

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-20486 - SPECIAL USE PERMIT RELATED TO VAR-20487, VAR-20488 AND VAR-21263 - PUBLIC HEARING - APPLICANT: THE ISLAND DEVELOPMENT, LLC - OWNER: NEAR AND FAR, LLC - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 401 South Maryland Parkway (APNs 139-34-811-047 and 052), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 6/20/07

PROTESTS RECEIVED BEFORE:

City Council Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

City Council Mtg.

9

City Council Meeting

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Seven Signatures with Approval from Neighborhood Meeting
6. One Signature with Restrictions from Neighborhood Meeting

MOTION:

GOYNES – STRIKE Item 25; TABLE Items 16 and 43-44; HOLD IN ABEYANCE Items 28 and 47-48 to 5/24/2007; Items 17-21 and 37-42 to 6/14/2007 – UNANIMOUS

MINUTES:

DOUG RANKIN, Planning and Development Department, stated the applicant for Items 37-42 requested that they be held in abeyance to 6/14/2007.

PEGGY POUND, 6324 Shady Valley Court, appeared on behalf of the owner for Items 37-42 and asked that the items be heard on 5/24/2007 as her client was working to address staff's

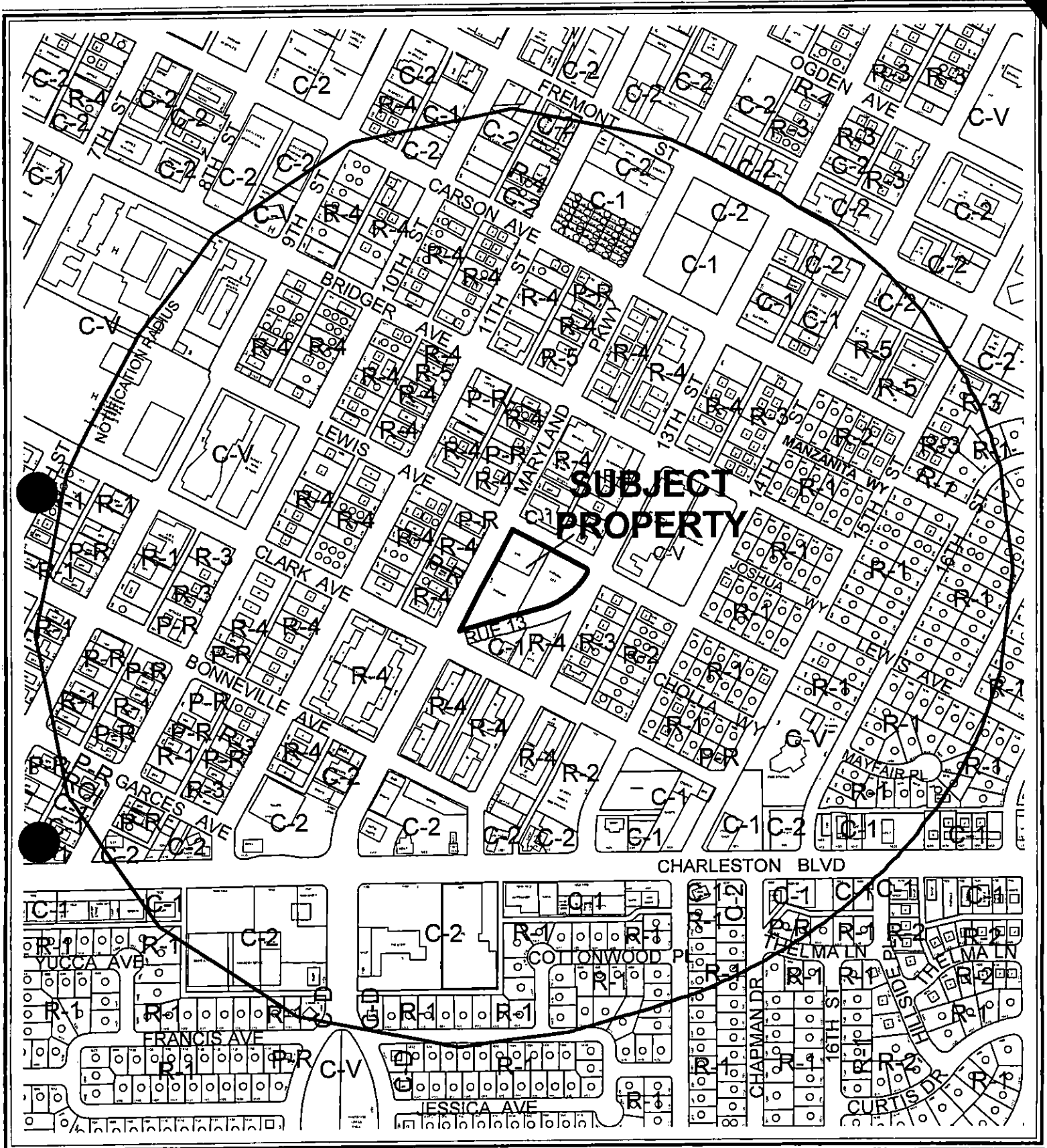
PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 40 – SDR-20486

MINUTES – Continued:

concerns. CHAIRMAN DAVENPORT that explained staff had requested the items be held for a month, rather than two weeks, since revised plans had not yet been submitted and staff needed adequate time to evaluate any changes. DUSTY BUCKLE, Island Development Team, 8330 West Sahara, Suite 110, listed other departments with whom the applicant had recent meetings and CHAIRMAN DAVENPORT noted the applicant still needed to meet with Planning staff.

(6:02 – 6:09)

1-54



CASE: SUP-20486
RADIUS: 1500 FT
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)





CASE: SUP-20486

RADIUS: 1500 FT

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 10, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-20486 - APPLICANT: THE ISLAND DEVELOPMENT,
LLC OWNER: NEAR AND FAR, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Variances (VAR-20487), (VAR-20488), (VAR-21263), Special Use Permit (SUP-20740), and Site Development Plan Review (SDR-20484) 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. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-20486 - Staff Report Page One
May 10, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a proposed Special Use Permit (SUP-20486) for a 50-story high rise within the Redevelopment Overlay District but outside of the Downtown Centennial Plan Overlay area. There is a Special Use Permit application to allow a mixed-use development and three variance requests that accompany this case. The first variance is to allow a 15' setback where a 1:1 ratio is required for buildings over 35' high and the second would permit lot coverage to be 60.57% where 50% is the maximum permitted by code. The third variance would allow two loading docks where 10 are required. In addition to the 497 residential units, there would be over 99,000 square feet devoted to offices, a grocery store and roof-top restaurant. A Site Development Review Plan (SDR-20484) is also a companion item to this case.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
Month/date/year	Action
06/01/2005	City Council approved a Special Use Permit to allow an Indoor Swap Meet at the location.
Related Building Permits/Business Licenses	
Month/date/year	Description
Pre-Application Meeting	
Month/date/year	Description
02/23/07	The applicant was informed of the Variances and Special Use Permits required for the project to move forward. FAA requirements were also discussed. The applicant was advised of schools and churches in the area.
Neighborhood Meeting	
Month/date/year	N/A
Field Check	
04/09/07	A large vacant one-story structure sits on the northwest corner of the lot with a parking lot on the south and east sides of the building. The proposed project is located on an "island" created by Maryland Parkway, 13 th Street and Lewis Avenue.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	127,159 square feet
Net Acres	80,048 square feet

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	Mixed Use	C-1 (Service Commercial)
North	Apartments/office	Mixed Use	C-1 (Service Commercial) R-4 (Multi-Residential)
South	Apartments/retail	Mixed Use	C-1 (Service Commercial) R-4 (Multi-Residential)
East	Apartments	Mixed Use	R-3 (Multi-Residential) R-4 (Multi-Residential)
West	Apartments/office	Mixed Use	C-1 (Service Commercial) R-4 (Multi-Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan		X	Y
Iron Mountain Ranch		X	Y
Grand Canyon Village		X	Y
Grand Teton Village		X	Y
John S. Park Historic Neighborhood		X	Y
Las Vegas Enterprise Park		X	Y
Las Vegas Medical District		X	Y
Las Vegas Spectrum		X	Y
Lone Mountain		X	Y
Lone Mountain West		X	Y
PD (Planned Development) District		X	Y
Redevelopment Plan Area	X		Y
Summerlin		X	Y
Technology Center		X	Y
T-D Traditional Development District		X	Y
T-C Town Center District		X	Y
West Las Vegas Plan		X	Y

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Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
C-V (Civic) District		X	Y
P-C (Planned Community) District		X	Y
R-PD (Residential Planned Development) District		X	Y
PD (Planned Development) District		X	Y
Downtown Overlay District		X	Y
G-O (Gaming Enterprise Overlay) District		X	Y
A-O (Airport Overlay) District		X	Y
H (Historic Designation)		X	Y
Downtown Casino Overlay District		X	Y
T-C (Town Center) District		X	Y
Downtown Entertainment Overlay District		X	Y
Live/Work Overlay District	X		Y
Las Vegas Boulevard Scenic Byway Overlay District		X	Y
T-D (Traditional Development) District		X	Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment	X		Y
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Per Title 19.08.050(C)(6) mixed-use developments that exceed the permitted lot coverage limitation may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060. In addition, a mixed-use development shall be subject to all of the following requirements:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100'	305'	Y
Min. Setbacks			
• Front	20'	20'	Y
• Side	8'	15'	Y
• Corner	15'	15'	Y
• Rear	8'	N/A	N/A
Min. Distance Between Buildings			N/A
Max. Lot Coverage	50%	60.57%	N
Max. Building Height	N/A	N/A	N/A

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Trash Enclosure	Yes	Yes	Y
Mech. Equipment Screened	Yes	Yes	Y
Commercial & Residential Component	Yes	Yes	Y
Commercial uses are facing public right of way	Yes	Yes	Y
Residential use are above the ground level	Yes	Yes	Y

Per Title 19.08.060(B) a waiver of the 3:1 proximity slope is allowed for any mixed-use development that contains a significant residential element.

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	No/w waiver	No	Yes, if waiver is approved
Adjacent development matching setback	N/A	N/A	N/A
Trash Enclosure	Yes	Yes	Y

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	2 Trees	10	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	48 Trees	123	Y
TOTAL				Y
Min. Zone Width	15 Feet		15 Feet	Y
Wall Height	N/A		N/A	N/A

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirements							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Studio & One bedroom units	457 Units	1.25 per unit + 1 per 6 units	647	N/A	648		
2 bedroom units	32 Units	1.75 per unit + 1 per 6 units	61	N/A	61		

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3 bedroom units	8 Units	2 per unit + 1 per 6 units	17	N/A	16		
Handicapped Units	10 Units			10		10	
Sub Total	497 Units		725	10	725	10	
Office	64,800 SF	1 per 300 SF	216	7	216		
Retail	6,500 SF	1 per 250 SF	26	2	26		
Grocery	22,500 SF	1 per 250 SF	90	5	90		
Restaurant Seating	2,000 SF	1 per 50 SF	40	2	40		
Restaurant Other	3,600 SF	1 per 200 SF	18	1	18		
Other					6		
Handicapped						10	
SubTotal	99,400 SF		390	17	396	10	Yes
TOTAL (including handicap)			1,115	27	1,121	18	Yes
Loading Spaces			10		2		No

This project exceeds the minimum parking space requirements by 6 spaces. However, it does not meet the Title 19.10.010, 10 required loading dock spaces. It is short by 8 dock spaces. A companion variance (VAR-21263) case for this shortfall has been filed.

ANALYSIS

This project has a variety of uses including residential units, a grocery store, office space and smaller retail stores all in one massive high rise structure. The site plan takes advantage of the triangle shape of the property. The primary entrance is off of the 13th Street side of the project via a semi-circular driveway, although the legal front is off of the Lewis Avenue side. The parking garage is accessible from both sides with valet available on the 13th Street side. There are eight visitor/temporary surface parking spaces off of the semi-circular driveway. There are two small pedestrian oriented open spaces located at both the southwest and northeast corners of the lot. A five foot wide sidewalk surrounds the building on all three sides.

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The first floor includes a grocery store on the west side of the building that includes a second floor section as well. At the center of the buildings first floor are a concierge, security, emergency room, valet and general office space off of the center lobby. The east/northeast part of the first floor features additional retail space. There are two levels of subterranean parking levels under the beneath the ground level. In addition to the upper level portion of the grocery store there is storage and more parking. Levels three thru nine is where the remaining parking spaces are located.

Level 10 features a fitness center and outdoor deck with a lounge and business center rounding out the rest of the level. The 11th and 12th floors are reserved for office space for the residents to use and/or rent. Levels 13 thru 43 are set aside for residential units. The 44th level is reserved for the buildings general offices. Levels 45 thru 49 are the larger residential units, some of which are two stories. A restaurant and outside pool are featured on the 50th or top level of the building.

The elevation of the building has several angled terraces and balconies that provide some vertical relief to the exterior elevations. The bulk of the building is center on the Lewis Avenue frontage with the rest of the building forming an 'L' shape on the lot. The building covers 60.57% of the lot which is 10.57% greater than what is permitted by code. A variance (VAR-20488) is a companion case to address this issue. Although the building offers vertical relief, a variance (VAR-20487) has been filed to address the fact that the 1:1 setback is not being met with this design. A third variance (VAR-21263) has been filed to address the shortage of loading docks. Of the required 10 loading docks, only two are provided.

The landscaping provided exceeds the minimum required for such a project. There are 171 trees ranging from twenty-five, 24" boxed Ginko Biloba to fifteen, 36" Olea Europaea 'Swan Hillswan Hill olive' trees. There are 542 5-gallon groundcover and bushes and an additional 205 15-gallon windmill palms allocated to the site. To finish the landscaping, there are small areas of fescue sod with the remaining area covered by decomposed coral pink granite.

METRO has provided their approval of the project. They have noted that similar high-rise buildings have posed a problem with communications and would like the applicant to meet with them to find ways to alleviate their concerns.

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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."**

This project will overwhelm the surrounding land uses as currently proposed. The massive size, bulk and scale of this project is not in harmony with the neighborhood.

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

No. This project is not appropriate in size, bulk, or scale for the proposed location.

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."**

No. This project's many uses and scale of uses will provide traffic flow issues in the surrounding neighborhood.

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."**

No. The scale and bulk of this project is not recommended for this site.

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

Although mixed-use is permitted at this location. The scale of this proposed project is not appropriate at this site.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 469 [Mailed with VAR-20487, VAR-20488, VAR-21263,
SUP-20740 and SDR-20484]

APPROVALS 7

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Representative: DONIELA "DUSTY" BUCKEL

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: _____

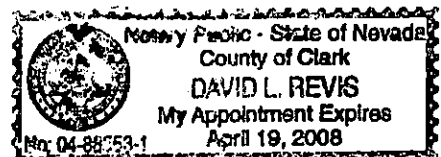
Signature of Property Owner:

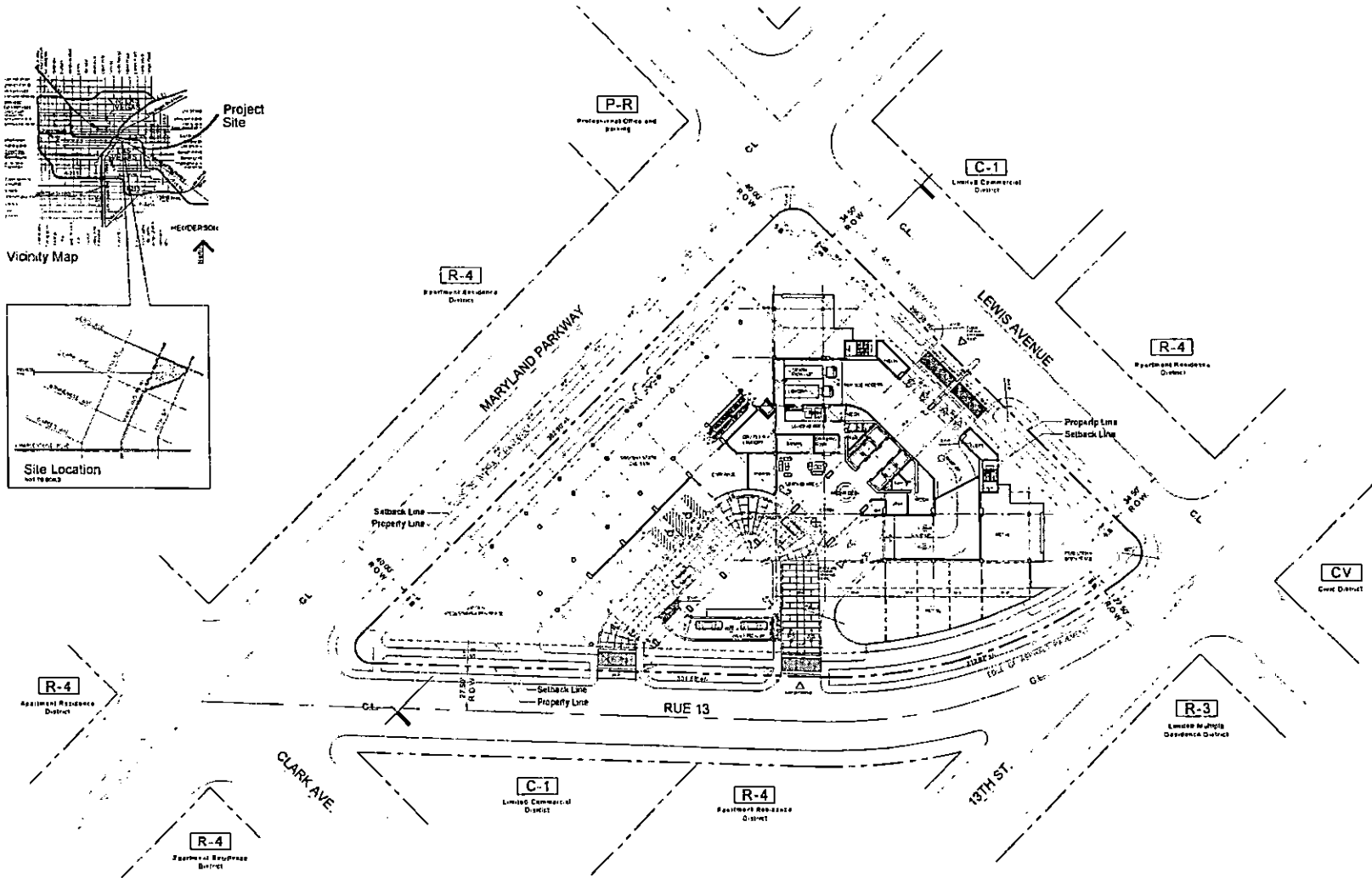
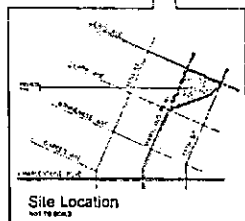
Print Name: HAKJUNG KIM

Subscribed and sworn before me

This 13 day of MARCH, 2007

Don K. Clark CLARK/NEVADA
Notary Public in and for said County and State

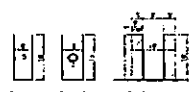




UNITS COUNT

	LEVEL	STUDY	3 PM	1 PM - 2 PM	2 PM - 3 PM	3 PM	2 PM	3 PM	TOTAL
TOWERS	10PM-11 PM	400 SW	200 SW	PRO SW	1,100 SW				
	11-12	120 SW - 120	120 SW - 120	120 SW - 120					204
	12-1	110 SW - 110	110 SW - 110	110 SW - 110					165
	1-2	110 SW - 110	110 SW - 110	110 SW - 110					90
	2-3	110 SW - 110	110 SW - 110	110 SW - 110					57
	3-4	110 SW - 110	110 SW - 110	110 SW - 110					407
	4-5	110 SW - 110	110 SW - 110	110 SW - 110					
	5-6	110 SW - 110	110 SW - 110	110 SW - 110					
	6-7	110 SW - 110	110 SW - 110	110 SW - 110					
	7-8	110 SW - 110	110 SW - 110	110 SW - 110					
	8-9	110 SW - 110	110 SW - 110	110 SW - 110					
	9-10	110 SW - 110	110 SW - 110	110 SW - 110					
	10-11	110 SW - 110	110 SW - 110	110 SW - 110					
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	10-11	110 SW - 110	110 SW - 110	110 SW - 110					
	11-12	110 SW - 110	110 SW - 110	110 SW - 110</					

Typical Fire Turning Radius



Typical Parking Spaces

SITE INFORMATION

ZONING

CURRENT CITY OF LAS VEGAS (C-1)	• Limited Commercial District
PROPOSED CITY OF LAS VEGAS (C-1)	• Limited Commercial District

PARCEL AREA

Net Area (Agriculture)	60 000 st	1 822 acres
Gross Area (Agriculture)	127 194 st	2 844 acres

COMMERCIAL

COMMERCIAL

Office	(Green Area)	66,800 sq
Refrid	(Green Area)	9,300 sq
Grocery Store	(Green Area)	22,200 sq
Exp Employment	(Green Area)	5,500 sq
	Total	99,800 sq

RESIDENTIAL

147 509 0
 537 433 40
 0 7 4

TABLE 1
Factorial Number of all Events

	Planned	% of TCB
ST/CO	707	49.4%
1 ER 12 BR = 12 1 BR Penthouse	216	15.4%
2 BR 12 BR = 12 2 BR Penthouse	33	2.4%
3 BR Penthouse	2	0.1%

DE-517
A-10-11

Prepared: 275 6 du 7 Bot Agric
170 3 du 7 Grains Agric

AMENITIES/CIRCULATIONS

Lobby	3,636 sq ft
Lounge / Bar	2,405 sq ft
Seating areas	2,406 sq ft
Business Center	2,673 sq ft
Private Center	16,890 sq ft
2nd Floor	4,400 sq ft
Pool Deck	10,208 sq ft
Garage	3,200 sq ft
Vehicle Carports / Office / Laundry / Emergency	1,900 sq ft
Mechanical / Electrical / Traffic	27,500 sq ft
Storage (over Mechanical units)	12,000 sq ft
Roofing Structure	512,368 sq ft
Total	647,432 sq ft

SETBACKS

	1978	1979
Factor (1978)	10.2	10.4
Factor (1978 & 1979)	10.2	10.4
Rate	10.2	10.4

HEIGHT

Height	PS 1, 1004	\$44 E
From all of Clones	PS 1, 099	50 others

PARKING REQUIREMENTS

PARTIALS REQUIRED

PESIDENTAL

STUDIO Unit	102 @ 1.25 / Unit	= 25.50
1 BR Unit / 1 BR + 1 / 1 BR Part	27.3 @ 1.25 / Unit	= 34.13
2 BR Unit / 2 BR + 1 / 2 BR Part	32 @ 1.75 / Unit	= 56.00
3 BR Penthouse Unit	5 @ 2.00 / Unit	= 10.00
Condo	4.7 @ 1.5 Unit	= 7.05

Category	Quantity	Unit Price	Total
Office	64,100	@ 1.400	89,740
Hotel (12,000 gals)	12,000	@ 1.400	16,800
General Store (12,000 gals)	12,000	@ 1.400	16,800
Antique and Living Area	2,000	@ 1.400	2,800
(Remaining Area)	3,000	@ 1.400	4,200

Total Required 12125 Bytes
 Uncompressed Reserves (2% of 321 units) 15 Bytes
 Mandatory Commercial for 320 requests 8 Bytes
 Aggregate (including Compress) 12133 Bytes
 Oracle Loading 3 = 345 MB of @ 11500 (new)

PERMANENT, PREPARED	
Amount	\$ 71.00
Amount	\$ 20.00
Amount (15 CASH 5 1970)	\$ 10.00
Total Pledged	111.00 CASH

F.A.R. # 1.228

LOT COVERAGE

Answer: $10 + 4\% \cdot 50 = 60$ or 9%

SCALE 1" = 30'-0"
THE ISLAND DEVELOPMENT, LLC
PROJECT No 100000
DATE 04.26.2007

SITE PLAN



VAR-20487 VAR-20488
SUP-20486 SUP-20740
SDR-20484
REVISED 05/10/07 PC

THE ISLAND - LAS VEGAS

MAR 28 2007

March 13, 2007

To: City of Las Vegas

From: The Island Development, LLC

RE: ENTITLEMENTS FOR "THE ISLAND" PROJECT
401 S. MARYLAND PKY.

Good Beautiful Day and Welcome to "The Island" Las Vegas;

The Island Development LLC is the developer of a 50-story high rise featuring mixed use of 497 residential units, offices, and retail space including 22,500 square feet intended for a grocery store. This development, known as "The Island," will make a significant contribution to downtown redevelopment with a combination of elegant design, pedestrian friendly, retail space, office space, and nightlife. "The Island" will help ensure that downtown Las Vegas becomes a new mecca for residents, workers, and visitors.

"THE ISLAND" SITE was formerly occupied by a Standard Paint store. The site itself is 2.919 acres or 127,159 SF.

Total lot coverage will be 60.57%. A variance is requested to increase the coverage from 50.57% by 10.57% in order to provide the full range of planned amenities.

The area in which "The Island" is located features a mixture of small offices converted from single-family residences, duplexes and multi-family complexes. Most of these buildings date from the 1940's through the 1960's. 52.4% of the properties within a two mile radius of "The Island" are non-owner occupied.

There is little retail available. There are no attractions which would entice visitors to the area or office workers to linger after hours. Currently, this area constitutes a high unemployment designated status between 10.2% - 11%. The national unemployment status is 4%. We will create jobs in this depressed area.

The Island is walking distance to the Federal building at Lewis and Las Vegas Blvd, 3/10 of a mile and six blocks from East Fremont St., entertainment district.

SUP-20486

04/26/07 PC

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www.theislandlasvegas.com

RESIDENTIAL UNITS. "The Island" features 497 residential units with 637,400 gross residential square feet. Net livable SF is 542,500 for an 85% efficiency ratio. Residential units are mixed as follows:

202 studios @ 495 SF
127 one bedrooms @ 990 SF
128 one bedroom + den @1050 SF
24 two bedroom + den @1580 SF
8 two bedroom penthouse units @ 2200 SF
8 three bedroom penthouse units @ 2300 SF (available for 2 story loft penthouses)

AMENITIES FOR RESIDENTS include laundry and dry cleaning service, fitness center, business center, media room (all on level 10) with a lounge/bar, emergency room, Concierge, lobby, seating area for gatherings with flat screen HDTV's and valet service 24/7. Every unit will have 5' X 9' storage area on their level of parking.

