERS OF THE PARKWAY CENTER BUILD-TO-LINE REQUIREMENT AND EXTERIOR MATERIALS REQUIREMENTS on 1.9 acres at 22 South Grand Central Parkway (a portion of APN 139-34-110-003), PD (Planned Development) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 21, 2006. This approval is 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, landscape plan, and building elevations, date stamped 07/11/06, except as amended by conditions herein.
3. A Waiver from the Parkway Center Development Standards build-to line is hereby approved, to allow the building to be located 25 feet from the front and corner side property lines, and to modify the streetscape plan accordingly to allow visibility of the proposed structure.
4. A Waiver from the Parkway Center Development Standards exterior materials requirements is hereby approved, to eliminate the requirement for the use of stone veneer on the lower floors of the building and to allow tinting of the ground floor windows.

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05-02-07 CC

Mr. Doug Selby
SDR-15042 – Page Two
September 21, 2006

5. A revised landscape plan shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit, depicting a minimum ten-foot wide sidewalk along all street frontages, and reducing the undulations in the sidewalk pattern. The sidewalk shall align with the sidewalk proposed along the remainder of the Union Park frontages on Grand Central Parkway and Bonneville Avenue.
6. The palm trees shown along the Grand Central Parkway frontage shall have a minimum height of 25 feet upon installation, as measured to the top of the brown trunk.
7. New street light fixtures, benches and trash receptacles shall be installed along the public right-of-way in accordance with specifications provided by the Public Works Department, and shall be consistent with the fixtures proposed for the Union Park site.
8. 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.
9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
10. Alternate finishes for the stainless steel exterior cladding shall be submitted to the Planning and Development Department for review and approval prior to the time application is made for a building permit.
11. 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).
12. All mechanical equipment, air conditioners, loading spaces and trash areas shall be fully screened from street-level and surrounding building views in accordance with the requirements of the Downtown Centennial Plan. Service areas shall be fully screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
13. 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 on-site service panel location.

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05-02-07 CC

Mr. Doug Selby
SDR-15042 – Page Three
September 21, 2006

14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
15. 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.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

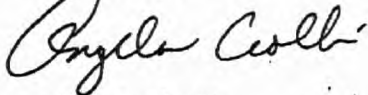
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
18. Grant pedestrian access easements for all sidewalks located outside of the public right-of-way adjacent to this site prior to the issuance of any permits; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents.
19. Landscape and maintain all unimproved rights-of-way, if any, on Bonneville Avenue and Grand Central Parkway adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping, if any, located in the Bonneville Avenue and Grand Central Parkway public rights-of-way adjacent to this site prior to occupancy of this site.
21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

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05-02-07 CC

Mr. Doug Selby
SDR-15042 – Page Four
September 21, 2006

22. Site development to comply with all applicable conditions of approval for Z-100-97, the Parkway Center Commercial Subdivision and all other applicable site-related actions.

Sincerely,



Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

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

Mr. Michael Shobet
Keep Memory Alive Foundation
9101 West Sahara Avenue
PMB 105-177
Las Vegas, Nevada 89117

Mr. David Rodriguez
Gentry Partners, LLP
12541 Beatrice Street
Los Angeles, California 90066

ROC-20820
- 05-02-07 CC

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 2, 2007

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

Minutes:

AN - 4319 Fulton Place; Assess Inspection Fees - 920 W. Bonanza Road; Assess Inspection Fees - 1001 W. McWilliams Avenue; VAR-20027, VAR-18984, VAR-20152, VAR-20193, VAR-20190, VAR-19853, VAR-20398, VAR-18090, VAR-20399, SUP-20198, SUP-20184, SUP-20189, SUP-18774, SUP-19359, SUP-19483, SUP-20138, SUP-20214, SUP-19103, SUP-19754, ROC-19273, RQR-17661, RQR-18626, RQR-18678, RQR-18679, RQR-18680, RQR-18714, RQR-18896, RQR-17763, RQR-17764, MSH-21013, VAC-19628 AND VAC-19867 -
5/16/2007 Agenda



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 2, 2007

SUBJECT:

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

Minutes:

There being no one present to speak, MAYOR GOODMAN adjourned the meeting at 2:12 p.m.