A jogging path of 450' (the perimeter of the top of the building) will also be available for the residents to jog in the clouds.

Residents can enjoy a covered walking path on the 44th floor.

OFFICE SPACE will occupy 52,300 square foot on floors 11 and 12 and an additional 12,500 square feet on the 44th floor. The offices will all be class "A" and the 44th floor of offices will have floor to ceiling windows with a walking path outside the offices encircling the building so the residents may walk in inclement weather under the cover of the building.

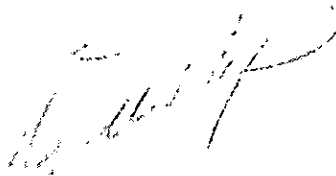
RETAIL SPACE will occupy 29,000 SF. A grocery store is anticipated to occupy 22,500 SF.

The roof, on level 50, features a 5,600 square foot public, Sky restaurant together with a pool featuring deck service. The restaurant will target residents and visitors. Parking will include 1117 spaces. Two subterranean parking levels will be provided for the retail component. Residential and office parking will be provided in the above ground structure.

The total construction is 1,224,200 SF with a Net of land 80,048 SF which equals F.A.R. of 15.29. Our building height is 544', with 170.3 units per gross acre; units per NET acre is 270.4.

We accept that the City of Las Vegas can see our vision, to change the image of this neighborhood and align it with the vision of the Mayor and the City of Las Vegas into a true, Live/Work community. We have been inspired by listening to it's leaders, through-out the past few years.

God Bless,



Doniela "Dusty" Buckel
Managing Partner

SUP-20486
04/26/07 PC

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

CASE# 20488, 20486, 20487, 20484

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed.

JPL
INITIALS

We are interested in seeing this site developed, but with the following considerations:

We feel this would be an excellent project for our area.

Signed:

Shirley J. Leavitt

SHIRLEY J. LEAVITT

PRINT NAME

1521 Franklin LV NV 89104

ADDRESS

PRINT NAME

ZIP

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 38, 40, 42
CASE # See Above
PC MTG 5-0-07

A

The Island Las Vegas

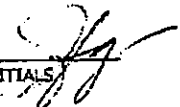
April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

CASE# 20488, 20486, 20487, 20484.

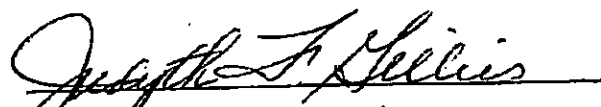
Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed.

INITIALS 

We are interested in seeing this site developed, but with the following considerations:

Signed:


JUDITH F. GILLIES
PRINT NAME

PRINT NAME

1800 BRACKEN AVE
ADDRESS

89104
ZIP

424 So. 13th STREET.

89101

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 38, 40, 42
CASE # See Above
PC MTG 5-10-07

A

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed.

lyj
INITIALS

We are interested in seeing this site developed, but with the following considerations:

Signed:

Norma Jakubowski
NORMA JAKUBOWSKI
PRINT NAME

PRINT NAME

2828 VIA FLORENTINE
PERLA
ADDRESS

89074
ZIP

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 38, 40, 42
CASE # See Above
PC MTG 5-10-07

A

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed. *LB*

INITIALS

We are interested in seeing this site developed, but with the following considerations:

Purchasing the building at 325 S. Maryland.

Signed:

Lanie Cox

LANIE COX

PRINT NAME

FOR O'REILLY LAW GROUP, LLC

PRINT NAME

335 S. MARYLAND PKWY

ADDRESS

89101

ZIP

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 38, 40, 42
CASE # See above
PC MTG 5-10-07

A

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed.

DB
INITIALS

We are interested in seeing this site developed, but with the following considerations:

Signed:

Joel D Kirkwood
PRINT NAME

PRINT NAME

7475 W Sahara Ave
ADDRESS

89117
ZIP

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 38, 40, 42
CASE # See Above
PC MTG 5-10-07

A

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed.

JB
INITIALS

We are interested in seeing this site developed, but with the following considerations:

Signed:

Jack Woodcock
Jack Woodcock
PRINT NAME

PRINT NAME

7475 W. SAHARA AVE
ADDRESS
LV NV

89117
ZIP

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # *37, 38, 40, 42*
CASE # *See Above*
PC MTG *5-10-07*

A

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight where we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed.

H.F.
INITIALS

We are interested in seeing this site developed, but with the following considerations:

I hope you get the project off the ground
without too many un-necessary oppositions
and problems. I welcome this wonderful
project and hope for the best.

Signed:

Hildegard Turney HFSTrust

Hildegard FURNESS
PRINT NAME

PRINT NAME

1716 So. 17th Street
ADDRESS

89104
ZIP

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 33, 40, 42
CASE # See Above
PC MTG 5-10-07

A

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed. _____

INITIALS

We are interested in seeing this site developed, but with the following considerations:

20 species + 60% parking reduction.

Signed:

Ernesto Savino

PRINT NAME

PRINT NAME

418 S. Maryland Pky

ADDRESS

8901

ZIP

CV, NV.

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 33, 40, 42
CASE # See Above
PC MTG 5-10-07

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-20740 - SPECIAL USE PERMIT RELATED TO VAR-20487, VAR-20488, VAR-21263 AND SUP-20486 - PUBLIC HEARING - APPLICANT: THE ISLAND DEVELOPMENT, LLC - OWNER: NEAR AND FAR, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR WITH A WAIVER TO ALLOW A 95-FOOT DISTANCE SEPARATION WHERE 400-FEET IS REQUIRED FROM A SCHOOL at 401 South Maryland Parkway (APNs 139-34-811-047 and 052), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 6/20/07

PROTESTS RECEIVED BEFORE:

**City Council Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**City Council Mtg.
City Council Meeting**

2

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – STRIKE Item 25; TABLE Items 16 and 43-44; HOLD IN ABEYANCE Items 28 and 47-48 to 5/24/2007; Items 17-21 and 37-42 to 6/14/2007 – UNANIMOUS

MINUTES:

DOUG RANKIN, Planning and Development Department, stated the applicant for Items 37-42 requested that they be held in abeyance to 6/14/2007.

PEGGY POUND, 6324 Shady Valley Court, appeared on behalf of the owner for Items 37-42 and asked that the items be heard on 5/24/2007 as her client was working to address staff's

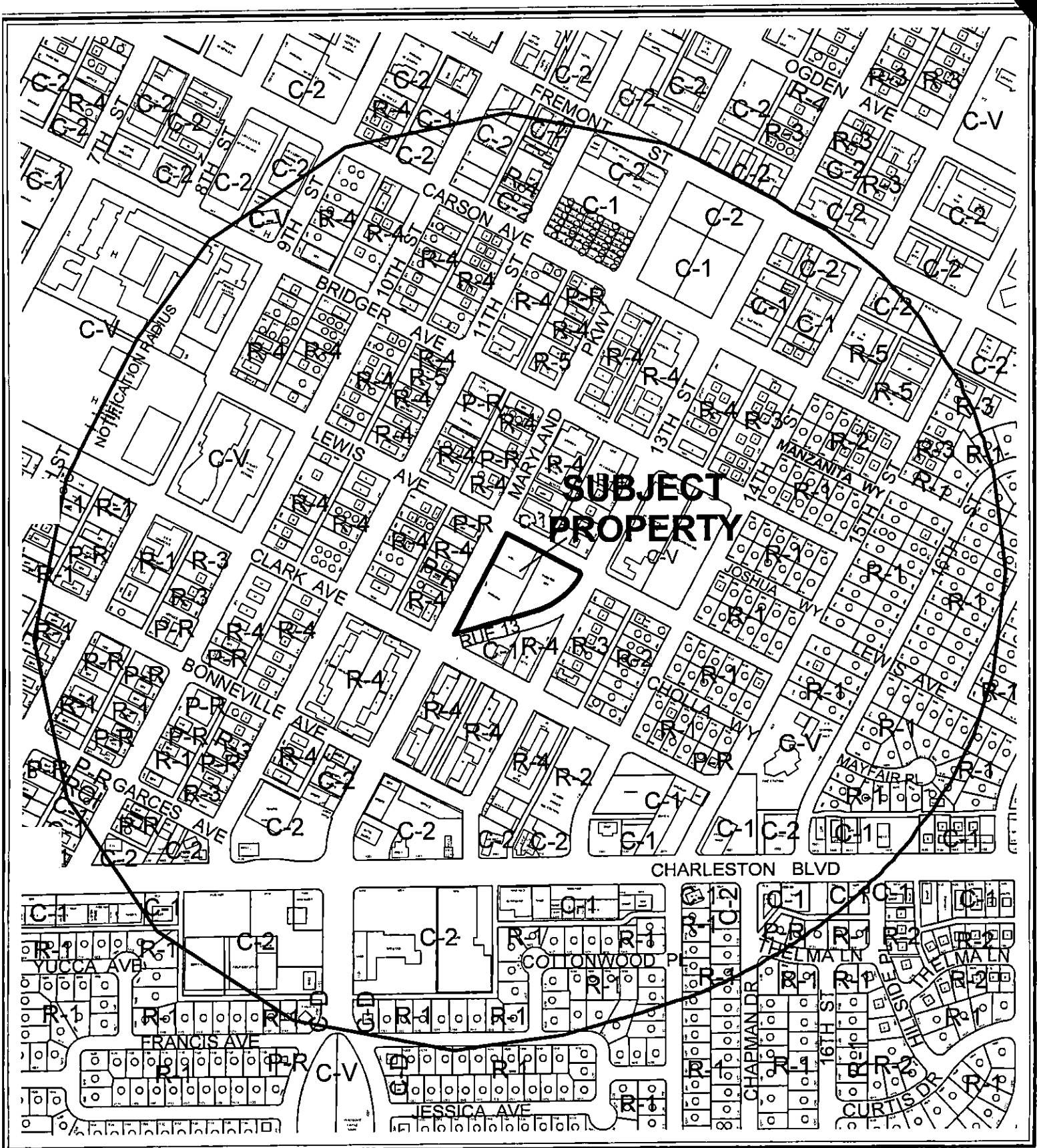
PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 41 – SUP-20740

MINUTES – Continued:

concerns. CHAIRMAN DAVENPORT explained that staff had requested the items be held for a month, rather than two weeks, since revised plans had not yet been submitted and staff needed adequate time to evaluate any changes. DUSTY BUCKLE, Island Development Team, 8330 West Sahara, Suite 110, listed other departments with whom the applicant had recent meetings and CHAIRMAN DAVENPORT noted the applicant still needed to meet with Planning staff.

(6:02 – 6:09)

1-54



CASE: SUP-20740

RADIUS: 1500 FT

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

0 600 Feet





CASE: SUP-20740

RADIUS: 1500 FT

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

0 600 Feet





SUP-20740

Protected Landuses

-  CITY PARKS
-  RELIGIOUS
-  SCHOOLS

Business Licenses

-  Tavern
-  Supper Club/
Restaurant Service Bar
-  Child Care/
Children Facility

 Subject Property

 400 foot buffer



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 10, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-20740 - APPLICANT: THE ISLAND DEVELOPMENT, LLC OWNER: NEAR AND FAR, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Variances (VAR-20487), (VAR-20488), (VAR-21263), Special Use Permit (SUP-20486), and Site Development Plan Review (SDR-20484) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-20740 - Staff Report Page One
May 10, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a proposed Special Use Permit (SUP-20486) for a restaurant and service bar on the 50th level of a 50-story high rise mixed-use development within the Redevelopment Overlay District but outside of the Downtown Centennial Plan Overlay area. There is a Special Use Permit application to allow a mixed-use development and three variance requests that accompany this case. The first variance is to allow a 15' setback where a 1:1 ratio is required for buildings over 35' high and the second would permit lot coverage to be 60.57% where 50% is the maximum permitted by code. The third variance would allow two loading docks where 10 are required. In addition to the 497 residential units, there would be over 99,000 square feet devoted to offices, a grocery store and roof-top restaurant. A Site Development Review Plan (SDR-20484) is also a companion item to this case.

BACKGROUND INFORMATION

<i>Related/Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
06/01/2005	City Council approved a Special Use Permit to allow an Indoor Swap Meet at the location.
<i>Related Building Permits/Business Licenses</i>	
Month/date/year	Description
<i>Pre-Application Meeting</i>	
Month/date/year	Description
02/23/07	The applicant was informed of the Variances and Special Use Permits required for the project to move forward. FAA requirements were also discussed. The applicant was advised of schools and churches in the area.
<i>Neighborhood Meeting</i>	
Month/date/year	N/A
<i>Field Check</i>	
04/09/07	A large vacant one-story structure sits on the northwest corner of the lot with a parking lot on the south and east sides of the building. The proposed project is located on an "island" created by Maryland Parkway, 13 th Street and Lewis Avenue.

SUP-20740 - Staff Report Page Two
May 10, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	127,159 square feet
Net Acres	80,048 square feet

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	Mixed Use	C-1 (Service Commercial)
North	Apartments/office	Mixed Use	C-1 (Service Commercial) R-4 (Multi-Residential)
South	Apartments/retail	Mixed Use	C-1 (Service Commercial) R-4 (Multi-Residential)
East	Apartments	Mixed Use	R-3 (Multi-Residential) R-4 (Multi-Residential)
West	Apartments/office	Mixed Use	C-1 (Service Commercial) R-4 (Multi-Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Downtown Centennial Plan		X	Y
Iron Mountain Ranch		X	Y
Grand Canyon Village		X	Y
Grand Teton Village		X	Y
John S. Park Historic Neighborhood		X	Y
Las Vegas Enterprise Park		X	Y
Las Vegas Medical District		X	Y
Las Vegas Spectrum		X	Y
Lone Mountain		X	Y
Lone Mountain West		X	Y
PD (Planned Development) District		X	Y
Redevelopment Plan Area	X		Y
Summerlin		X	Y
Technology Center		X	Y
T-D Traditional Development District		X	Y
T-C Town Center District		X	Y
West Las Vegas Plan		X	Y

SUP-20740 - Staff Report Page Three
May 10, 2007 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
C-V (Civic) District		X	Y
P-C (Planned Community) District		X	Y
R-PD (Residential Planned Development) District		X	Y
PD (Planned Development) District		X	Y
Downtown Overlay District		X	Y
G-O (Gaming Enterprise Overlay) District		X	Y
A-O (Airport Overlay) District		X	Y
H (Historic Designation)		X	Y
Downtown Casino Overlay District		X	Y
T-C (Town Center) District		X	Y
Downtown Entertainment Overlay District		X	Y
Live/Work Overlay District	X		Y
Las Vegas Boulevard Scenic Byway Overlay District		X	Y
T-D (Traditional Development) District		X	Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment	X		Y
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Per Title 19.08.050(C)(6) mixed-use developments that exceed the permitted lot coverage limitation may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060. In addition, a mixed-use development shall be subject to all of the following requirements:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100'	305'	Y
Min. Setbacks			
• Front	20'	20'	Y
• Side	8'	15'	Y
• Corner	15'	15'	Y
• Rear	8'	N/A	N/A
Min. Distance Between Buildings			N/A
Max. Lot Coverage	50%	60.57%	N
Max. Building Height	N/A	N/A	N/A
Trash Enclosure	Yes	Yes	Y

SUP-20740 - Staff Report Page Four
May 10, 2007 - Planning Commission Meeting

Mech. Equipment Screened	Yes	Yes	Y
Commercial & Residential Component	Yes	Yes	Y
Commercial uses are facing public right of way	Yes	Yes	Y
Residential use are above the ground level	Yes	Yes	Y

Per Title 19.08.060(B) a waiver of the 3:1 proximity slope is allowed for any mixed-use development that contains a significant residential element.

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	No/w waiver	No	Yes, if waiver is approved
Adjacent development matching setback	N/A	N/A	N/A
Trash Enclosure	Yes	Yes	Y

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	2 Trees	10	Y
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	48 Trees	123	Y
TOTAL				Y
Min. Zone Width	15 Feet		15 Feet	Y
Wall Height	N/A		N/A	N/A

Pursuant to Title 19.10, the following parking standards apply:

Pursuant to Rule 17.10, 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	
Studio & One bedroom units	457 Units	1.25 per unit + 1 per 6 units	647	N/A	648		
2 bedroom units	32 Units	1.75 per unit + 1 per 6 units	61	N/A	61		
3 bedroom units	8 Units	2 per unit + 1 per 6 units	17	N/A	16		

SUP-20740 - Staff Report Page Five
May 10, 2007 - Planning Commission Meeting

Handicapped Units	10 Units			10		10	
Sub Total	497 Units		725	10	725	10	
Office	64,800 SF	1 per 300 SF	216	7	216		
Retail	6,500 SF	1 per 250 SF	26	2	26		
Grocery	22,500 SF	1 per 250 SF	90	5	90		
Restaurant Seating	2,000 SF	1 per 50 SF	40	2	40		
Restaurant Other	3,600 SF	1 per 200 SF	18	1	18		
Other					6		
Handicapped						10	
SubTotal	99,400 SF		390	17	396	10	Yes
TOTAL (including handicap)			1,115	27	1,121	18	Yes
Loading Spaces			10		2		No

This project exceeds the minimum parking space requirements by 6 spaces. However, it does not meet the Title 19.10.010, 10 required loading dock spaces. It is short by 8 dock spaces. A companion variance (VAR-21263) case for this shortfall has been filed.

ANALYSIS

The restaurant and service bar would be located on the top floor of this project. The fact that this project is located on top of a 50-story building makes it non-compatible with the surrounding neighborhood. The sheer size of the building is not appropriate for this location. In addition to this proposed restaurant there are several other intense uses. The project includes a variety of uses including residential units, a grocery store, office space and smaller retail stores all in one massive high rise structure. The site plan takes advantage of the triangle shape of the property. The primary entrance is off of the 13th Street side of the project via a semi-circular driveway, although the legal front is off of the Lewis Avenue side. The parking garage is accessible from both sides with valet available on the 13th Street side. There are eight visitor/temporary surface parking spaces off of the semi-circular driveway. There are two small pedestrian oriented open spaces located at both the southwest and northeast corners of the lot. A five foot wide sidewalk surrounds the building on all three sides.

SUP-20740 - Staff Report Page Six
May 10, 2007 - Planning Commission Meeting

The first floor includes a grocery store on the west side of the building that includes a second floor section as well. At the center of the buildings first floor are a concierge, security, emergency room, valet and general office space off of the center lobby. The east/northeast part of the first floor features additional retail space. There are two levels of subterranean parking levels under the beneath the ground level. In addition to the upper level portion of the grocery store there is storage and more parking. Levels three thru nine is where the remaining parking spaces are located.

Level 10 features a fitness center and outdoor deck with a lounge and business center rounding out the rest of the level. The 11th and 12th floors are reserved for office space for the residents to use and/or rent. Levels 13 thru 43 are set aside for residential units. The 44th level is reserved for the buildings general offices. Levels 45 thru 49 are the larger residential units, some of which are two stories. A restaurant and outside pool are featured on the 50th or top level of the building.

The elevation of the building has several angled terraces and balconies that provide some vertical relief to the exterior elevations. The bulk of the building is center on the Lewis Avenue frontage with the rest of the building forming an 'L' shape on the lot. The building covers 60.57% of the lot which is 10.57% greater than what is permitted by code. A variance (VAR-20488) is a companion case to address this issue. Although the building offers vertical relief, a variance (VAR-20487) has been filed to address the fact that the 1:1 setback is not being met with this design. A third variance (VAR-21263) has been filed to address the shortage of loading docks. Of the required 10 loading docks, only two are provided.

The landscaping provided exceeds the minimum required for such a project. There are 171 trees ranging from twenty-five, 24" boxed Ginko Biloba to fifteen, 36" Olea Europaea 'Swan Hillswan Hill olive' trees. There are 542 5-gallon groundcover and bushes and an additional 205 15-gallon windmill palms allocated to the site. To finish the landscaping, there are small areas of fescue sod with the remaining area covered by decomposed coral pink granite.

The proposed tavern/restaurant does not meet the minimum distance requirement of 400 feet away from a school and/or church. The St. Joseph School is only 95' away from the project on the northeast corner of Lewis Avenue and 13th Street. While the First Shepard School is 210' to the north of the project on Maryland Parkway.

METRO has provided their approval of the project. They have noted that similar high-rise buildings have posed a problem with communications and would like the applicant to meet with them to find ways to alleviate their concerns.

SUP-20740 - Staff Report Page Seven
May 10, 2007 - Planning Commission Meeting

FINDINGS

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

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

This project will overwhelm the surrounding land uses as currently proposed. The massive size, bulk and scale of this project is not in harmony with the neighborhood. In addition, there are two church-related schools that are within 300 feet of the project.

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

No. This project is not appropriate in size, bulk, or scale for the proposed location.

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."**

No. This project's many uses and scale of uses will provide traffic flow issues in the surrounding neighborhood.

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."**

No. The scale and bulk of this project is not recommended for this site.

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

Although a restaurant and service bar is permitted at this location with an approved Special Use Permit, the scale of this proposed project is not appropriate at the site. Furthermore, there are two church-related schools within 300 feet of the project in direct violation of the 400 feet minimum distance separation required by Title 19.04.050

SUP-20740 - Staff Report Page Eight
May 10, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 227 [Mailed with VAR-20487, VAR-20488, VAR-21263, SUP-20486 and SDR-20484]

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Representative: DONIELA DUSTY BUCKEL

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?

✓ 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.

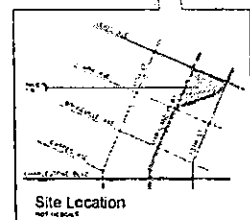
APN: _____

Print Name: HAJUNG KIM

This day of _____, 20__

Notary Public in and for said County and State

MAR 23 2007



	LEVEL	STUDIO	1 BR	1BR + Den	2 BR + Den	1BR Pent	2 BR Pent	3 BR Pent	TOTAL
TOWER	APARTMENT SIZE	450 SF	450 SF	630 SF	1,185 SF				
	13-18	12 x 16 x 120	12 x 16 x 35	12 R x 40					265
	25-29	11 x 40	11 R x 35	11 x 16 x 40					143
	30-45	9 x 28		9 x 28	9 x 28 x 16				56
						8 x 28 x 8	8 x 16 x 8	8 x 28 x 8	92
									4
TOTAL	280	823	1,044	488		196	4	497	
	4066%	24.7%	23.5%	22.3%	1.01%	3.22%	1.11%	129%	

APN # 124-36-511-047 / 052

CURRENT CITY OF LAS VEGAS (C-1) - Limited Commercial District
PROPOSED CITY OF LAS VEGAS (C-1) - Limited Commercial District

Fuel Qty	(Approximate)	82.045 gal	7.156 acres
Green Area	(Approximate)	127.162 ac	2.910 acres

COMMERCIAL		
Offices	(Green Area)	64 900 sf
Stores	(Green Area)	5 500 sf
Factory Shop	(Green Area)	22 900 sf
Sh. Restaurant	(Green Area)	5 500 sf
Total		98 800 sf

大正十三年 九月 廿二日

Red Area 4 - 2000	501 500
Grey Red	611 600
Emergency	11 11

	Number	% of Total
Total Number of groups	59	
Number		% of Total

STUDY	Y02	40-54%
3 BR / 1 BR = 2 / 3 BR Penthouse	255	51.33%
2 BR / 2 BR = 2 / 2 BR Penthouse	32	6.4%
3 BR Penthouse	4	0.8%

Answer	770 4 Out	Am Arty
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Approved: _____
 1783 6-1 Cross Acre

Loaders	3 670 m³
Larger / Gr	2 436 m³
Grading Areas	2 340 m³
Grass / Combs	0 676 m³
Grass / Combs	18 800 m³
Grass / Combs	4 450 m³
Grass / Combs	10 275 m³
Grass / Combs	5 228 m³
Grass / Combs	1 828 m³
Grass / Combs	22 102 m³
Grass / Combs	22 345 m³
Grass / Combs	532 306 m³
Grass / Combs	48 429 m³
Total	

	Require	Provide
High Quality	20 N	20 N
Corner (England & Rue-15)	15 N	15 N
As per	10 N	20 N

	Received	Provided
Height	100 cm	100 cm
Weight	100 kg	100 kg

PERSONAL REQUIRED		RESIDENTIAL	
STUDIO LINE		502	0 25 0000
1 BR Unit + 1 BR + 0 BR Part	515	0 25 0000	
2 BR Unit + 2 BR + 0 BR Part	525	0 25 0000	
3 BR Penthouse Unit	530	0 200 0000	
Garage	497	0 1 0000	
COMMERCIAL			
Office	54 800	0 1 0000	
City (122 sqm gr)	5 500	0 2 2500	
Industrial (125 000 gr)	23 500	0 1 2500	
Restaurant (125 sqm gr)	10 200	0 1 30 00	
(Maximum Area)	5 500	0 1 2000	

Sales Revenue		1,516,500
Product Sales	1,400,000	16 Sales
Service Revenue	116,500	8 Sales
Regular (including discounts)	1,000,000	100 Sales
Discounts	2,750,000	1,000 Sales
Product Sales		
Regular	800,000	8 Sales
Discount	600,000	8 Sales
Product Sales	1,400,000	16 Sales
Service Revenue	116,500	8 Sales
Regular (including discounts)	1,000,000	100 Sales
Discounts	2,750,000	1,000 Sales

LOT COVERAGE

FD-302 (Rev. 11-27-70)

SCALE 1" = 30'-0"
THE ISLAND DEVELOPMENT, LLC
PROJECT No 100000
0A7E 08.26.2007

SITE PLAN

THE ISLAND - LAS VEGAS

VAR-20487 VAR-20488
SUP-20486 SUP-20740
SDR-20484
REVISED 05/10/07 PC

MAR 28 2007

March 23, 2007

To: City of Las Vegas

From: The Island Development, LLC

RE: SPECIAL USE PERMIT for RESTAURANT W/SERVICE BAR
(continued application for ...ENTITLEMENTS FOR "THE ISLAND"
PROJECT 401 S. MARYLAND PKY.)

Good Beautiful Day and Welcome to "The Island" Las Vegas;

This Special Use Permit is a continuation of the application Cases: 20484, 20486, 20487, 20488 known as The Island project.

We are requesting approval to have "Restaurant with Service Bar" on our rooftop at the 50th level which is 504' above ground level. The elevator entrance will be through the main lobby of the building, thus, not allowing children under 21 yrs., to be admitted without an adult. There is no street visibility or direct walk in access to the Restaurant from the street.

The roof, on level 50, features a 5,600 square foot public Sky restaurant together with a pool featuring deck service. The public restaurant will target residents and visitors.

It is our intention to provide a Lounge area for use of Island Residents & Tenants only (possibly a private club) and we are exploring options to provide this service on the 9th level, lower deck.

The Island Development LLC is the developer of a 50-story high rise featuring mixed use of 497 residential units, offices, and retail space including 22,500 square feet intended for a grocery store. This development, known as "The Island," will make a significant contribution to downtown redevelopment with a combination of elegant design, pedestrian friendly, retail space, office space, and nightlife. "The Island" will help ensure that downtown Las Vegas becomes a new mecca for residents, workers, and visitors.

"THE ISLAND" SITE was formerly occupied by a Standard Paint store. The site itself is 2.919 acres or 127,159 SF.

Total lot coverage will be 60.57%. A variance is requested to increase the coverage from 50.57% by 10.57% in order to provide the full range of planned amenities.

The area in which "The Island" is located features a mixture of small offices converted from single-family residences, duplexes and multi-family complexes. Most of these buildings date from the 1940's through the 1960's. 52.4% of the properties within a two mile radius of "The Island" are non-owner occupied. There are private schools and churches to the North, East and West of the Island.

There is little retail available. There are no attractions which would entice visitors to the area or office workers to linger after hours. Currently, this area constitutes a high unemployment designated status between 10.2% - 11%. The national unemployment status is 4%. We will create jobs in this depressed area.

RESIDENTIAL UNITS. "The Island" features 497 residential units with 637,400 gross residential square feet. Net livable SF is 542,500 for an 85% efficiency ratio.

AMENITIES FOR RESIDENTS include laundry and dry cleaning service, fitness center, business center, media room (all on level 10) with a lounge/bar, emergency room, Concierge, lobby, seating area for gatherings with flat screen HDTV's and valet service 24/7. Every unit will have 5' X 9' storage area on their level of parking.

A jogging path of 450' (the perimeter of the top of the building) will also be available for the residents to jog in the clouds.

Residents can enjoy a covered walking path on the 44th floor.

OFFICE SPACE will occupy 52,300 square foot on floors 11 and 12 and an additional 12,500 square feet on the 44th floor. The offices will all be class "A" and the 44th floor of offices will have floor to ceiling windows with a walking path outside the offices encircling the building so the residents may walk in inclement weather under the cover of the building.

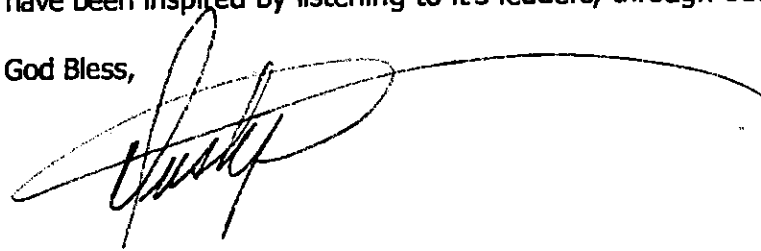
RETAIL SPACE will occupy 29,000 SF. A grocery store is anticipated to occupy 22,500 SF.

The roof, on level 50, features a 5,600 square foot public, Sky restaurant together with a pool featuring deck service. The restaurant will target residents and visitors. Parking will include 1117 spaces. Two subterranean parking levels will be provided for the retail component. Residential and office parking will be provided in the above ground structure.

The total construction is 1,224,200 SF with a Net of land 80,048 SF which equals F.A.R. of 15.29. Our building height is 544', with 170.3 units per gross acre; units per NET acre is 270.4.

We accept that the City of Las Vegas can see our vision, to change the image of this neighborhood and align it with the vision of the Mayor and the City of Las Vegas into a true, Live/Work community. We have been inspired by listening to it's leaders, through-out the past few years.

God Bless,



Doniela "Dusty" Buckel
Managing Partner

SUP-20740
04/26/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-20484 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-20487, VAR-20488, VAR-21263, SUP-20486 AND SUP-20740 - PUBLIC HEARING - APPLICANT: THE ISLAND DEVELOPMENT, LLC - OWNER: NEAR AND FAR, LLC - Request for a Site Development Plan Review FOR A 544-FOOT HIGH, 50-STORY MIXED-USE DEVELOPMENT WITH 93,800 SQUARE FEET OF COMMERCIAL SPACE AND 497 RESIDENTIAL CONDOMINIUM UNITS on 2.92 acres at 401 South Maryland Parkway (APNs 139-34-811-047 and 052), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 6/20/07

PROTESTS RECEIVED BEFORE:

City Council Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

City Council Mtg.

9

City Council Meeting

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Seven Signatures with Approval from Neighborhood Meeting
6. One Signature with Restrictions from Neighborhood Meeting

MOTION:

GOYNES – STRIKE Item 25; TABLE Items 16 and 43-44; HOLD IN ABEYANCE Items 28 and 47-48 to 5/24/2007; Items 17-21 and 37-42 to 6/14/2007 – UNANIMOUS

MINUTES:

DOUG RANKIN, Planning and Development Department, stated the applicant for Items 37-42 requested that they be held in abeyance to 6/14/2007.

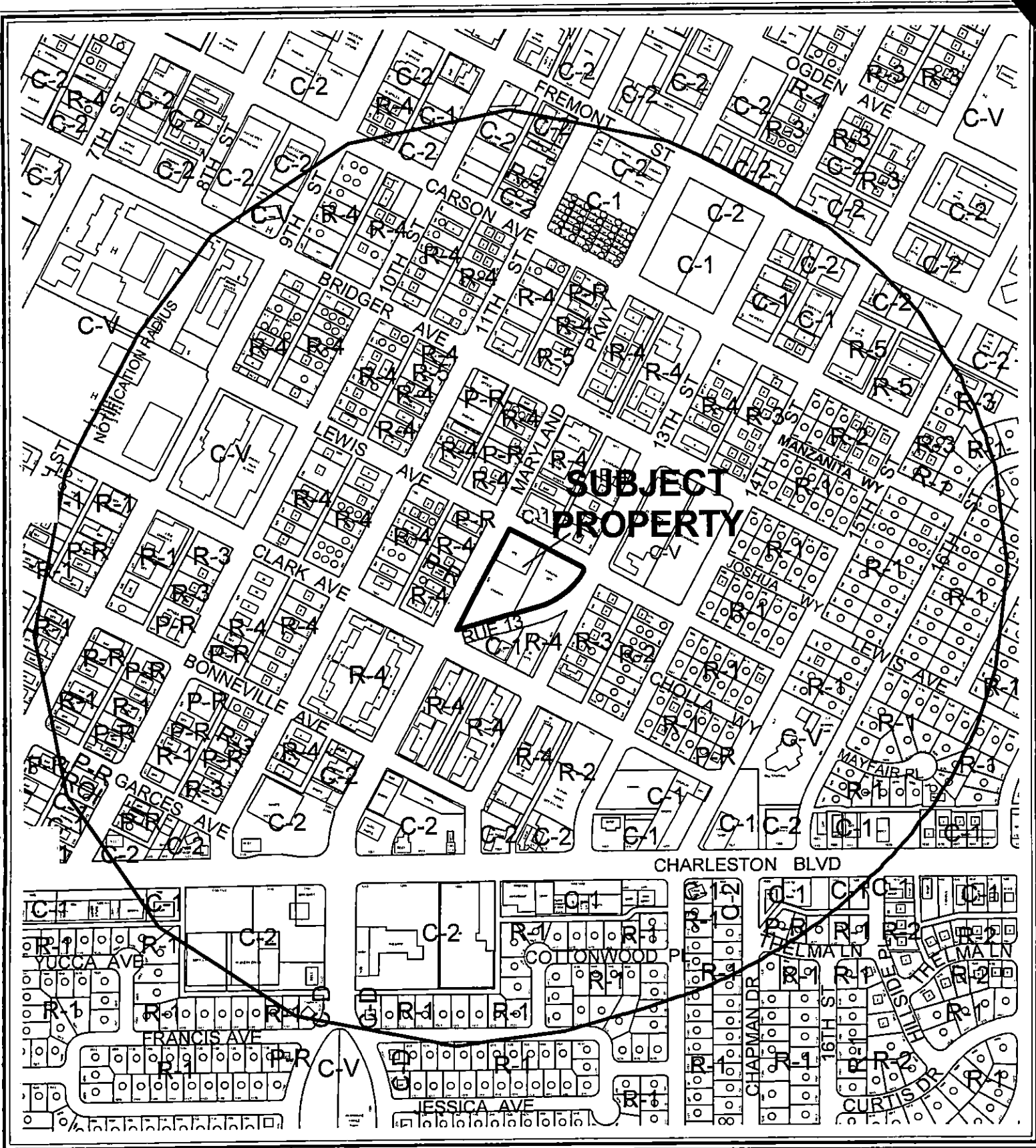
PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 42 – SDR-20484

MINUTES – Continued:

PEGGY POUND, 6324 Shady Valley Court, appeared on behalf of the owner for Items 37-42 and asked that the items be heard on 5/24/2007 as her client was working to address staff's concerns. CHAIRMAN DAVENPORT explained that staff had requested the items be held for a month, rather than two weeks, since revised plans had not yet been submitted and staff needed adequate time to evaluate any changes. DUSTY BUCKLE, Island Development Team, 8330 West Sahara, Suite 110, listed other departments with whom the applicant had recent meetings and CHAIRMAN DAVENPORT noted the applicant still needed to meet with Planning staff.

(6:02 – 6:09)

1-54



CASE: **SDR-20484**

RADIUS: 1500 FT

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





0 600 Feet

CASE: SDR-20484

RADIUS: 1500 FT

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



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MAY 10, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-20484 - APPLICANT: THE ISLAND DEVELOPMENT, LLC OWNER: NEAR AND FAR, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, 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. A Waiver of Title 19.08.060 Residential Adjacency Standards that requires a 3:1 residential proximity slope is approved.
3. All development shall be in conformance with the site plan, landscape plan, date stamped 3/28/07, and building elevations, date stamped 03/13/07, except as amended by conditions herein.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

SDR-20484 - Conditions Page Two
May 10, 2007 - Planning Commission Meeting

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
12. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
13. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC & R's.
14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Coordinate with the City Surveyor to determine whether a Merger and Re-Subdivision Map or other map is necessary; comply with the recommendations of the City Surveyor.
17. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Bonneville/Clark One-Way Couplet" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

SDR-20484 - Conditions Page Three
May 10, 2007 - Planning Commission Meeting

18. Dedicate a 25-foot radius on the southeast corner of Lewis Avenue and Maryland Parkway and the southwest corner of Lewis Avenue and 13th Street prior to the issuance of any permits, unless otherwise allowed by the City Engineer.
19. 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.
20. A sanitary sewer relocation and abandonment plan must be submitted to and approved by the Collection Systems Planning Section of the Department of Public Works prior to the submittal of a Tentative Map or civil construction drawings for this site. The existing sewer line must be relocated, and the easement vacated prior to issuance of any permits for the proposed structure. In addition, grant public sewer easements for all public sewers not located within existing public street right-of-way. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City. Sewer service to existing downstream parcels shall be maintained during relocation.
21. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site.
22. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
23. Landscape and maintain all unimproved rights-of-way, if any, on Rue 13, Maryland Parkway, and Lewis Avenue adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
24. Submit an Encroachment Agreement for all landscaping, if any, located in the Rue 13, Maryland Parkway, and Lewis Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
25. 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

SDR-20484 - Conditions Page Four
May 10, 2007 - Planning Commission Meeting

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.

26. 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.

SDR-20484 - Staff Report Page One
May 10, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a proposed Site Development Review Plan (SDR-20484) with a waiver of the 3:1 residential proximity slope for a mixed-use 50-story high rise within the Redevelopment Overlay District but outside of the Downtown Centennial Plan Overlay area. There are two Special Use Permit applications to allow a mixed-use development and a restaurant and three variance requests that accompany this case. The first variance is to allow a 15' setback where a 1:1 ratio is required for buildings over 35' high and the second would permit lot coverage to be 60.57% where 50% is the maximum permitted by code. The third variance would allow two loading docks where 10 are required. In addition to the 497 residential units, there would be over 99,000 square feet devoted to offices, a grocery store and roof-top restaurant.

BACKGROUND INFORMATION

Related/Relevant City Actions by P&D, Fire, Bltg., etc.	
Month/date/year	Action
06/01/2005	City Council approved a Special Use Permit to allow an Indoor Swap Meet at the location.
Related Building Permits/Business Licenses	
Month/date/year	Description
Pre-Application Meeting	
Month/date/year	Description
02/23/07	The applicant was informed of the Variances and Special Use Permits required for the project to move forward. FAA requirements were also discussed. The applicant was advised of schools and churches in the area.
Neighborhood Meeting	
Month/date/year	N/A
Field Check	
04/09/07	A large vacant one-story structure sits on the northwest corner of the lot with a parking lot on the south and east sides of the building. The proposed project is located on an "island" created by Maryland Parkway, 13 th Street and Lewis Avenue.

SDR-20484 - Staff Report Page Two
May 10, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	127,159 square feet
Net Acres	80,048 square feet

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	Mixed Use	C-1 (Service Commercial)
North	Apartments/office	Mixed Use	C-1 (Service Commercial) R-4 (Multi-Residential)
South	Apartments/retail	Mixed Use	C-1 (Service Commercial) R-4 (Multi-Residential)
East	Apartments	Mixed Use	R-3 (Multi-Residential) R-4 (Multi-Residential)
West	Apartments/office	Mixed Use	C-1 (Service Commercial) R-4 (Multi-Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Downtown Centennial Plan		X	Y
Iron Mountain Ranch		X	Y
Grand Canyon Village		X	Y
Grand Teton Village		X	Y
John S. Park Historic Neighborhood		X	Y
Las Vegas Enterprise Park		X	Y
Las Vegas Medical District		X	Y
Las Vegas Spectrum		X	Y
Lone Mountain		X	Y
Lone Mountain West		X	Y
PD (Planned Development) District		X	Y
Redevelopment Plan Area	X		Y
Summerlin		X	Y
Technology Center		X	Y
T-D Traditional Development District		X	Y
T-C Town Center District		X	Y
West Las Vegas Plan		X	Y

SDR-20484 - Staff Report Page Three
May 10, 2007 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
C-V (Civic) District		X	Y
P-C (Planned Community) District		X	Y
R-PD (Residential Planned Development) District		X	Y
PD (Planned Development) District		X	Y
Downtown Overlay District		X	Y
G-O (Gaming Enterprise Overlay) District		X	Y
A-O (Airport Overlay) District		X	Y
H (Historic Designation)		X	Y
Downtown Casino Overlay District		X	Y
T-C (Town Center) District		X	Y
Downtown Entertainment Overlay District		X	Y
Live/Work Overlay District	X		Y
Las Vegas Boulevard Scenic Byway Overlay District		X	Y
T-D (Traditional Development) District		X	Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment	X		Y
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Per Title 19.08.050(C)(6) mixed-use developments that exceed the permitted lot coverage limitation may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060. In addition, a mixed-use development shall be subject to all of the following requirements:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100'	305'	Y
Min. Setbacks			
• Front	20'	20'	Y
• Side	8'	15'	Y
• Corner	15'	15'	Y
• Rear	8'	N/A	N/A
Min. Distance Between Buildings			N/A
Max. Lot Coverage	50%	60.57%	N *
Max. Building Height	N/A	N/A	N/A

SDR-20484 - Staff Report Page Four
May 10, 2007 - Planning Commission Meeting

Trash Enclosure	Yes	Yes	Y
Mech. Equipment Screened	Yes	Yes	Y
Commercial & Residential Component	Yes	Yes	Y
Commercial uses are facing public right of way	Yes	Yes	Y
Residential use are above the ground level	Yes	Yes	Y

* Special Use Permit (SUP-20486) for a mixed-use project is a companion case.

Per Title 19.08.060(B) a waiver of the 3:1 proximity slope is allowed for any mixed-use development that contains a significant residential element.

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	No/w waiver	No	Yes, if waiver is approved
Adjacent development matching setback	N/A	N/A	N/A
Trash Enclosure	Yes	Yes	Y

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	2 Trees	10	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	48 Trees	123	Y
TOTAL				Y
Min. Zone Width	15 Feet		15 Feet	Y
Wall Height	N/A		N/A	N/A

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	
Studio & One bedroom units	457 Units	1.25 per unit + 1 per 6 units	647	N/A	648		
2 bedroom units	32 Units	1.75 per unit + 1 per 6 units	61	N/A	61		

SDR-20484 - Staff Report Page Five
May 10, 2007 - Planning Commission Meeting

3 bedroom units	8 Units	2 per unit + 1 per 6 units	17	N/A	16		
Handicapped Units	10 Units			10		10	
Sub Total	497 Units		725	10	725	10	
Office	64,800 SF	1 per 300 SF	216	7	216		
Retail	6,500 SF	1 per 250 SF	26	2	26		
Grocery	22,500 SF	1 per 250 SF	90	5	90		
Restaurant Seating	2,000 SF	1 per 50 SF	40	2	40		
Restaurant Other	3,600 SF	1 per 200 SF	18	1	18		
Other					6		
Handicapped						10	
SubTotal	99,400 SF		390	17	396	10	Yes
TOTAL (including handicap)			1,115	27	1,121	18	Yes
Loading Spaces			10		2		No

This project exceeds the minimum parking space requirements by 6 spaces. However, it does not meet the Title 19.10.010, 10 required loading dock spaces. It is short by 8 dock spaces. A companion variance (VAR-21263) case for this shortfall has been filed.

ANALYSIS

The site plan takes advantage of the triangle shape of the property. The primary entrance is off of the 13th Street side of the project via a semi-circular driveway, although the legal front is off of the Lewis Avenue side. The parking garage is accessible from both sides with valet available on the 13th Street side. There are eight visitor/temporary surface parking spaces off of the semi-circular driveway. There are two small pedestrian oriented open spaces located at both the southwest and northeast corners of the lot. A five foot wide sidewalk surrounds the building on all three sides.

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May 10, 2007 - Planning Commission Meeting

The first floor includes a grocery store on the west side of the building that includes a second floor section as well. At the center of the buildings first floor are a concierge, security, emergency room, valet and general office space off of the center lobby. The east/northeast part of the first floor features additional retail space. There are two levels of subterranean parking levels under the beneath the ground level. In addition to the upper level portion of the grocery store there is storage and more parking. Levels three thru nine is where the remaining parking spaces are located.

Level 10 features a fitness center and outdoor deck with a lounge and business center rounding out the rest of the level. The 11th and 12th floors are reserved for office space for the residents to use and/or rent. Levels 13 thru 43 are set aside for residential units. The 44th level is reserved for the buildings general offices. Levels 45 thru 49 are the larger residential units, some of which are two stories. A restaurant and outside pool are featured on the 50th or top level of the building.

The elevation of the building has several angled terraces and balconies that provide some vertical relief to the exterior elevations. The bulk of the building is center on the Lewis Avenue frontage with the rest of the building forming an 'L' shape on the lot. The building covers 60.57% of the lot which is 10.57% greater than what is permitted by code. A variance (VAR-20488) is a companion case to address this issue. Although the building offers vertical relief, a variance (VAR-20487) has been filed to address the fact that the 1:1 setback is not being met with this design. A third variance (VAR-21263) has been filed to address the shortage of loading docks. Of the required 10 loading docks, only two are provided.

The landscaping provided exceeds the minimum required for such a project. There are 171 trees ranging from twenty-five, 24" boxed Ginko Biloba to fifteen, 36" Olea Europaea 'Swan Hillswan Hill olive' trees. There are 542 5-gallon groundcover and bushes and an additional 205 15-gallon windmill palms allocated to the site. To finish the landscaping, there are small areas of fescue sod with the remaining area covered by decomposed coral pink granite.

METRO has provided their approval of the project. They have noted that similar high-rise buildings have posed a problem with communications and would like the applicant to meet with them to find ways to alleviate their concerns.

SDR-20484 - Staff Report Page Seven
May 10, 2007 - Planning Commission Meeting

FINDINGS

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

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

Staff does not believe this project is compatible with the adjacent developments due to the large mass, height and scale of the proposed building.

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;**

No, three variances are required in order for this project to be approved as proposed. The variance to remove the required 1:1 building setback would exaggerate the bulk and scale of the project in relationship to the surrounding one and two-story buildings. Likewise, for the additional footprint of the building from 50% lot coverage to 60.57% lot coverage.

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

The collector streets adjacent to the project are capable of absorbing the traffic generated by this project.

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

The building and landscape material are acceptable for the inter-city location of the project.

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;**

Aside from the sheer bulk and scale of the building that overwhelm the neighboring properties, the building is visibly appealing. This building would be a welcome addition to the city had it been located within the Downtown Centennial Plan area of the city.

SDR-20484 - Staff Report Page Eight
May 10, 2007 - Planning Commission Meeting

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

Although METRO has given their approval of the project, they expressed concerns over Communication abilities when they are inside such massive structures.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

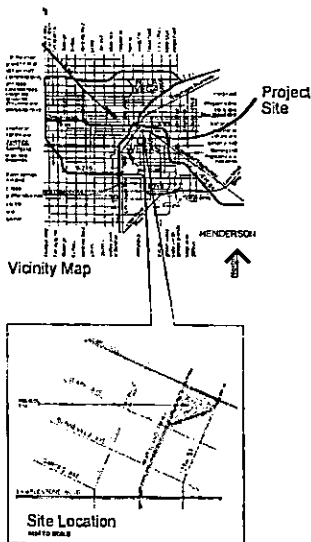
NOTICES MAILED 469 (Mailed with VAR-20487, VAR-20488, VAR-21263, SUP-20486 and SUP-20740)

APPROVALS 7

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST



SITE INFORMATION

ADN 8 139-54-11-027/022

ZONING

CITY OF LAS VEGAS (5-1) Limited Commercial District
HENDERSON CITY OF LAS VEGAS (5-1) Limited Commercial District

PARCEL AREA

Net Area (Gross Area) 87,044 sf (1,213 acres)
Gross Area (Approximate) 127,152 sf (2,819 acres)

COMMERCIAL

Office (Gross Area) 54,500 sf
Retail (Gross Area) 6,500 sf
Grocery Store (Gross Area) 22,500 sf
Sky Restaurant (Gross Area) 5,500 sf
Total 89,000 sf

RESIDENTIAL

RES (Housing Units)
Net Area (Residential) 542,500 sf
Gross Area 811,000 sf
Density 65 %

UNITS COUNT

Total Number of Units 487
STUDIO 202
1 BR + 1 BR + D + 1 BR Penthouse 251
2 BR + 2 BR + D + 2 BR Penthouse 27
3 BR Penthouse 4

DEVELOPMENT

Address 170 S. 1st Ave.
Provided 277 S. 1st Ave.
170 S. 1st Ave. (Cross Street)

AMENITIES/CIRCULATIONS

Locales 3,400 sf
Tourist Bus 2,100 sf
Bus Stop Area 2,100 sf
Bus Stop Shelter 2,100 sf
Public Center 16,000 sf
Public Plaza 4,000 sf
Public Deck 16,200 sf
Road Deck 1,200 sf
Visual Corridor / Office / Laundry / Emergency 22,000 sf
Mechanical / Electrical / Trade 22,000 sf
Storage (for Residential Units) 432,500 sf
Parking Structure 432,500 sf
Total 432,500 sf

SETBACKS

From Street
Corner (Maximum 5 ft) 15 ft
Side 25 ft

HEIGHT

Height 15 ft
Number of Stories 50 stories

PARKING REQUIREMENTS

RESIDENTIAL
STUDIO 202 @ 1.5 ft = 303
1 BR + 1 BR + D + 1 BR Penthouse 251 @ 1.5 ft = 377
2 BR + 2 BR + D + 2 BR Penthouse 27 @ 1.5 ft = 41
3 BR Penthouse 4 @ 1.5 ft = 6
Total 727

COMMERCIAL
Office 54,500 sf @ 1.5 ft = 818
Retail 6,500 sf @ 1.5 ft = 98
Grocery Store 22,500 sf @ 1.5 ft = 338
Sky Restaurant 5,500 sf @ 1.5 ft = 83
Restaurant 5,500 sf @ 1.5 ft = 83
Total 1,317

Handicapped 8 percent (2% of 237 units) 19 spaces
Public (for Public Center) 10 spaces
Other (for Public Center) 10 spaces
Other (for Public Center) 10 spaces
Total 49 spaces

PERMITS/REQUIREMENTS
Regular 115
Complaid 320
Handicap (115 spaces - 320) 205
Total Permitted 1,317

F.A.R.

F.A.R. 1.334 200 sf / 150,000 sf = 1.334

LOT COVERAGE

Lot Coverage 51%
Provided (14,475 sf / 28,345 sf)

SCALE 1" = 30'-0"
THE ISLAND DEVELOPMENT, LLC
PROJECT No. 100000
DATE 04.28.2007

SITE PLAN

THE ISLAND - LAS VEGAS

UNITS COUNT

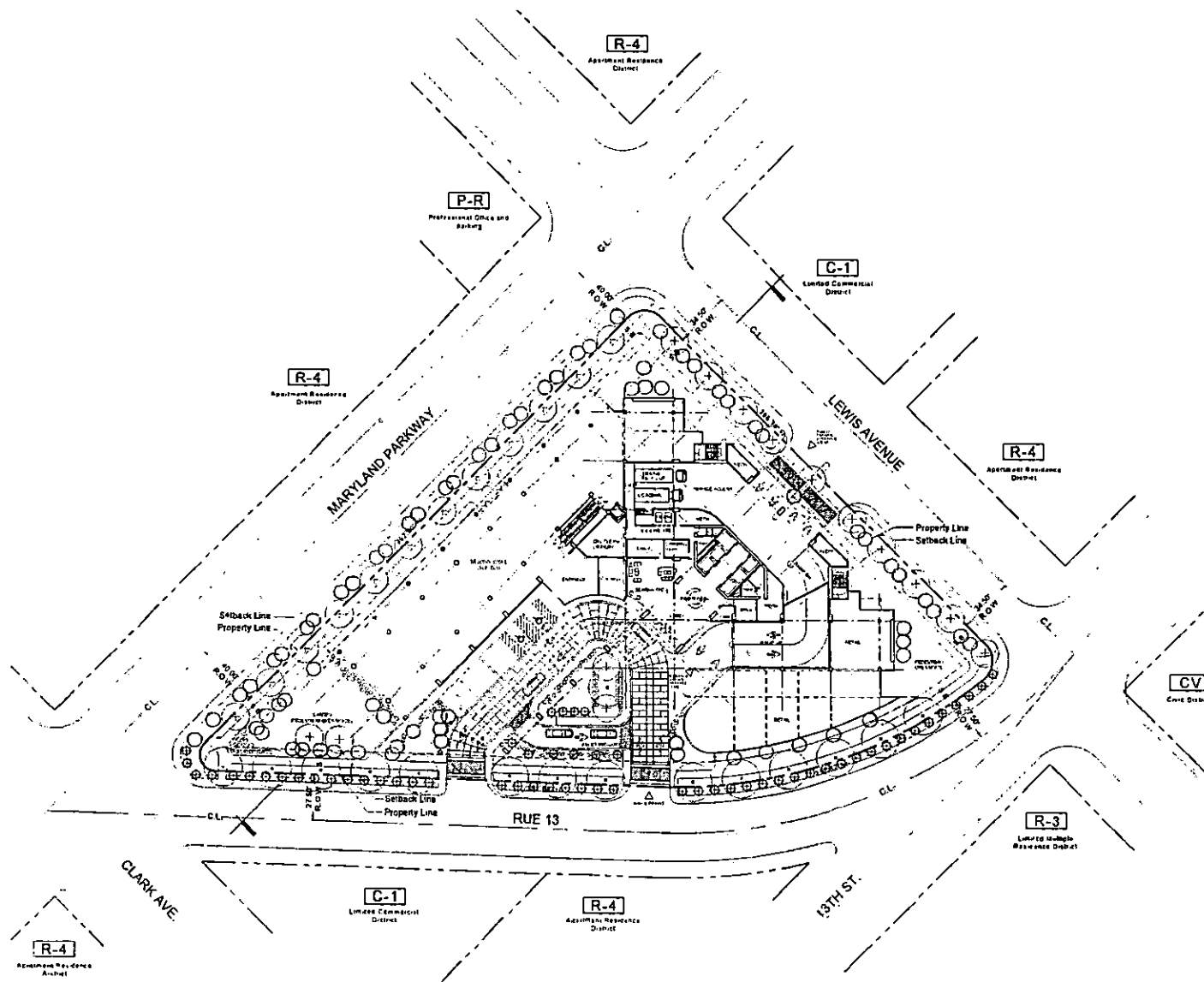
LEVEL	STUDIO	1 BR	1 BR + D	2 BR + D	2 BR + D + 1 BR	2 BR + D + 1 BR + D	2 BR + D + 1 BR + D + 1 BR	TOTAL
TYPICAL SIZE	135 SF	950 SF	950 SF	1,100 SF	1,100 SF	1,100 SF	1,100 SF	
15-24	12 ft 10 in x 12 ft 10 in	12 ft 10 in x 12 ft 10 in	12 ft 10 in x 12 ft 10 in	12 ft 10 in x 12 ft 10 in	12 ft 10 in x 12 ft 10 in	12 ft 10 in x 12 ft 10 in	12 ft 10 in x 12 ft 10 in	204
25-34	11 ft 6 in x 11 ft 6 in	11 ft 6 in x 11 ft 6 in	11 ft 6 in x 11 ft 6 in	11 ft 6 in x 11 ft 6 in	11 ft 6 in x 11 ft 6 in	11 ft 6 in x 11 ft 6 in	11 ft 6 in x 11 ft 6 in	45
35-44	8 ft 2 in x 11 ft 6 in	8 ft 2 in x 11 ft 6 in	8 ft 2 in x 11 ft 6 in	8 ft 2 in x 11 ft 6 in	8 ft 2 in x 11 ft 6 in	8 ft 2 in x 11 ft 6 in	8 ft 2 in x 11 ft 6 in	21
45-54								32
TOTAL	202	251	27	4				487
%	41.48 %	51.54 %	5.54 %	0.82 %				100 %

Typical Fire Turning Radius

Typical Parking Spaces

MAR 28 2007

SDR-20484 REVISED
05/10/07 PC

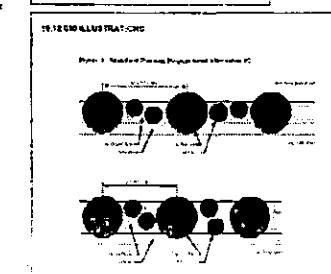


PLANT LEGEND

Symbol	Botanical Name	Common Name	Size	Quantity	Remarks
	LAGERSTROEMIA INDICA	CRAPPEY HYLE	24" BOX	35	STANDARD TRUNK SPECIMEN
	LIGUSTRUM JAPONICUM	JAPANESE PRIVET	24" BOX	76	MULTI-TRUNK
	OLEA EUROPAEA	SWAN HILLWAX HILL OLIVE	18" BOX	15	STANDARD TRUNK SPECIMEN
	OINKO BILOBA	OINKO	24" BOX	57	

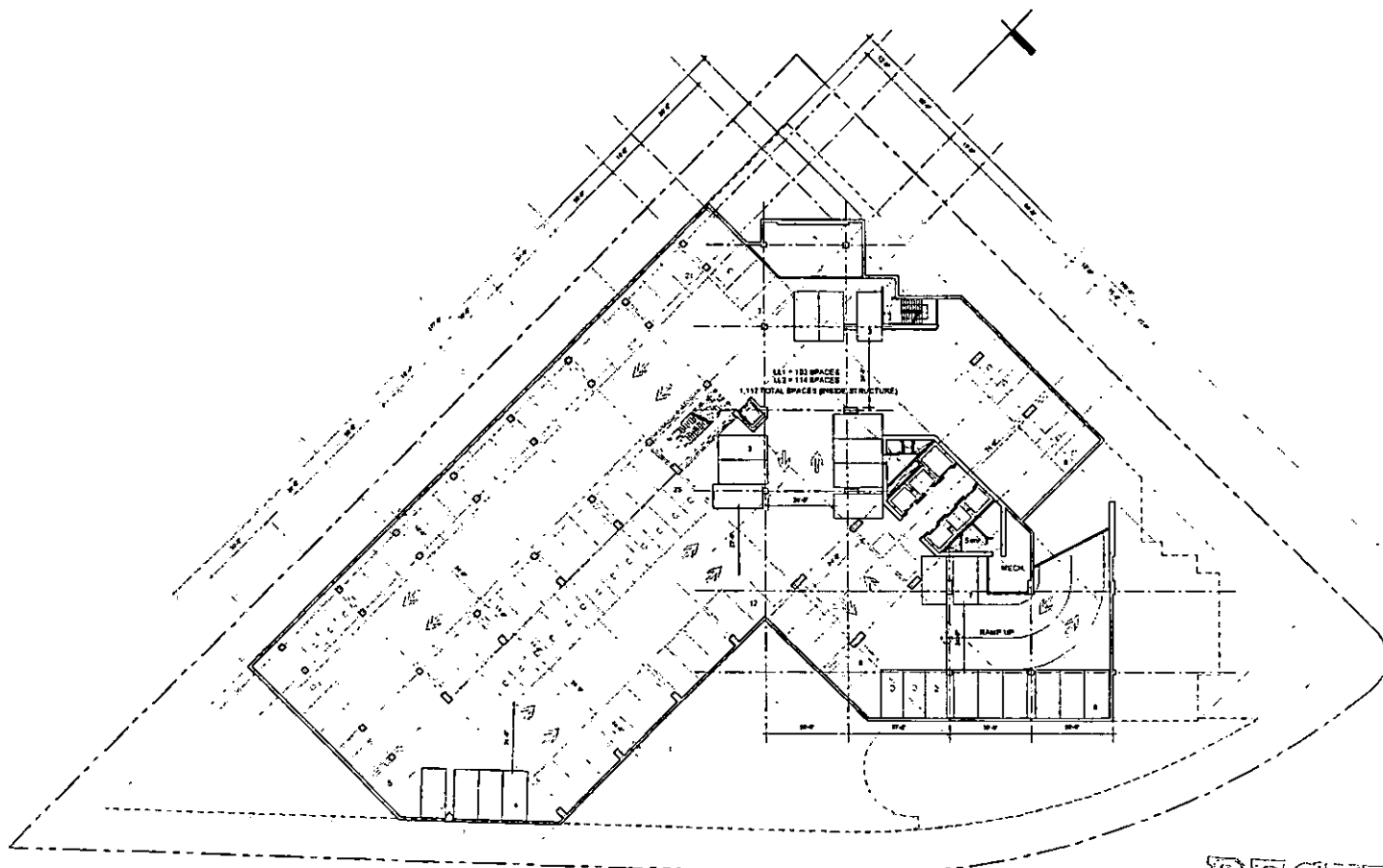
Symbol	Botanical Name	Common Name	Size	Quantity	Remarks
	TRACHYCARPUS FORTUNEI	WINDMILL PALM	16 GALLON	206	
	HEMEROCALLIS SP.	DAYLILY	8 GALLON	476	
	CHAMAEROPS HUMILIS	MEDITERRANEAN PALM	8 GALLON	12	
	RAPHIOLEPIS INDICA	INDIAN HAWTHORN	8 GALLON	110	
	DALEA CAPITATA	GREASE DALEA	1 GALLON		24" O.C.
	LANTANA MONTE	HUNGLOBBEWOOD LANTANA	1 GALLON		28" O.C.
	FESCUE 900				
	CONCRETE PAVEMENT	1/2" SCREENED 6" DEPTH IN ALL PLANTING AREAS			
	DECOMPOSED GRANITE	CORAL PINK - 1/2" SCREENED 6" DEPTH IN ALL PLANTING AREAS			
	FESCUE 900, METAL MESH OVER 4" DEPTH WASHED R.I.T.				
	RYERSON STEEL HEAD				

LANDSCAPING PER TITLE 19



INTERCOM
 MAR 28 2007

SCALE 1" = 30'-0"
 THE ISLAND DEVELOPMENT, LLC
 PROJECT NO. 300050
 DATE: 04.25.2007
LANDSCAPE PLAN
SDR-20484 REVISED
05/10/07 PC

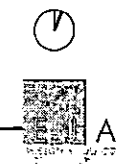


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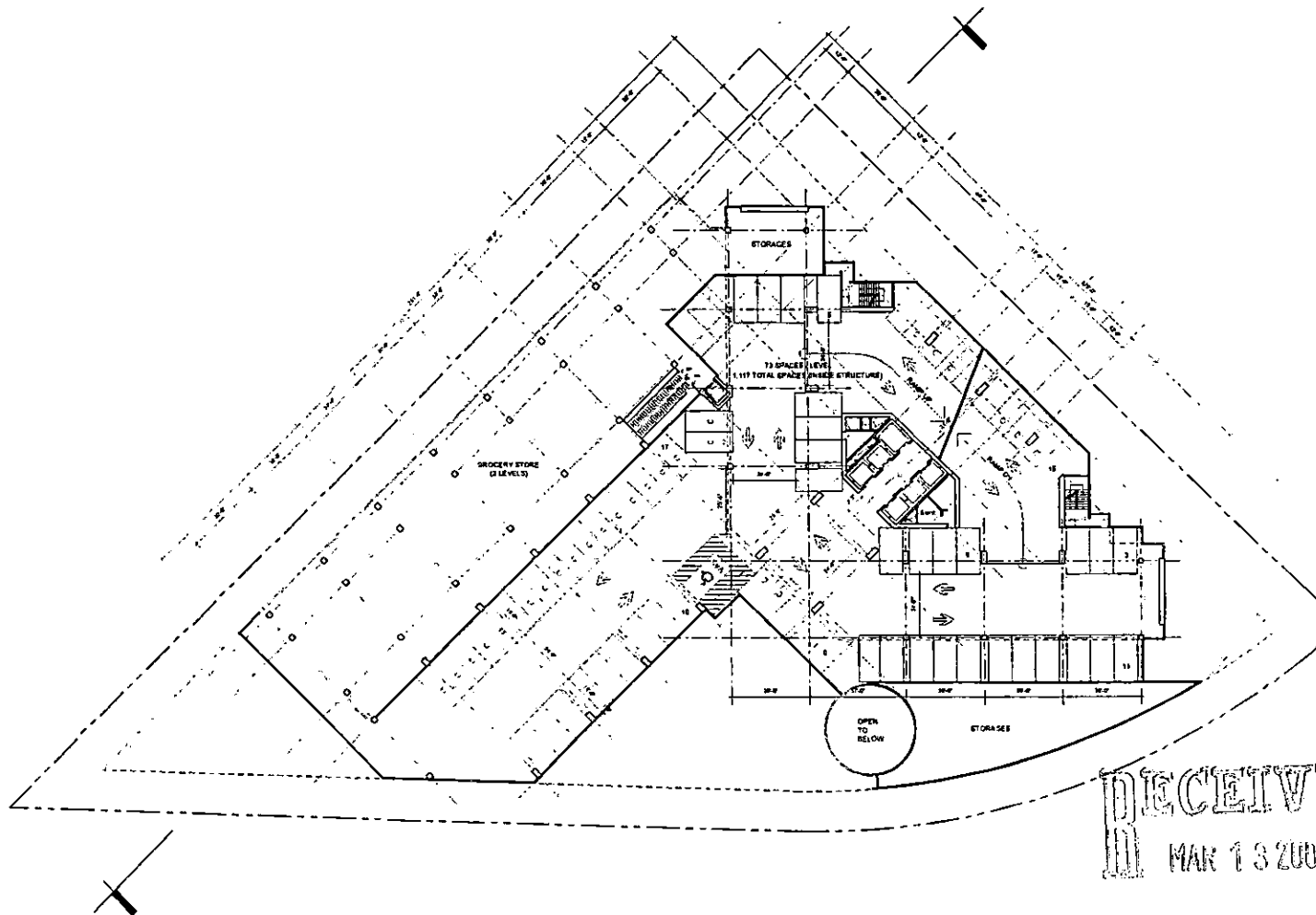


SDR-20484
04/26/07 PC

THE ISLAND DEVELOPMENT, LLC
PROJECT No 100389
DATE 04.26.2007
SUBTERRANEAN PARKING LEVELS 1-2
THE ISLAND - LAS VEGAS



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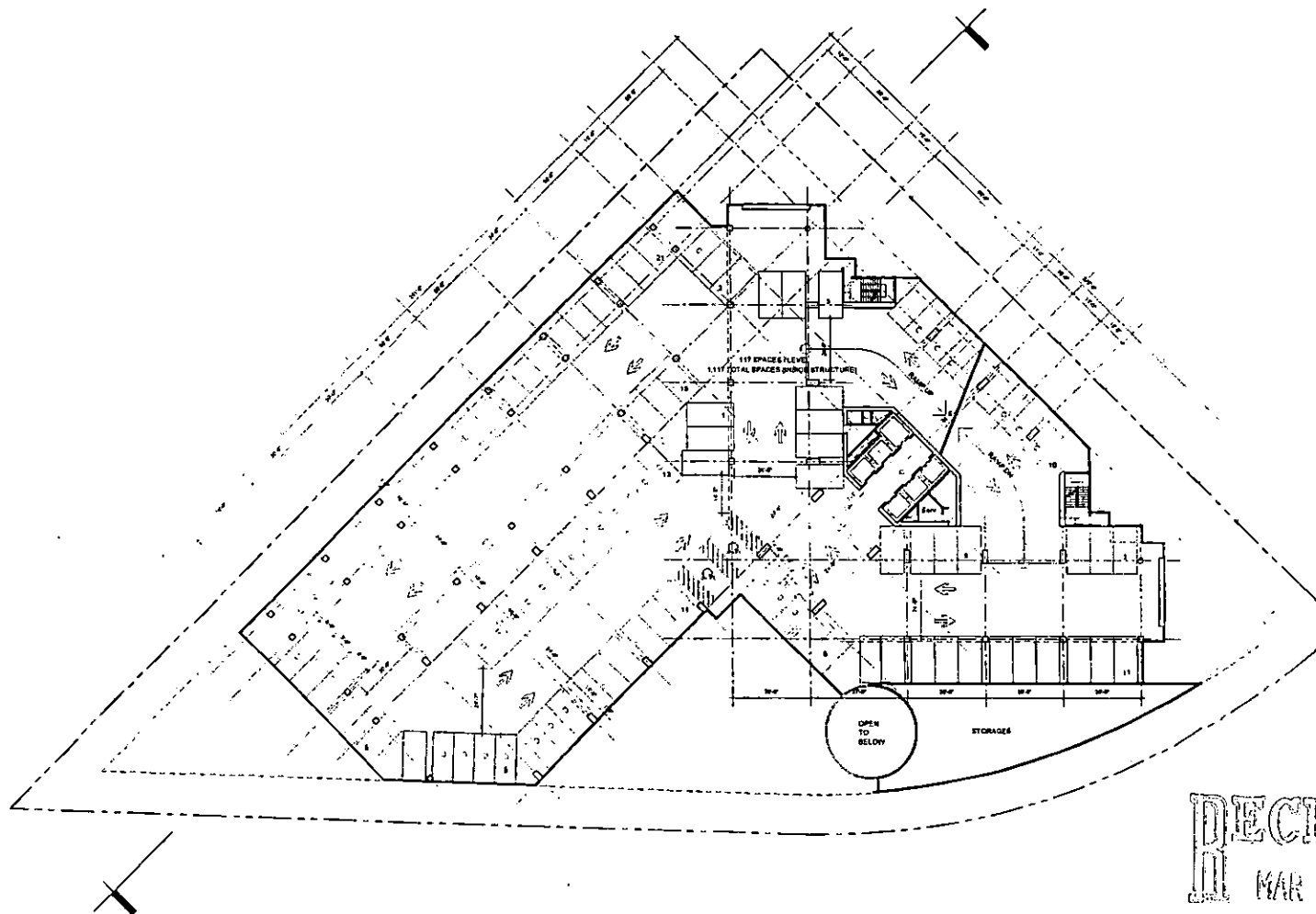
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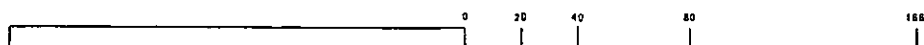
THE ISLAND DEVELOPMENT, LLC
PROJECT No 1000009
DATE 04.26.2007
COMMERCIAL LEVEL 2
THE ISLAND - LAS VEGAS



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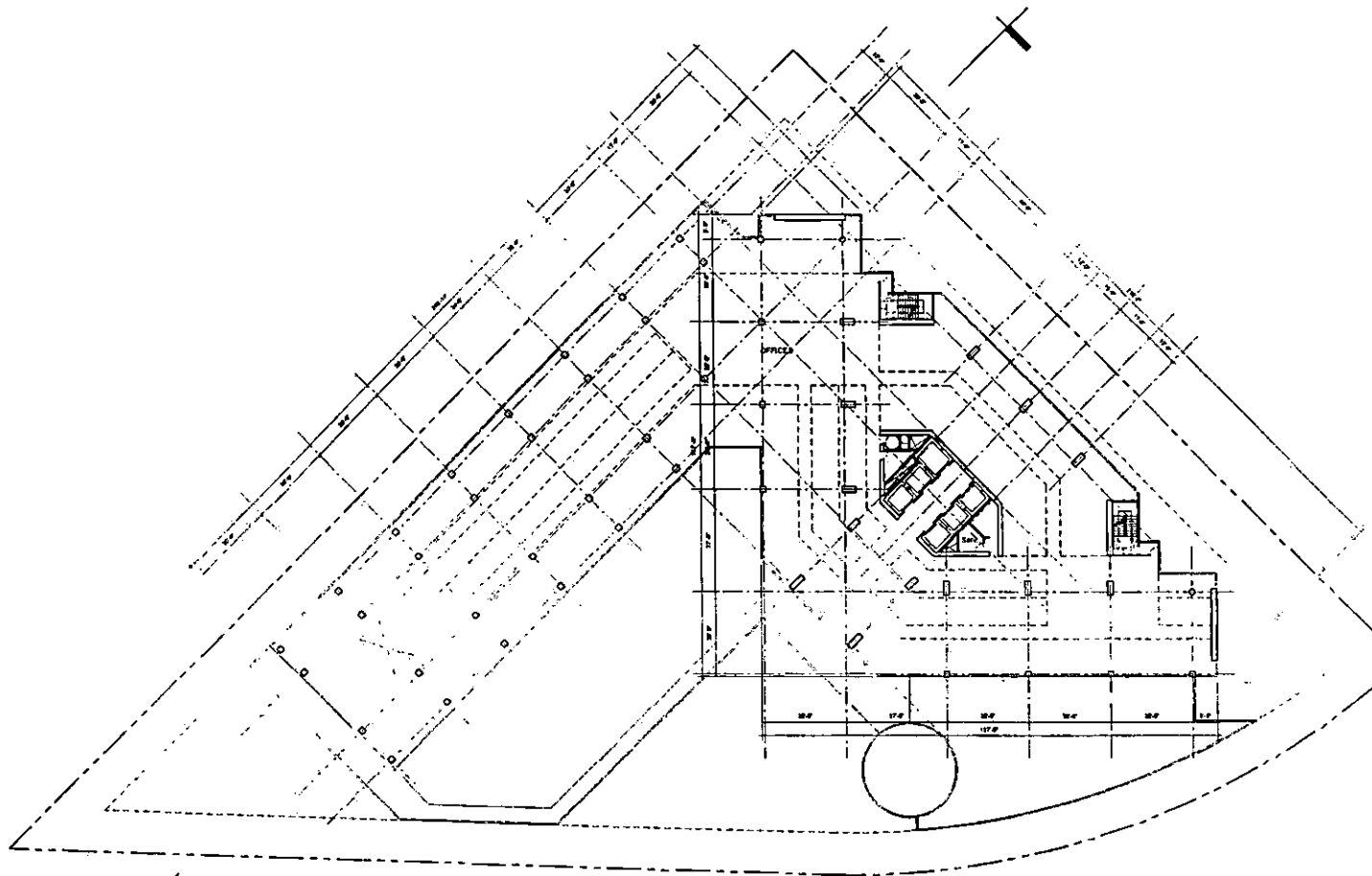


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04/26/07 PC

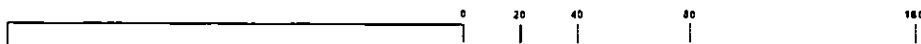
THE ISLAND DEVELOPMENT, LLC
PROJECT No 100000
DATE 04.26.2007
PARKING LEVELS 3-9
THE ISLAND - LAS VEGAS



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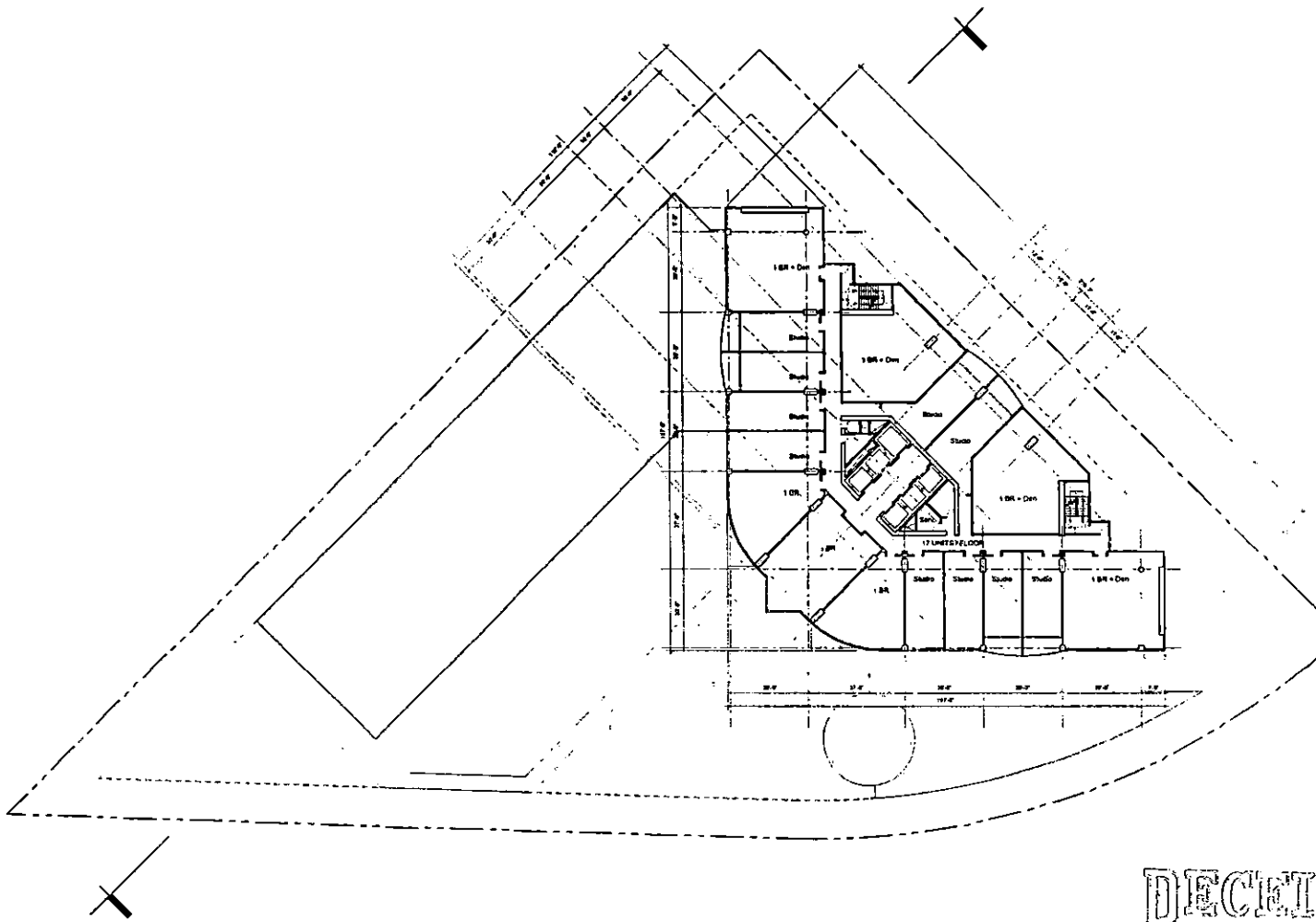


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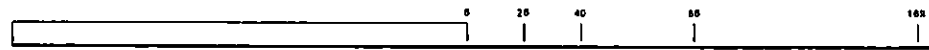
THE ISLAND DEVELOPMENT, LLC
PROJECT No 100000
DATE 04.20.2007
OFFICE LEVELS 11-12
THE ISLAND - LAS VEGAS



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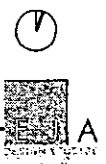


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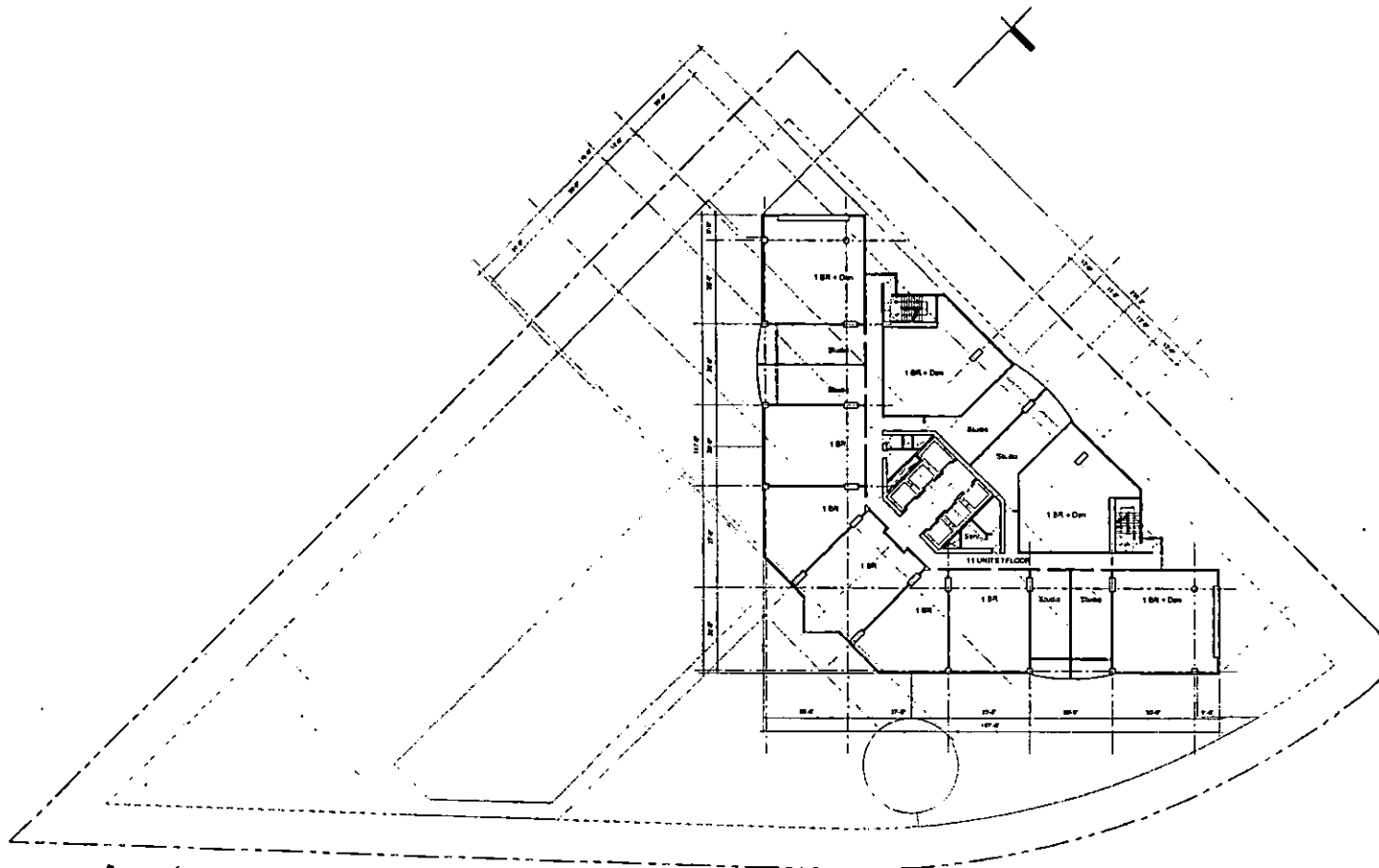


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04/26/07 PC

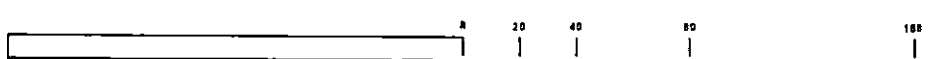
THE ISLAND DEVELOPMENT, LLC
PROJECT No 100000
DATE 04.26.2007
RESIDENTIAL LEVELS 13-24
THE ISLAND - LAS VEGAS



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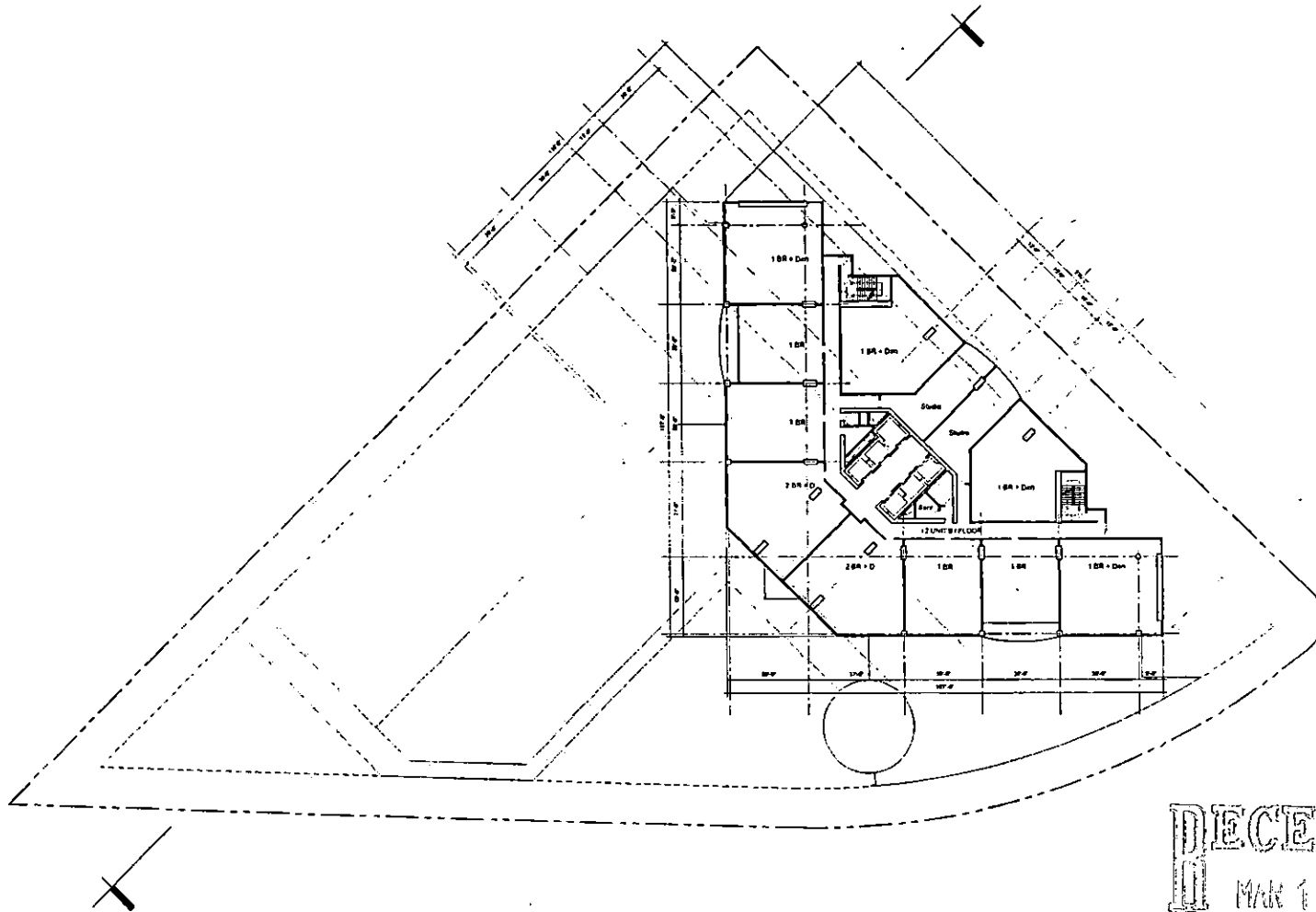


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THE ISLAND DEVELOPMENT, LLC
PROJECT No 108000
DATE 04.26.2007
RESIDENTIAL LEVELS 25-35

THE ISLAND - LAS VEGAS





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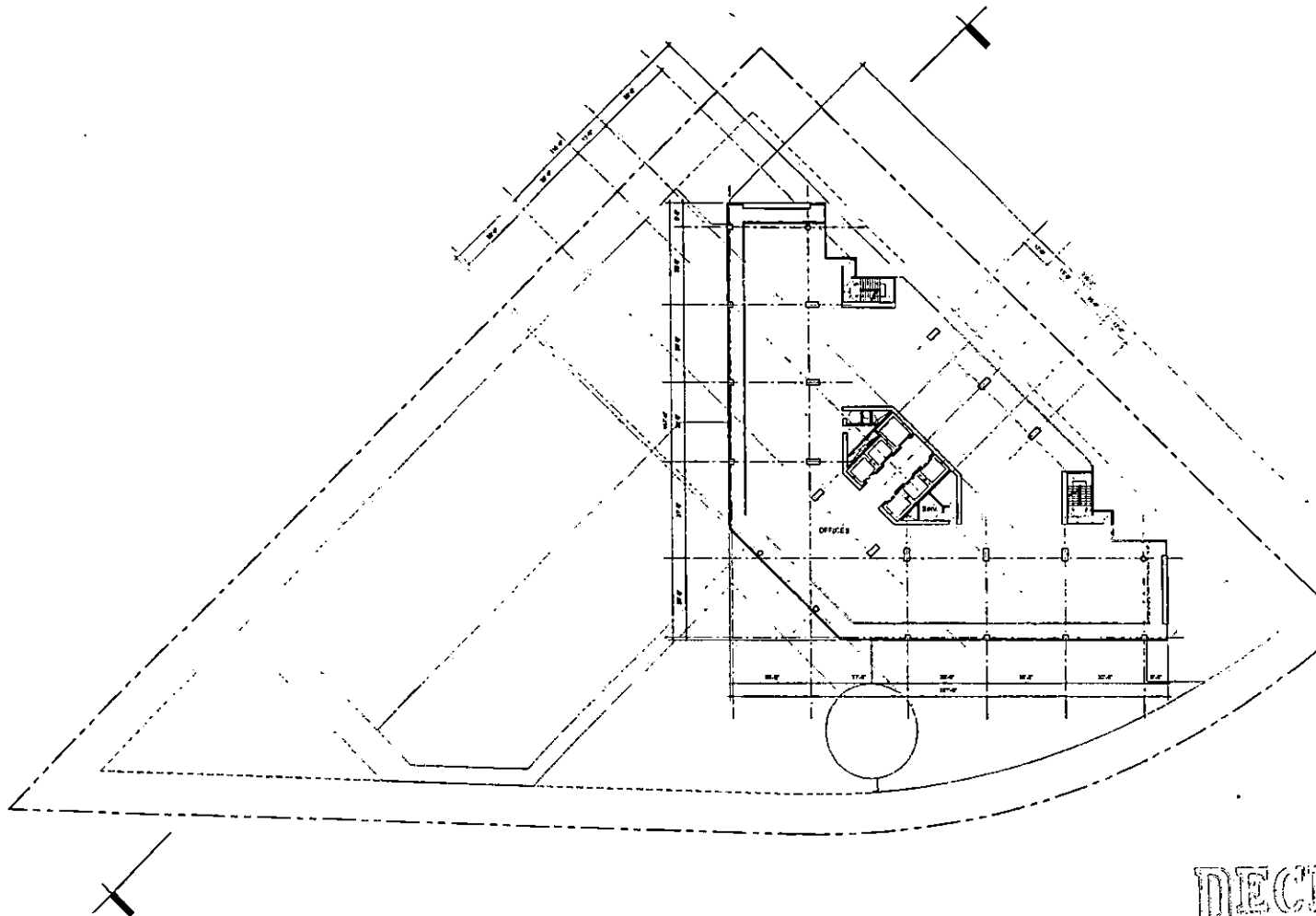
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04/26/07 PC

RESIDENTIAL LEVELS 36-43

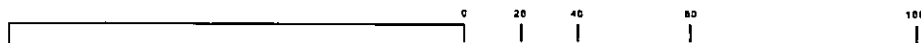
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PROJECT No 100000
DATE 01.28.2007



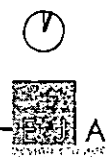


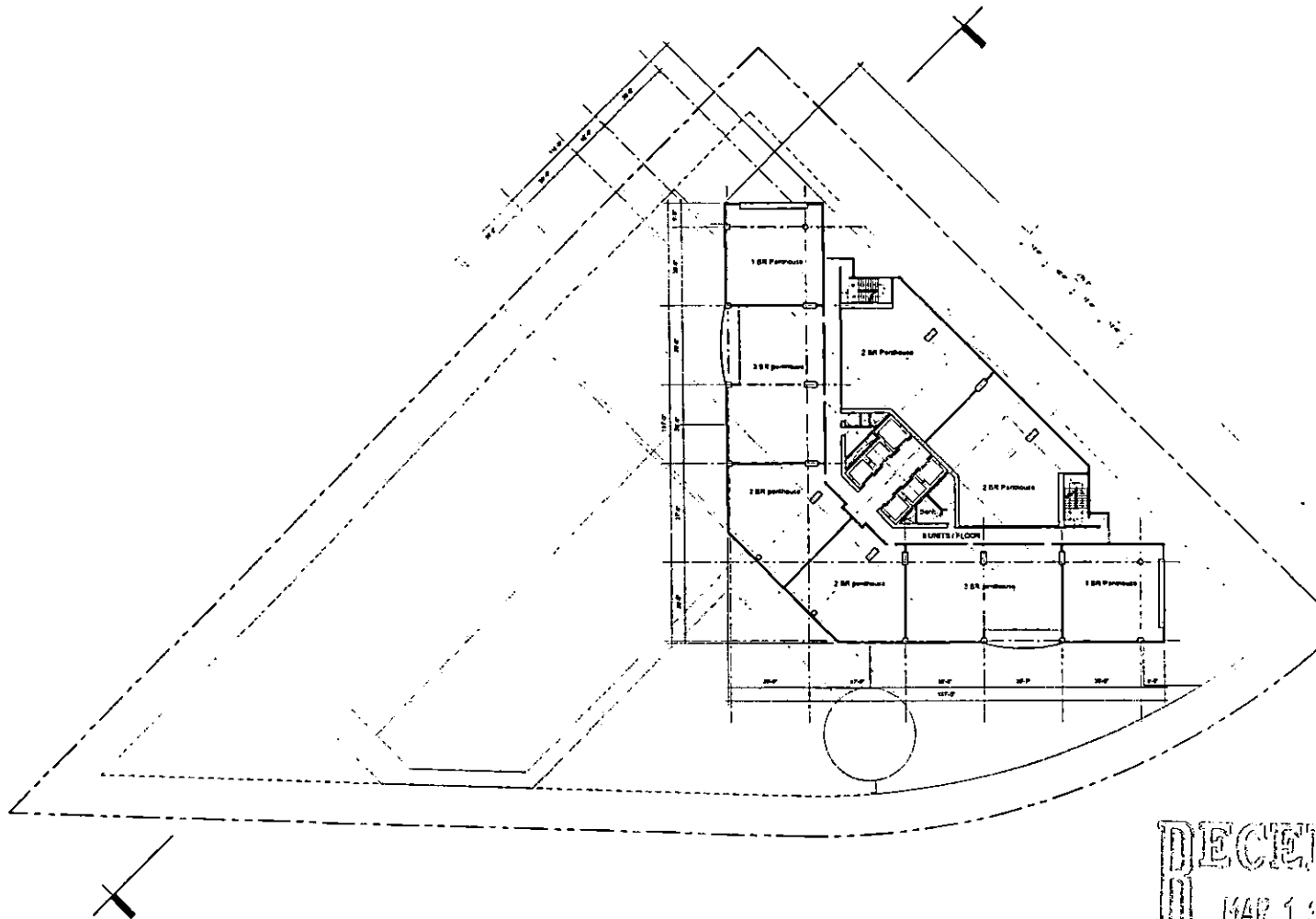
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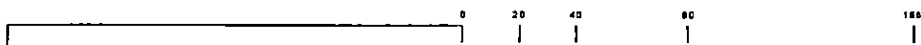
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THE ISLAND DEVELOPMENT, LLC
PROJECT No. 100000
DATE 04.26.2007
OFFICE LEVEL 44
THE ISLAND - LAS VEGAS





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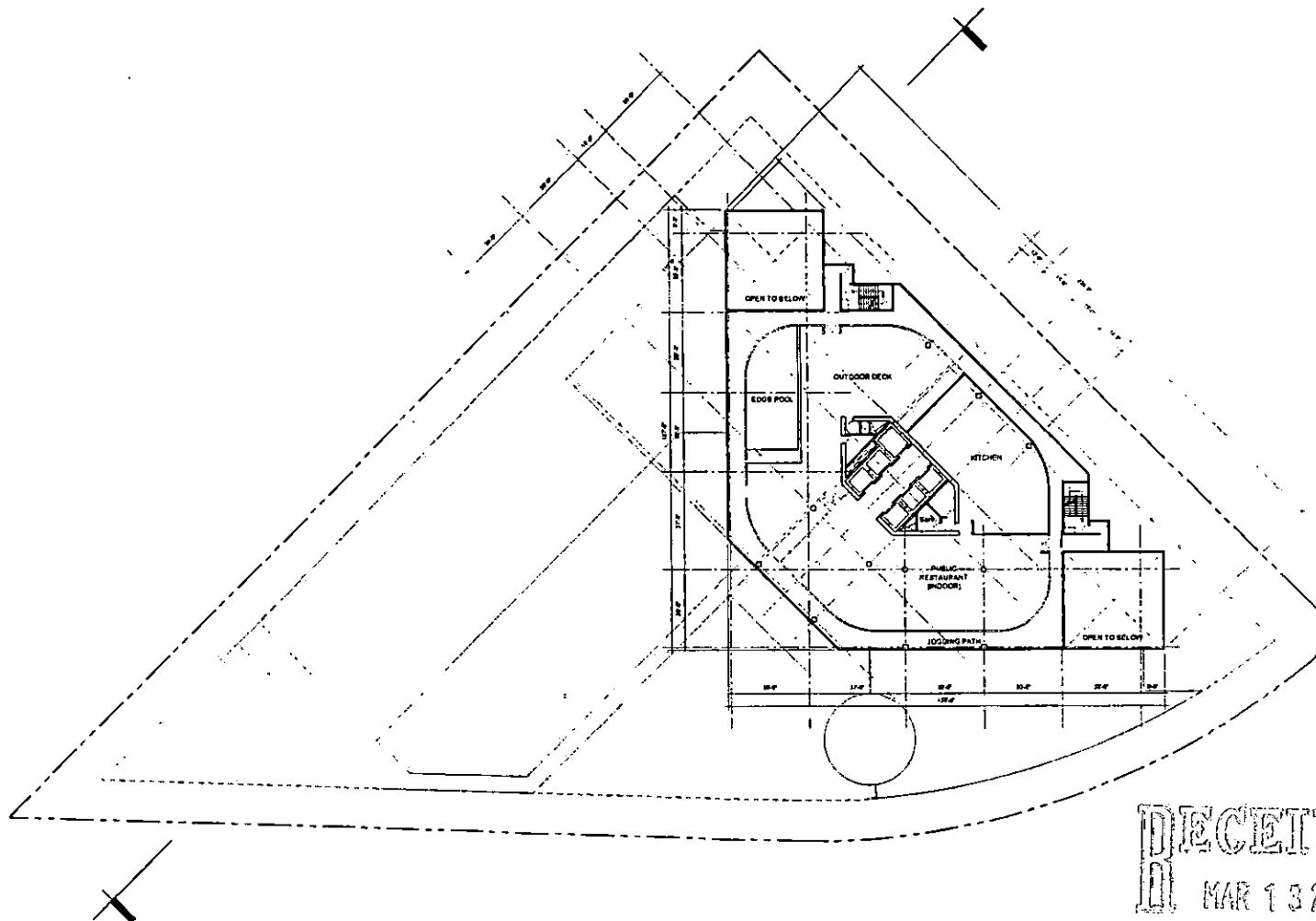


THE ISLAND DEVELOPMENT, LLC
PROJECT No 100000
DATE 04.26.2007
RESIDENTIAL LEVELS 45-48

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PROJECT No 100000
DATE 04.24.2007

ROOF LEVEL 50

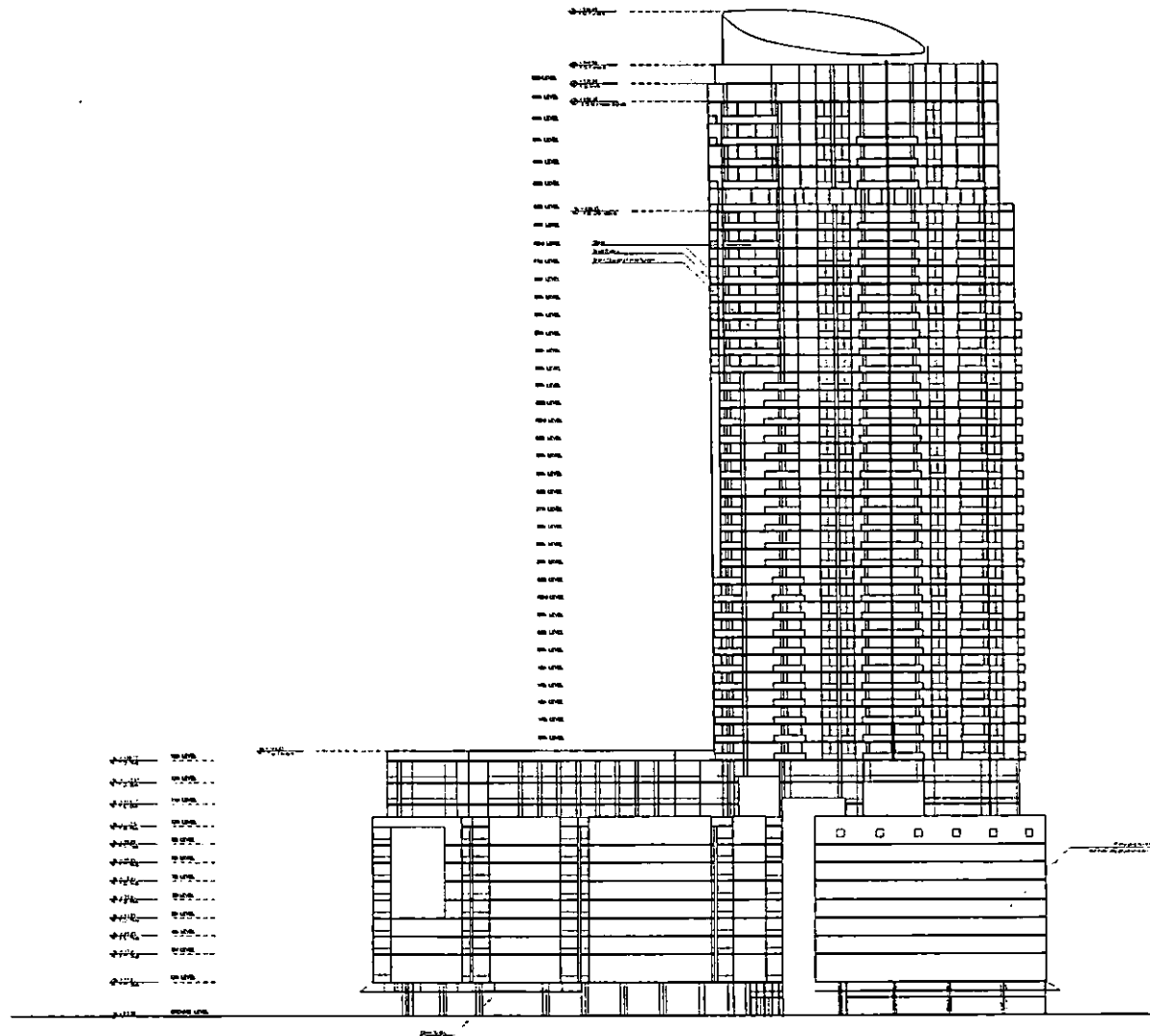
THE ISLAND - LAS VEGAS



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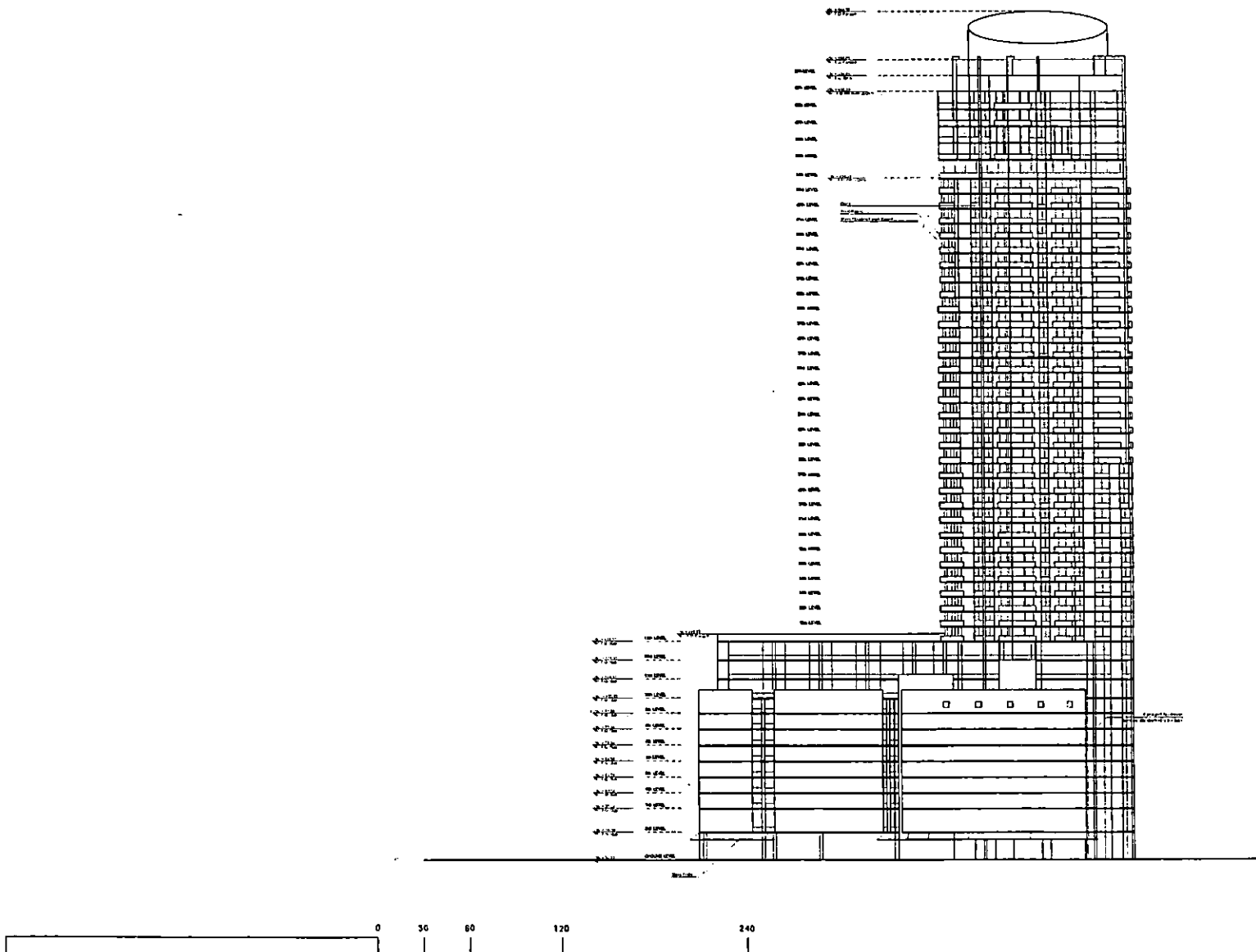
THE ISLAND DEVELOPMENT, LLC
PROJECT No 100000
DATE 04.16.2007

SOUTH ELEVATION

THE ISLAND - LAS VEGAS



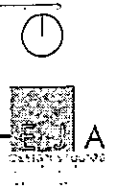
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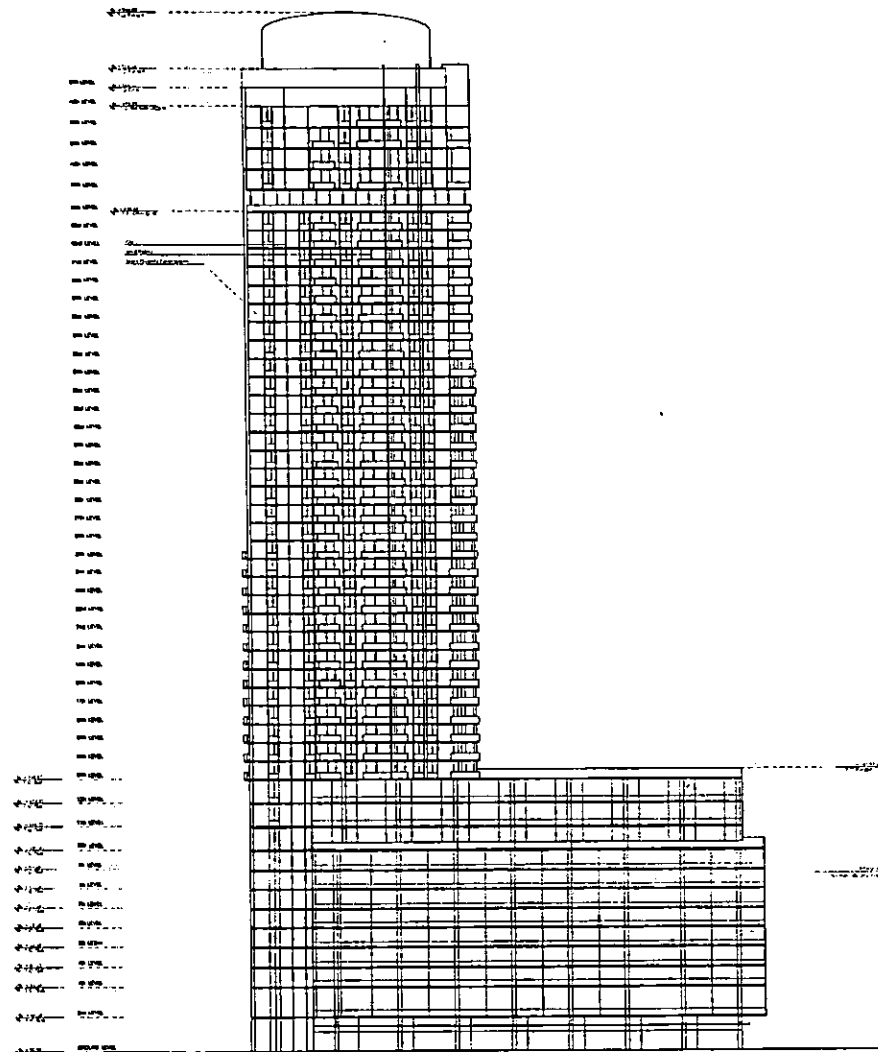
THE ISLAND DEVELOPMENT, LLC
PROJECT No 100000
DATE 04.21.2007

SOUTH-EAST ELEVATION



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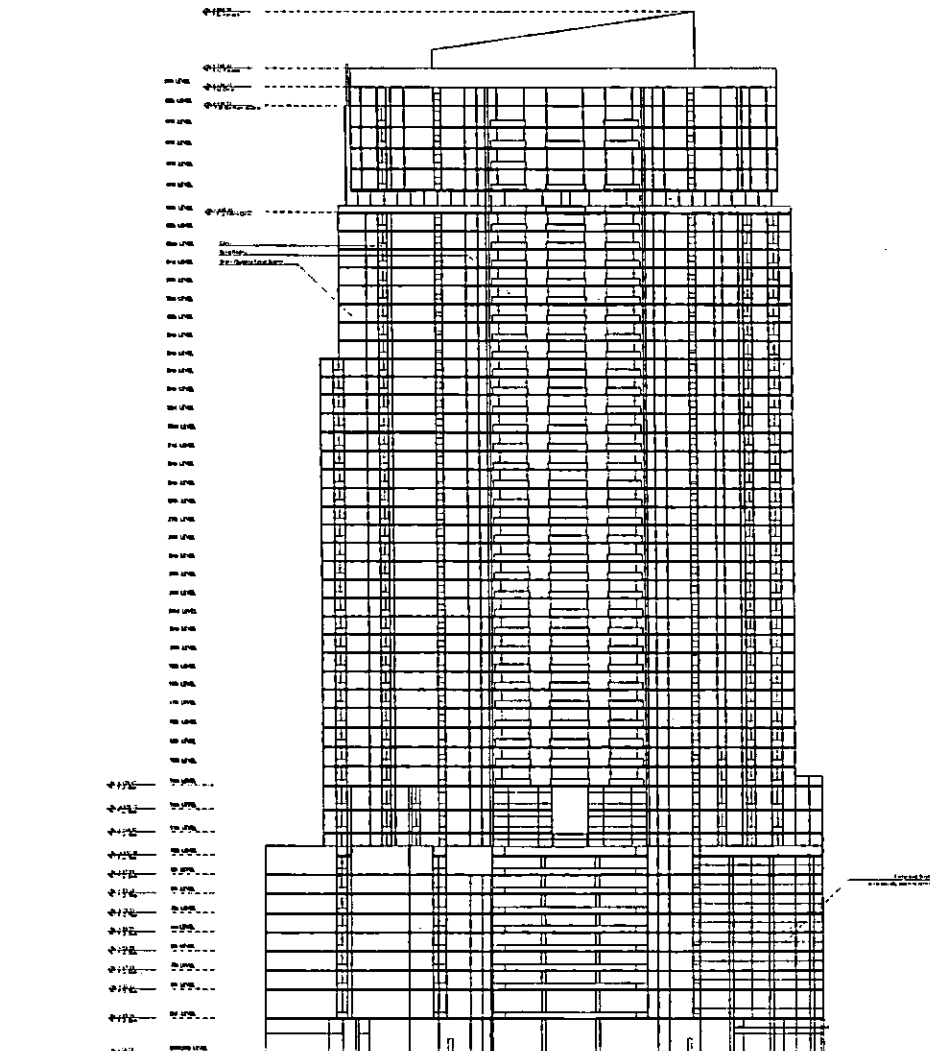
THE ISLAND DEVELOPMENT, LLC
PROJECT No 100000
DATE 04.26.2007

NORTH-WEST ELEVATION

THE ISLAND - LAS VEGAS



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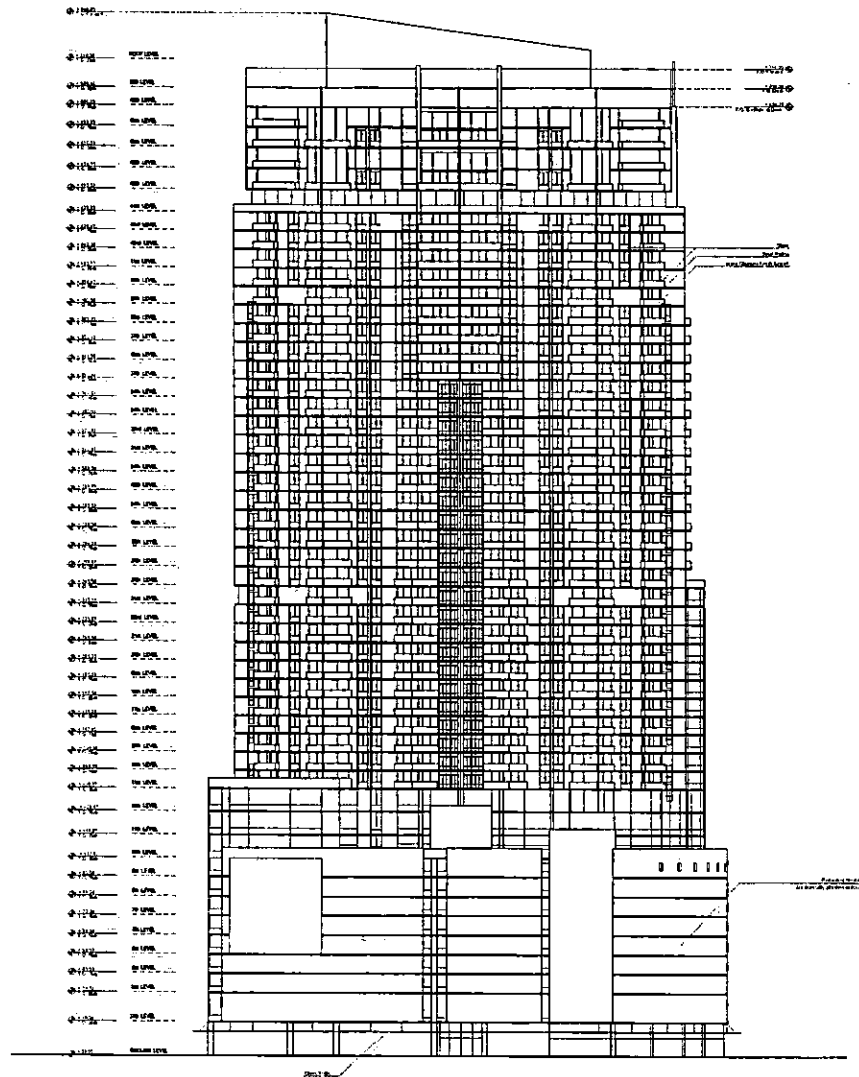
THE ISLAND DEVELOPMENT, LLC
PROJECT No. 160000
DATE 04.28.2007

NORTH-EAST ELEVATION

THE ISLAND - LAS VEGAS



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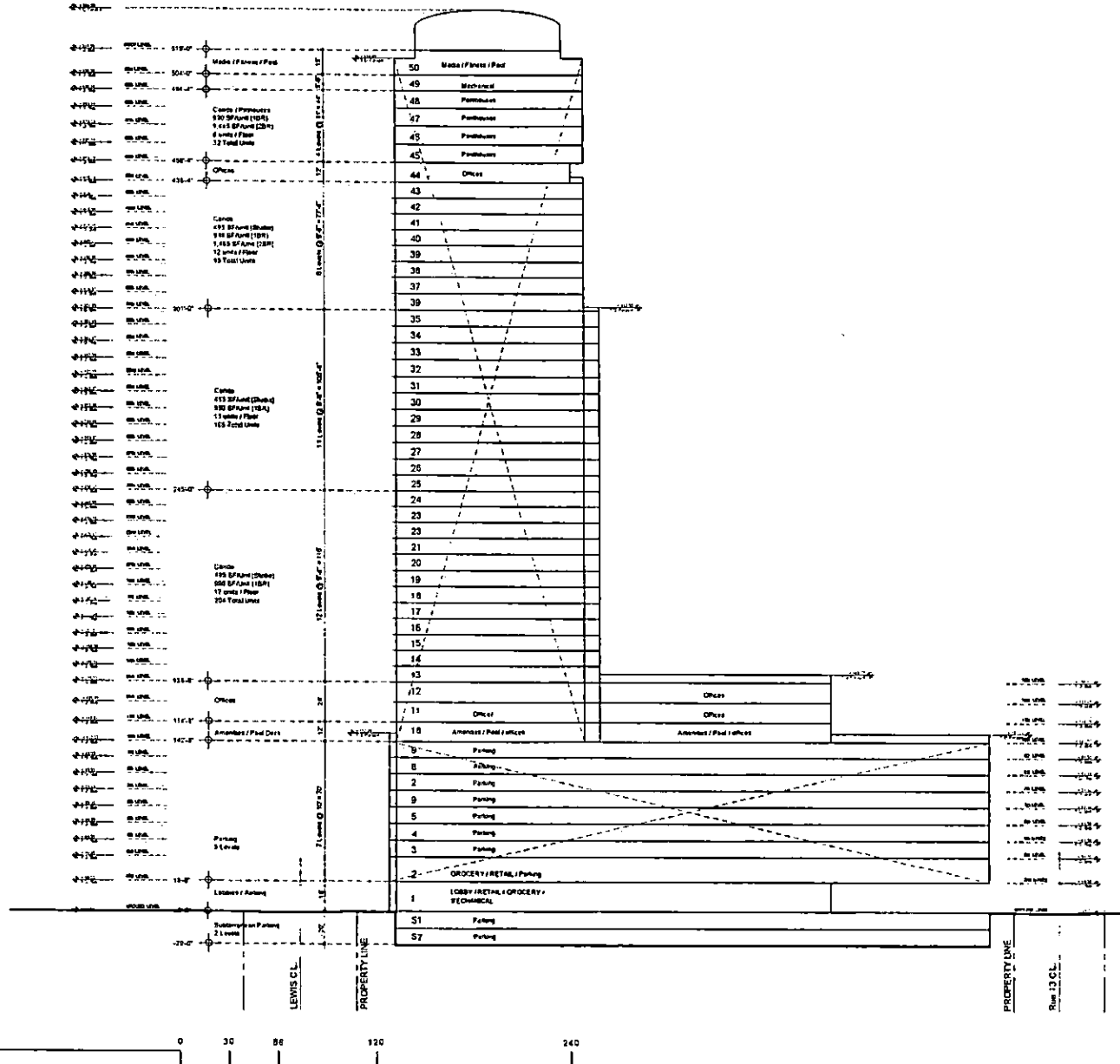
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THE ISLAND DEVELOPMENT, LLC
PROJECT No 1a0000
DATE 04.28.2007
SOUTH-WEST ELEVATION



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THE ISLAND - LAS VEGAS



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THE ISLAND DEVELOPMENT, LLC
PROJECT No 100000
DATE 04.26.2007

CONCEPTUAL SECTION

THE ISLAND - LAS VEGAS

SDR-20484
04/26/07 PC

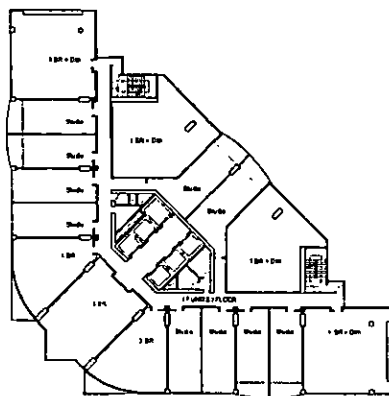


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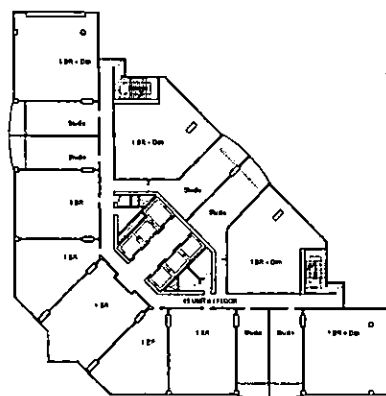
Levels 13-24

17 Units Per Floor
Approximately ±18,400 Square Feet



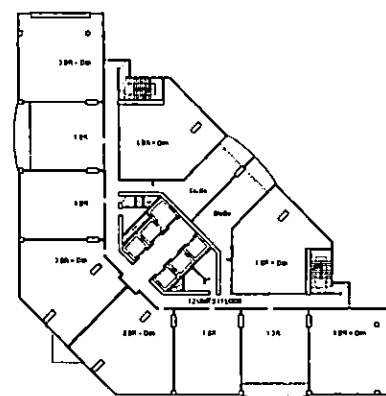
Levels 25-35

15 Units Per Floor
Approximately ±18,340 Square Feet



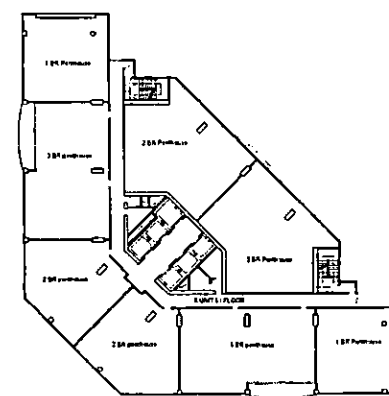
Levels 36-43

12 Units Per Floor
Approximately ±18,250 Square Feet

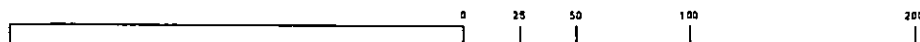


Levels 45-48

8 Units Per Floor
Approximately ±18,250 Square Feet



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VAR-20487 VAR-20488
SUP-20486 SDR-20484
04/26/07 PC

THE ISLAND DEVELOPMENT, LLC
PROJECT No 100070
DATE 04.26.2007

RESIDENTIAL FLOOR LEVELS

THE ISLAND - LAS VEGAS



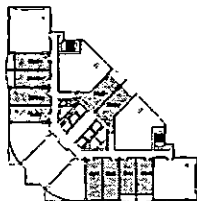
A detailed architectural floor plan of the first floor. The plan shows a large central hall with a staircase, several rooms of varying sizes, and a large open area on the right. The layout is complex, with multiple doorways and corridors connecting the different spaces. The drawing is a black and white line plan.

A detailed floor plan of a 1000 sq. ft. house. The layout includes a kitchen with a sink, stove, and refrigerator; a living area with a fireplace and large windows; a dining area with a table and chairs; and two bedrooms. The plan also shows a bathroom, a central hallway, and a front porch. Dimensions are provided for various sections: 10'-0" for the top width, 12'-0" for the bottom width, and 12'-0" for the right side length. Room-specific dimensions include 11'-0" x 11'-0" for the living area, 11'-0" x 11'-0" for the dining area, and 11'-0" x 11'-0" for the kitchen.

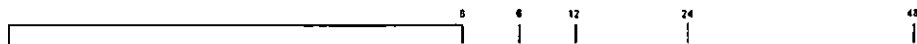
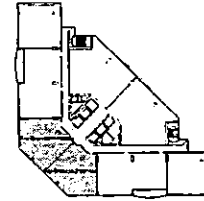
This architectural floor plan shows a house with a central hall and several rooms. The layout includes:

- Top Section:** A **MASTER BEDROOM** with a large closet, a **BATH**, and a **CL. (CLOSET)**.
- Central Section:** A **HALL** connecting to a **STOR.** (Storage) room and a **REAR PORCH**.
- Left Section:** A **LIVING ROOM** with a fireplace, a **DINING** area, and a **TERRACE**.
- Bottom Section:** A **MASTER BEDROOM** with a **BATH** and a **CL. (CLOSET)**.
- Right Section:** An **ENTRANCE** leading into a **DIN.** (Dining) area.

The plan also shows various closets, a central hall, and a rear porch. Dimensions are indicated along the walls, and the overall layout is designed for a functional and comfortable living space.



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MAR 13 2007



VAR-20487 VAR-20488
SUP-20486 SDR-20484
04/26/07 PC

THE ISLAND DEVELOPMENT, LLC
PROJECT # 100000
DATE 04.25.2007

UNITS LAYOUT

4 THE ISLAND - LAS VEGAS



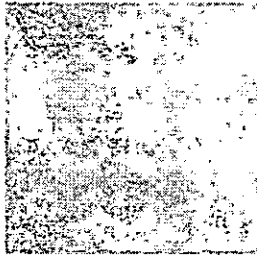
Exterior Paint and Finishes

1. BENJAMIN MOORE # AC-35
"Valley Forge Tan"
2. IMEXWARE NATURAL STONE
Color: Pink
3. IMEXWARE NATURAL STONE
Color: Black

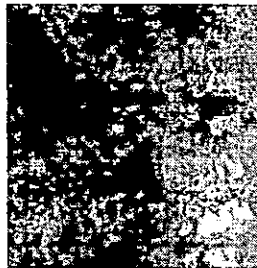
1.



2.



3.

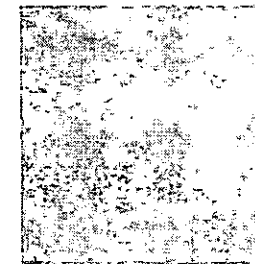


Exterior Interior / Lobby

Interior Paving and Wall Paints

4. STONE CONNECTION
"Slate - 543"
5. BENJAMIN MOORE
2109 - 60 "Portland Gray"
6. BENJAMIN MOORE
2103 - 40 "Hickory Stick"
7. BENJAMIN MOORE
AC - 12 "Copper Mountain"
8. BENJAMIN MOORE
INT. RM "China White"

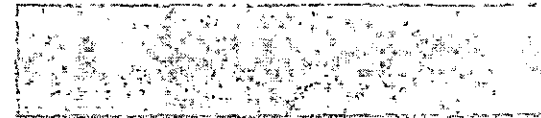
4.



5.



6.



7.



8.

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MATERIAL &
COLOR LEGEND

THE ISLAND DEVELOPMENT, LLC
PROJECT No 150003
DATE 01 25 2007

VAR-20487 VAR-20488

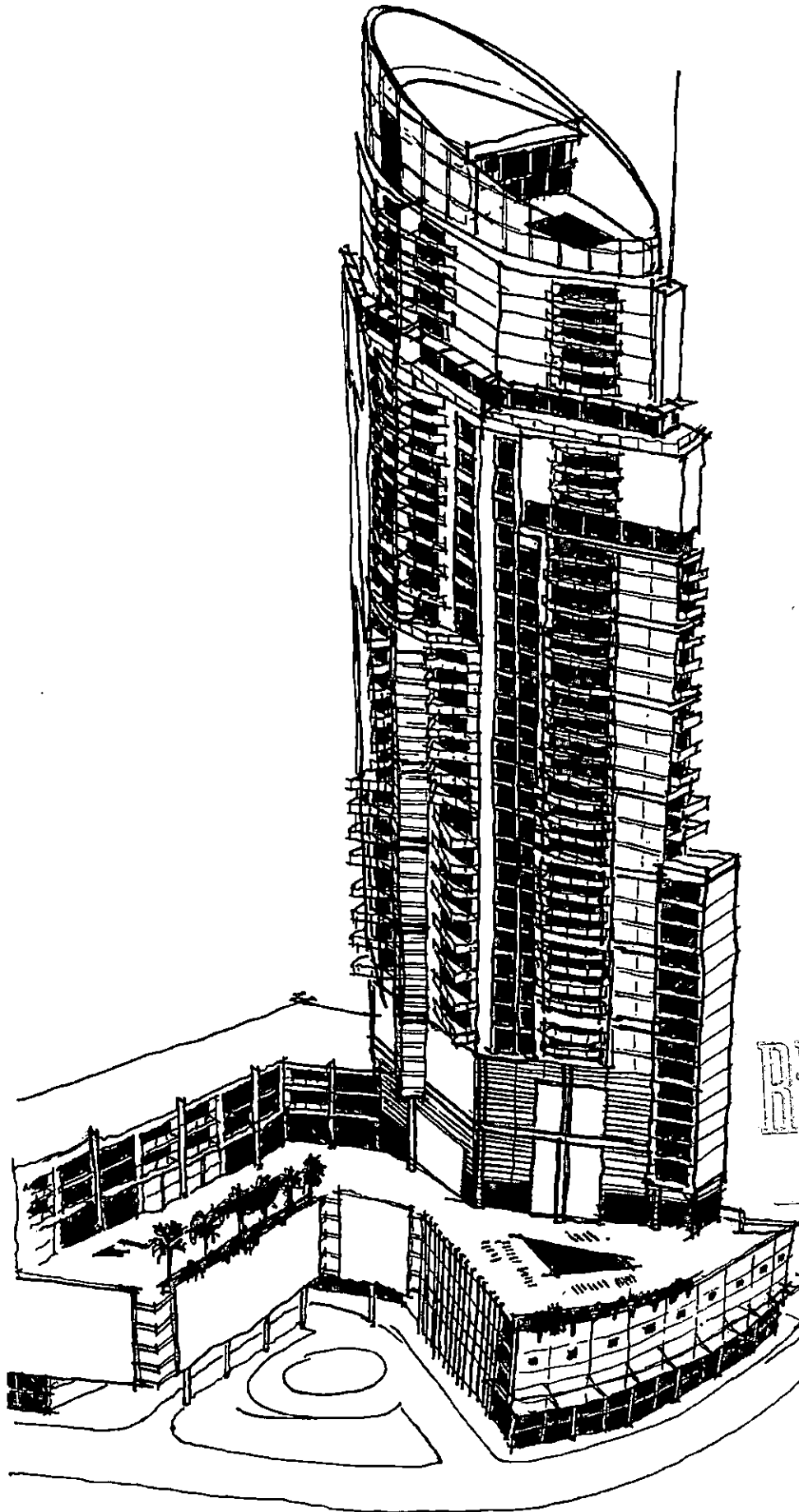
SUP-20486 SDR-20484

04/26/07 PC

MATERIAL BOARD

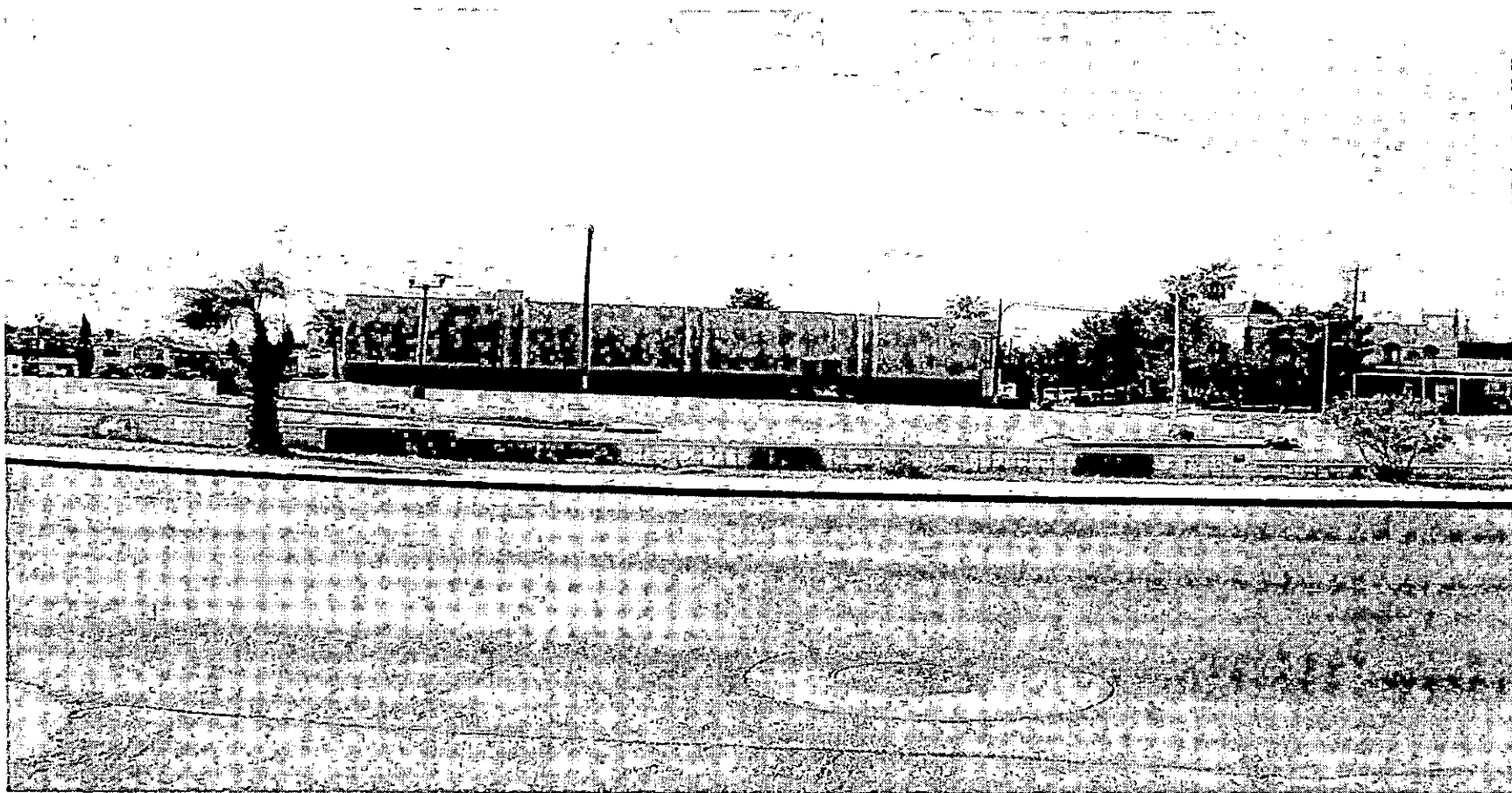
THE ISLAND - LAS VEGAS

E J A



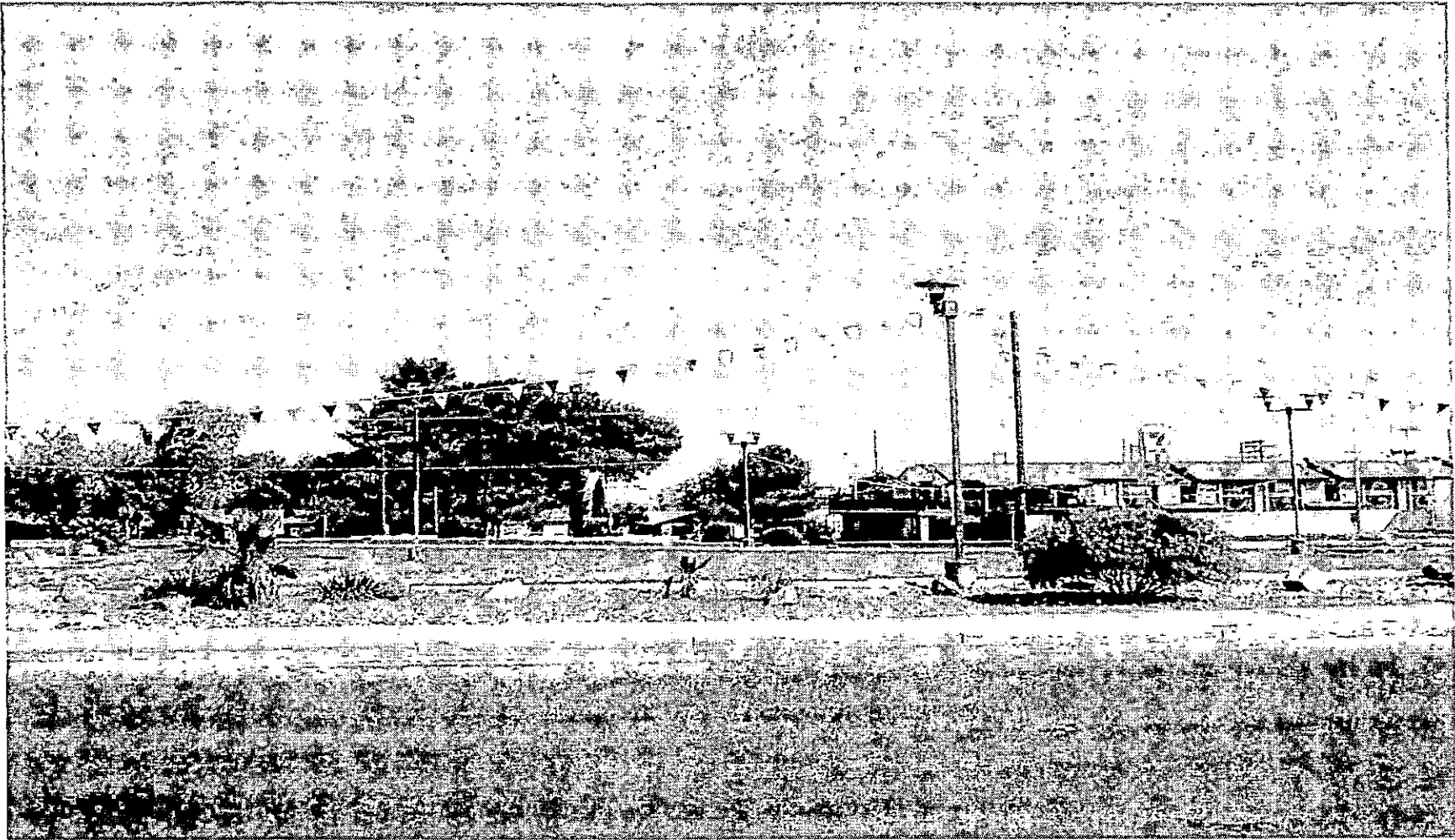
RECEIVED
MAR 13 2007

SDR-20484
04/26/07 PC



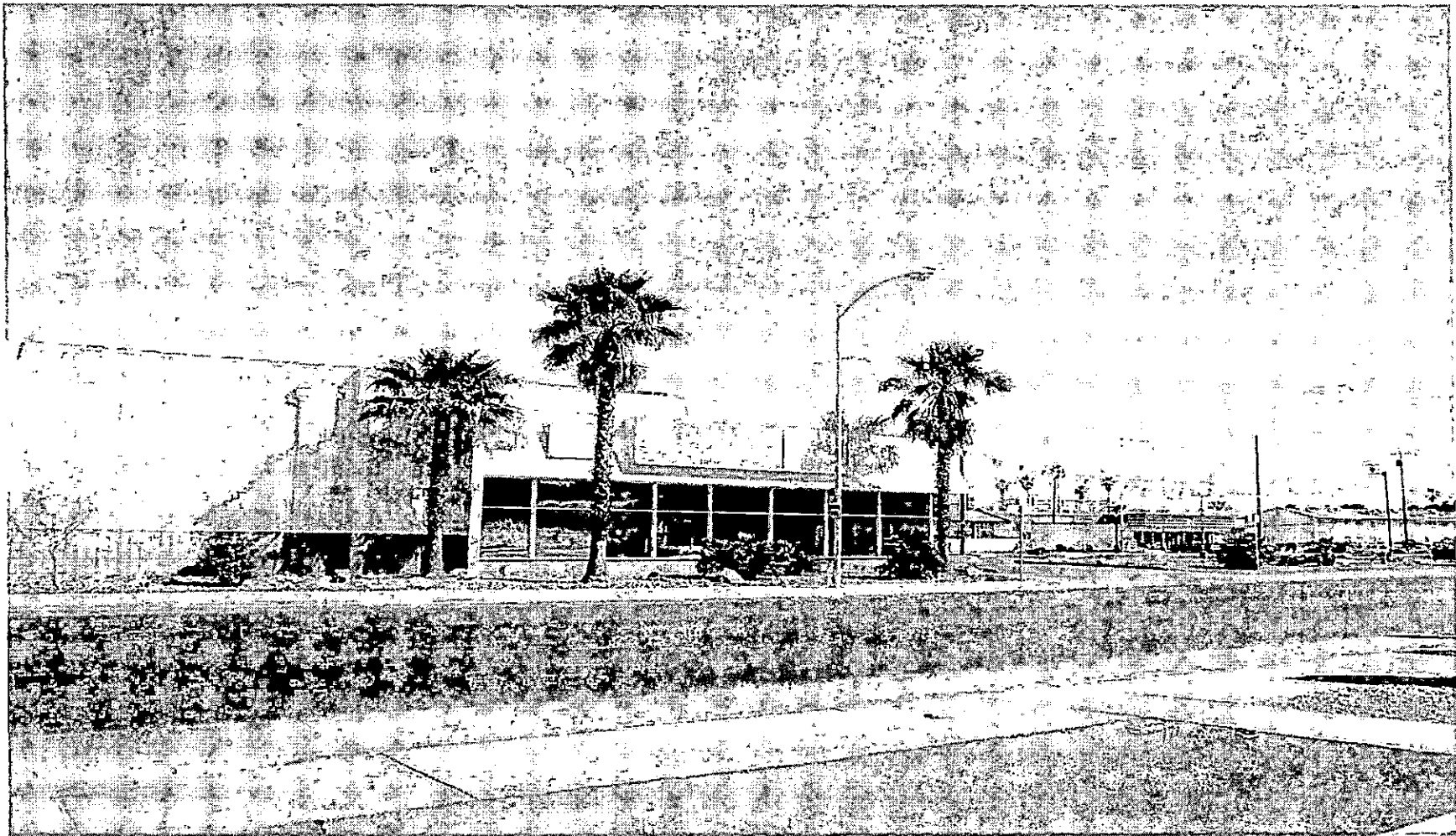
VAR-20487, VAR-20488, VAR-21263, SUP-20486, SUP-20740, AND SDR-20484 - APPLICANT: THE
ISLAND DEVELOPMENT, LLC - OWNER: NEAR AND FAR, LLC
401 SOUTH MARYLAND PARKWAY
MAY 10, 2007 PLANNING COMMISSION

04/26/07



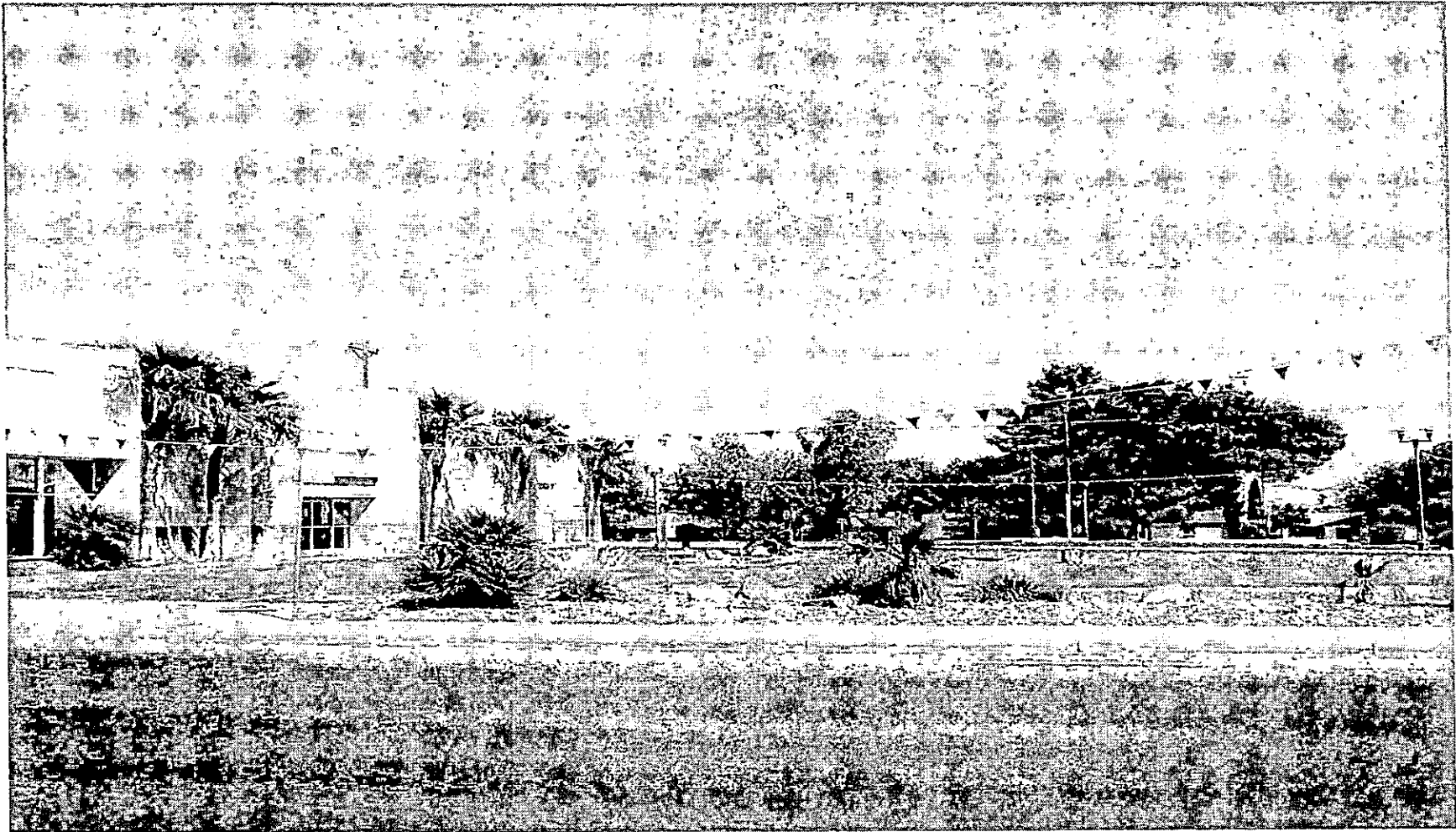
VAR-20487, VAR-20488, VAR-21263, SUP-20486, SUP-20740, AND SDR-20484 - APPLICANT: THE
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MAY 10, 2007 PLANNING COMMISSION

04/26/07



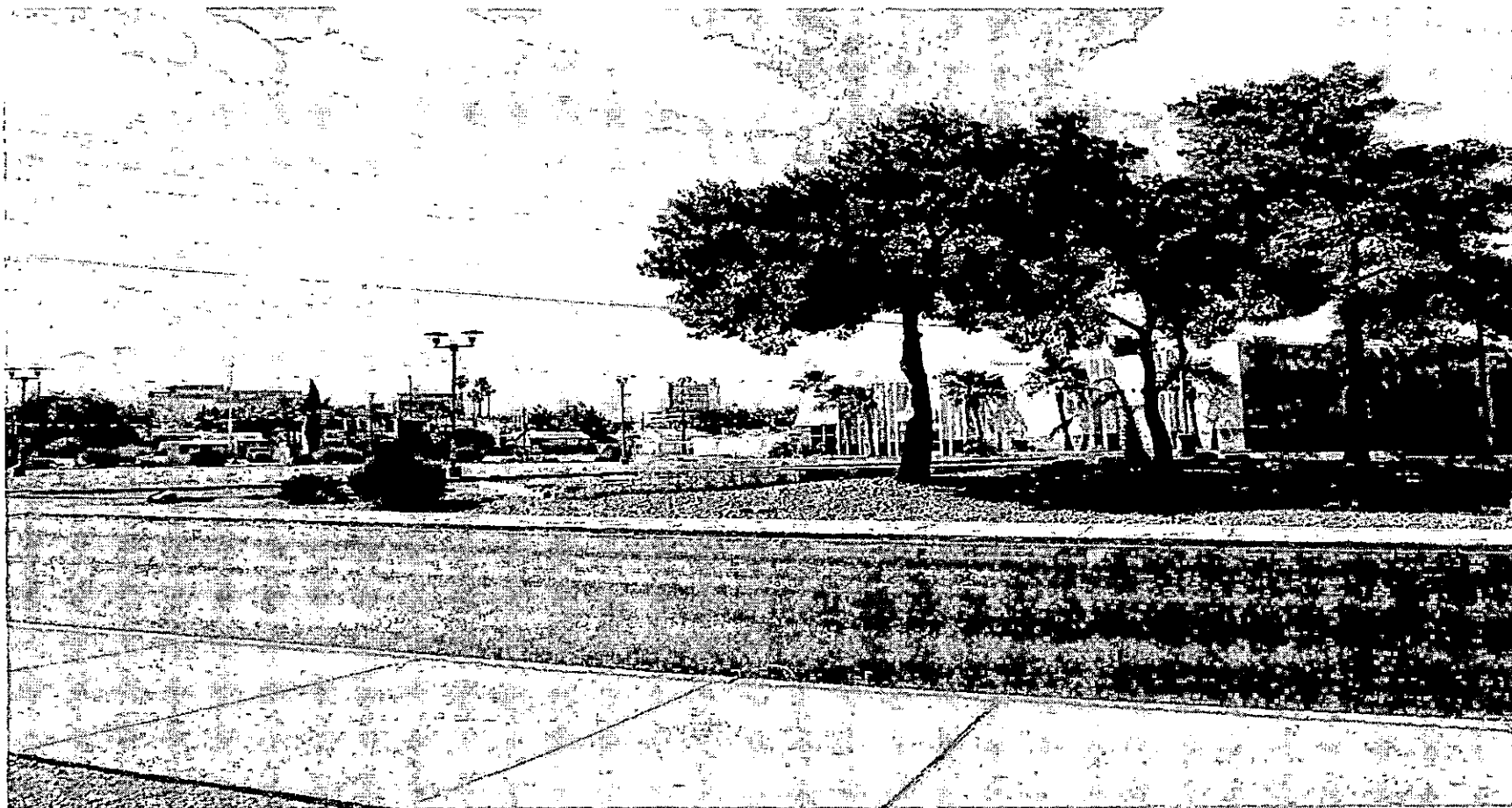
VAR-20487, VAR-20488, VAR-21263, SUP-20486, SUP-20740, AND SDR-20484 - APPLICANT: THE
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401 SOUTH MARYLAND PARKWAY
MAY 10, 2007 PLANNING COMMISSION

04/26/07



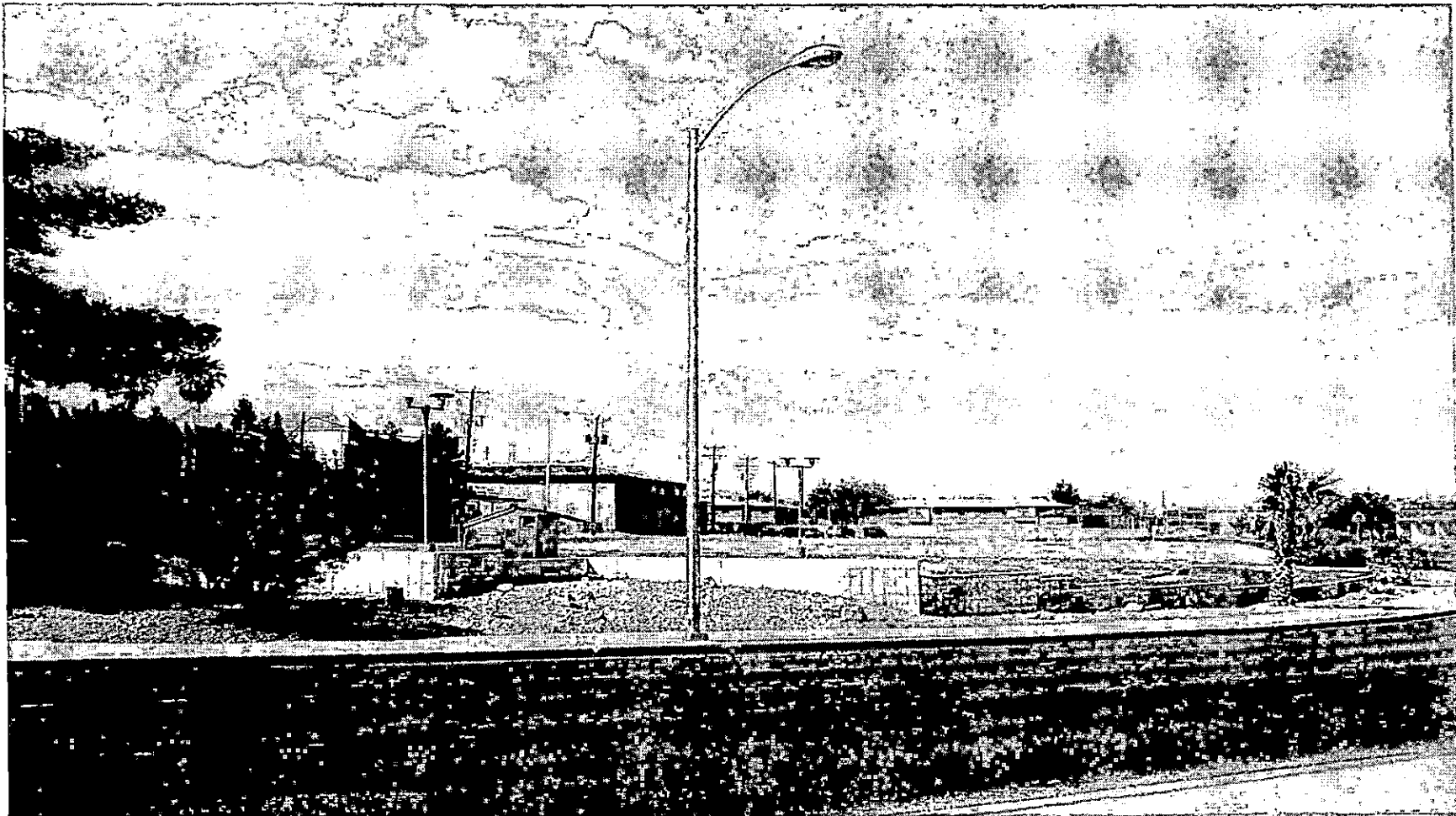
VAR-20487, VAR-20488, VAR-21263, SUP-20486, SUP-20740, AND SDR-20484 - APPLICANT: THE
ISLAND DEVELOPMENT, LLC - OWNER: NEAR AND FAR, LLC
401 SOUTH MARYLAND PARKWAY
MAY 10, 2007 PLANNING COMMISSION

04/26/07



VAR-20487, VAR-20488, VAR-21263, SUP-20486, SUP-20740, AND SDR-20484 - APPLICANT: THE
ISLAND DEVELOPMENT, LLC - OWNER: NEAR AND FAR, LLC
401 SOUTH MARYLAND PARKWAY
MAY 10, 2007 PLANNING COMMISSION

04/26/07



VAR-20487, VAR-20488, VAR-21263, SUP-20486, SUP-20740, AND SDR-20484 - APPLICANT: THE
ISLAND DEVELOPMENT, LLC - OWNER: NEAR AND FAR, LLC
401 SOUTH MARYLAND PARKWAY
MAY 10, 2007 PLANNING COMMISSION

04/26/07

March 13, 2007

To: City of Las Vegas

From: The Island Development, LLC

RE: ENTITLEMENTS FOR "THE ISLAND" PROJECT
401 S. MARYLAND PKY.

Good Beautiful Day and Welcome to "The Island" Las Vegas;

The Island Development LLC is the developer of a 50-story high rise featuring mixed use of 497 residential units, offices, and retail space including 22,500 square feet intended for a grocery store. This development, known as "The Island," will make a significant contribution to downtown redevelopment with a combination of elegant design, pedestrian friendly, retail space, office space, and nightlife. "The Island" will help ensure that downtown Las Vegas becomes a new mecca for residents, workers, and visitors.

"THE ISLAND" SITE was formerly occupied by a Standard Paint store. The site itself is 2.919 acres or 127,159 SF.

Total lot coverage will be 60.57%. A variance is requested to increase the coverage from 50.57% by 10.57% in order to provide the full range of planned amenities.

The area in which "The Island" is located features a mixture of small offices converted from single-family residences, duplexes and multi-family complexes. Most of these buildings date from the 1940's through the 1960's. 52.4% of the properties within a two mile radius of "The Island" are non-owner occupied.

There is little retail available. There are no attractions which would entice visitors to the area or office workers to linger after hours. Currently, this area constitutes a high unemployment designated status between 10.2% - 11%. The national unemployment status is 4%. We will create jobs in this depressed area.

The Island is walking distance to the Federal building at Lewis and Las Vegas Blvd, 3/10 of a mile and six blocks from East Fremont St., entertainment district.

SDR-20484

04/26/07 PC

www.theislandlasvegas.com

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MAR 18 2007

Page 1 of 2

RESIDENTIAL UNITS. "The Island" features 497 residential units with 637,400 gross residential square feet. Net livable SF is 542,500 for an 85% efficiency ratio. Residential units are mixed as follows:

202 studios @ 495 SF
127 one bedrooms @ 990 SF
128 one bedroom + den @1050 SF
24 two bedroom + den @1580 SF
8 two bedroom penthouse units @ 2200 SF
8 three bedroom penthouse units @ 2300 SF (available for 2 story loft penthouses)

AMENITIES FOR RESIDENTS include laundry and dry cleaning service, fitness center, business center, media room (all on level 10) with a lounge/bar, emergency room, Concierge, lobby, seating area for gatherings with flat screen HDTV's and valet service 24/7. Every unit will have 5' X 9' storage area on their level of parking.

A jogging path of 450' (the perimeter of the top of the building) will also be available for the residents to jog in the clouds.

Residents can enjoy a covered walking path on the 44th floor.

OFFICE SPACE will occupy 52,300 square foot on floors 11 and 12 and an additional 12,500 square feet on the 44th floor. The offices will all be class "A" and the 44th floor of offices will have floor to ceiling windows with a walking path outside the offices encircling the building so the residents may walk in inclement weather under the cover of the building.

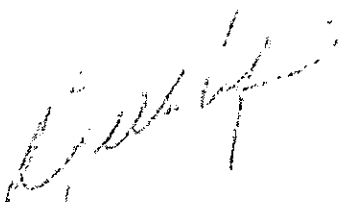
RETAIL SPACE will occupy 29,000 SF. A grocery store is anticipated to occupy 22,500 SF.

The roof, on level 50, features a 5,600 square foot public, Sky restaurant together with a pool featuring deck service. The restaurant will target residents and visitors. Parking will include 1117 spaces. Two subterranean parking levels will be provided for the retail component. Residential and office parking will be provided in the above ground structure.

The total construction is 1,224,200 SF with a Net of land 80,048 SF which equals F.A.R. of 15.29. Our building height is 544', with 170.3 units per gross acre; units per NET acre is 270.4.

We accept that the City of Las Vegas can see our vision, to change the image of this neighborhood and align it with the vision of the Mayor and the City of Las Vegas into a true, Live/Work community. We have been inspired by listening to it's leaders, through-out the past few years.

God Bless,



Daniela "Dusty" Buckel
Managing Partner

RECEIVED
MAR 13 2007

SDR-20484
04/26/07 PC

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

CASE# 20488, 20486, 20487, 20484

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed.

JPL
INITIALS

We are interested in seeing this site developed, but with the following considerations:

We feel this would be an excellent project for our area.

Signed:

Shirley J. Leavitt

SHIRLEY J. LEAVITT

PRINT NAME

1521 Franklin LV NV 89104

ADDRESS

PRINT NAME

ZIP

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 38, 40, 42
CASE # See Above
PC MTG 5-0-07

A

The Island Las Vegas

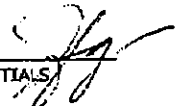
April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

CASE# 20488, 20486, 20487, 20484

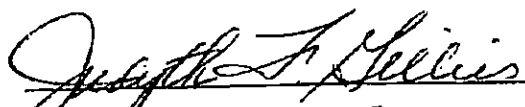
Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed.

INITIALS 

We are interested in seeing this site developed, but with the following considerations:

Signed:


JUDITH F. GILLIES
PRINT NAME

PRINT NAME

1800 BRACKEN AVE
ADDRESS

89104
ZIP

424 So. 13th STREET.

89101

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 38, 40, 42
CASE # See Above
PC MTG 5-10-07

A

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed.

lyj
INITIALS

We are interested in seeing this site developed, but with the following considerations:

Signed:

Norma Jakubowski
NORMA JAKUBOWSKI
PRINT NAME

PRINT NAME

2828 VIA FLORENTINE
ADDRESS *NEEDS*

89074
ZIP

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 38, 40, 42
CASE # See Above
PC MTG 5-10-07

A

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed. ea

INITIALS

We are interested in seeing this site developed, but with the following considerations:

Purchasing the building at 325 S. Maryland.

Signed:

Lanie Cox

LANIE COX

PRINT NAME

FOR O'REILLY LAW GROUP, LLC

PRINT NAME

325 S. MARYLAND PKWY

ADDRESS

89101
ZIP

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 38, 40, 42
CASE # See Above
PC MTG 5-10-07

A

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed.

DB
INITIALS

We are interested in seeing this site developed, but with the following considerations:

Signed:

Joel D Kirkwood
PRINT NAME

PRINT NAME

7475 W Sahara #100
ADDRESS

89117
ZIP

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 38, 40, 42
CASE # See Above
PC MTG 5-10-07

A

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed.

JB
INITIALS

We are interested in seeing this site developed, but with the following considerations:

Signed:

Jack Woodcock
Jack Woodcock

PRINT NAME

PRINT NAME

7475 W. Sahara Ave

ADDRESS

LV NV

89117

ZIP

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # *37, 38, 40, 42*
CASE # *See Above*
PC MTG *5-10-07*

A

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight where we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed.

H.F.
INITIALS

We are interested in seeing this site developed, but with the following considerations:

I hope you get the project off the ground
without too many un-necessary oppositions
and problems. I welcome this wonderful
project and hope for the best.

Signed:

Hildegard Furness HFS TRUST

Hildegard FURNESS
PRINT NAME

PRINT NAME

1716 So. 17th Street
ADDRESS

89104
ZIP

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 38, 40, 42
CASE # See Above
PC MTG 5-10-07

A

The Island Las Vegas

April 11, 2007

I/We, attended the neighborhood meeting tonight were we were introduced to the proposed mixed use development located at 401 S. Maryland Pky., known as The Island.

Please initial your choice and write any comments you may have

We are very interested in seeing this development at this site, as proposed. _____

INITIALS

We are interested in seeing this site developed, but with the following considerations:

20 stories + 60% parking reduction.

Signed:

Ernesto Savino

PRINT NAME

PRINT NAME

418 S. Maryland Pky

ADDRESS

89101

ZIP

CV, NV.

When filled out either give it to the presenter of the Neighborhood meeting, at the meeting, or mail to:

D. Dusty Buckel
8330 W. Sahara Ave. Ste. 110
Las Vegas, NV 89117

702-812-1209 dustybuckel@aol.com

ITEM # 37, 38, 40, 42
CASE # See Above
PC MTG 5-10-07

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-20721 - VARIANCE - PUBLIC HEARING - APPLICANT: INSITE TOWERS, LLC
- OWNER: CITY OF LAS VEGAS - Request for a Variance TO ALLOW A RESIDENTIAL
ADJACENCY SETBACK OF 179 FEET WHERE 240 FEET IS THE MINIMUM SETBACK
REQUIRED FOR A PROPOSED 70-FOOT, 75-FOOT, AND 80-FOOT TALL WIRELESS
COMMUNICATION FACILITY, (STEALTH DESIGN) on 10.22 acres located at 10011
Gilcrease Avenue (APN 125-18-201-017), C-V (Civic) Zone, Ward 6 (Ross).

C.C.: 6/20/07

PROTESTS RECEIVED BEFORE:

City Council Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

City Council Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **TABLED**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report – Not Applicable
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Letter of opposition by Ron Shaver and a table request by Turn-Key Telecom, LLC for Items 43 and 44

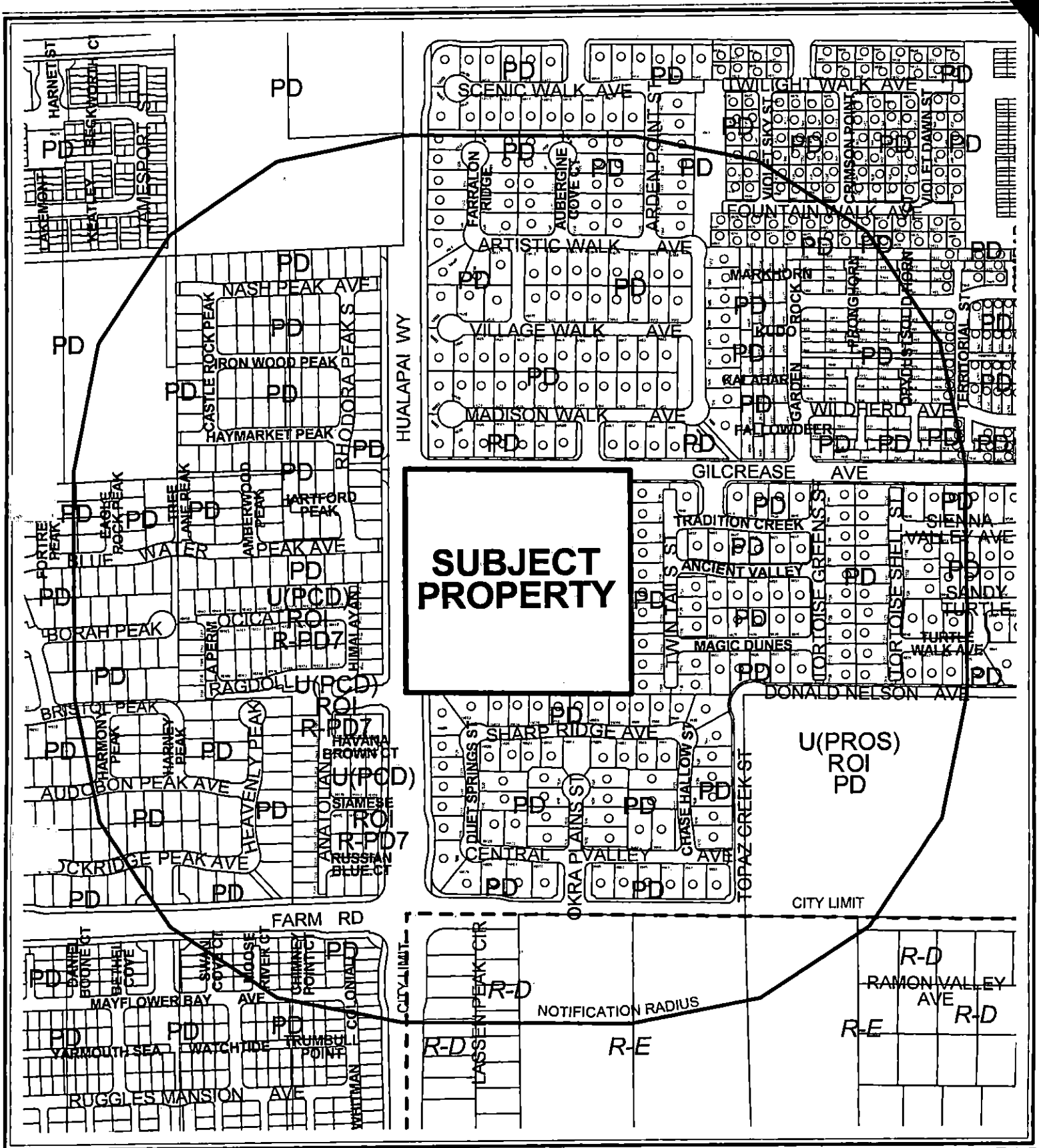
MOTION:

GOYNES – STRIKE Item 25; TABLE Items 16 and 43-44; HOLD IN ABEYANCE Items 28 and 47-48 to 5/24/2007; Items 17-21 and 37-42 to 6/14/2007 – UNANIMOUS

MINUTES:

The applicant for Items 43-44 requested the items be tabled.

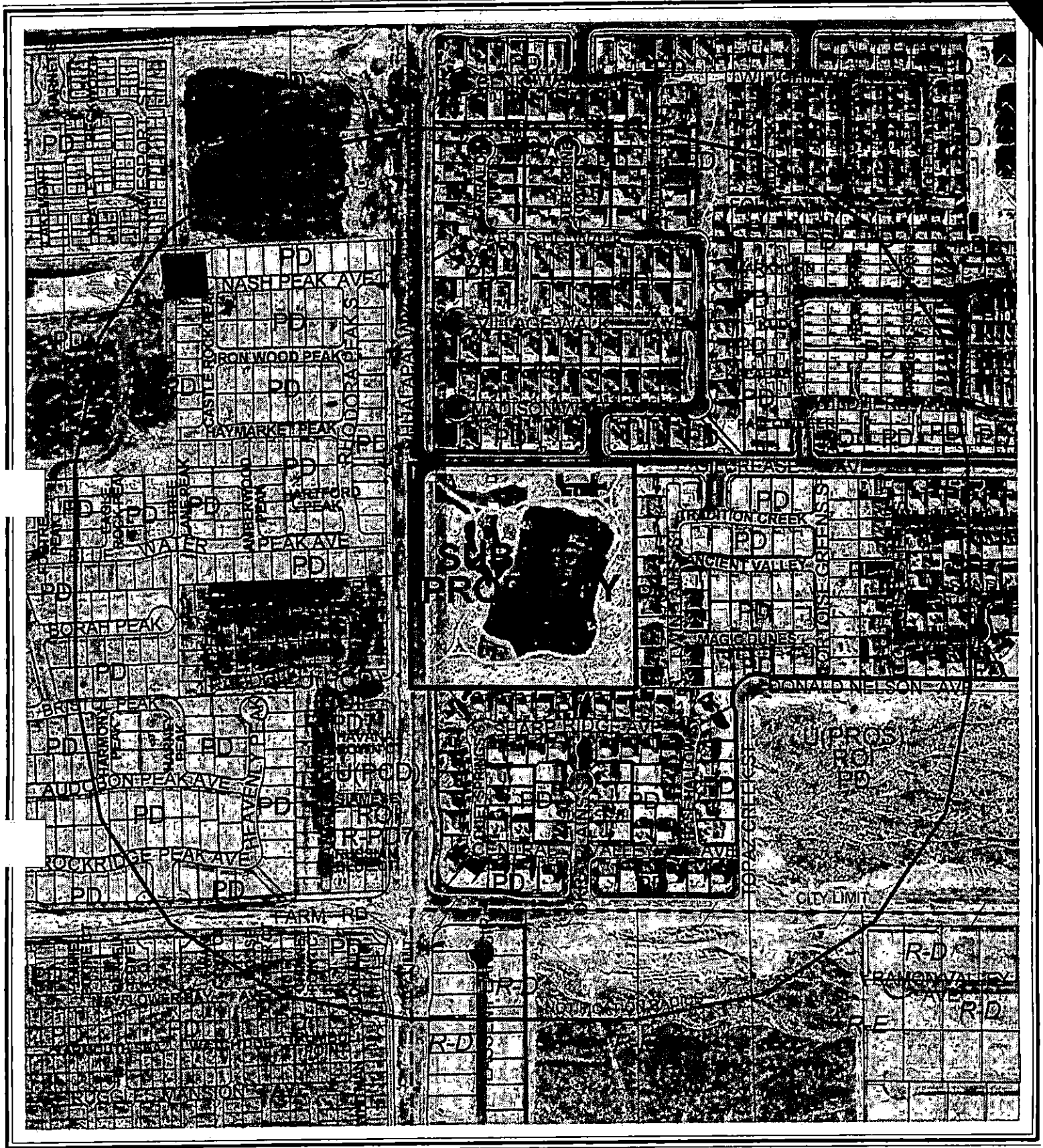
(6:02 – 6:09)



CASE: VAR-20721

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



CASE: **VAR-20721**
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 10, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20721 - APPLICANT: INSITE TOWERS, LLC - OWNER:
CITY OF LAS VEGAS

APPLICANT REQUESTS THIS ITEM BE TABLED

TURN-KEY TELECOM, LLC

Offering a full array of Site Development Services

Site Acquisition • Land Use Entitlement • Construction Management • Tower Site Development

May 1, 2007

City of Las Vegas
Planning & Development Department
731 S Fourth Street
Las Vegas NV 89101

Re: InSite Towers Case #(s) SUP-20718 & VAR-20721 – Stealth Co-Location Communication Site

This letter is to request that case numbers SUP-20718 & VAR -20721 be "Tabled" until the next hearing date scheduled for May 24th 2007. This will allow time for InSite Towers to reconfigure the site to meet all set back required for this type of application per the Planning Departments recommendations.

Thank you for your assistance with this mater and please feel free to contact me with any further questions.

Sincerely Your,



Todd Fuson
Representing InSite Towers, LLC

Cc: InSite Tower, LLC -- Veronica Scozia



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: UAR-20721 APN: 125-18-201-017
Name of Property Owner: City of Las Vegas
Name of Applicant: InSite Towers, LLC

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

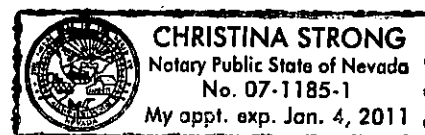
Signature of Property Owner: *Robin Yorkum*

Print Name: Robin Yorkum

Subscribed and sworn before me

This 26th day of March, 2007

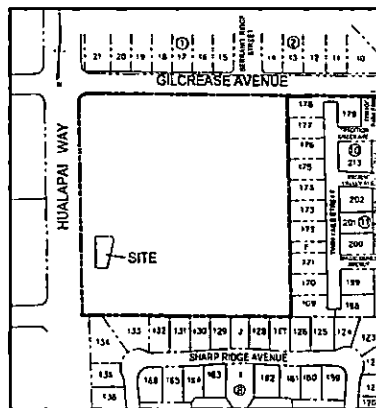
Christina Strong
Notary Public in and for said County and State
Clark County



RECEIVED

Insite Towers, LLC

10011 GILCREASE AVENUE
PARCEL 125-18-201-017
LAS VEGAS
CLARK COUNTY, NEVADA



AREA MAP
CLARK COUNTY, NEVADA

SITE LOCATION INFORMATION	
SITE NAME	GILCREASE PARK
SITE ADDRESS	10011 GILCREASE AVENUE LAS VEGAS NV 89143
PARCEL	125-18-201-017
APPROXIMATE	CLARK COUNTY
CURRENT ZONING	R-2
SITE COORDINATES	N 1/4 201 W 1/4 181
SITE OWNER	CITY OF LAS VEGAS LAS VEGAS NV 89101
SITE APPLICANT	INSITE TOWERS LLC 10011 GILCREASE AVENUE LAS VEGAS NV 89143 OFFICE (702) 438-6200
SITE CONTACT	ALVIN TODD FUSON OFFICE (702) 438-6200
EXISTING PREPARED	GILMORE & ASSOCIATES, INC. 8141 S. CORNER BLVD SUITE 100 LAS VEGAS NV 89149 OFFICE (702) 438-6200

SITE CHARACTERISTICS	
STRUCTURAL TYPE	WOOD/STEEL
CLIMATIC ZONE	2011 BMD 01
LOCATION OF WIND EQUIPMENT	GROUND
PERMITTED USE OF STRUCTURE	WIND TOWER
STRUCTURAL HEIGHT	100 FT
APPROXIMATE WIND SPEED	100 FT
GROUND SPACE	100 FT



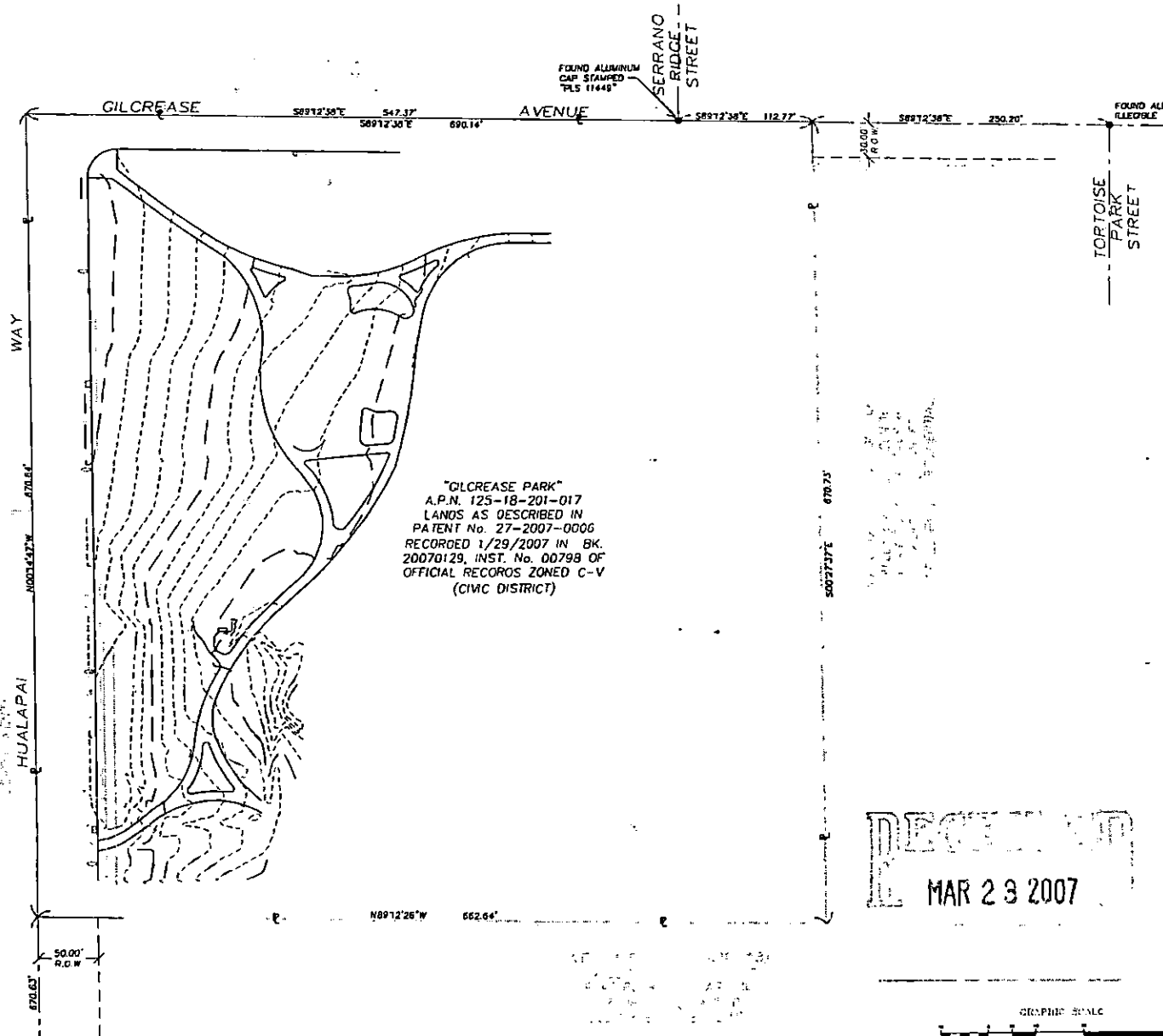
SHEET INDEX	
SHEET NO.	SHEET DESCRIPTION
1-1	FILE SHEET
EC-1	EXISTING CONDITIONS
2-1	ZONING EXHIBIT FOR 60' TOWER
2-2	ZONING EXHIBIT FOR 75' TOWER
2-3	ZONING EXHIBIT FOR 100' TOWER
3-1	SITE PLAN & ELEVATION
PS-1	FREE ELEVATION
ARE ROBERT L. BLASSCHKE SAS CONST. TODD FUSON TURNKEY LANDLORD LEASING R.F. ZONING CONSTRUCTION	
10011 GILCREASE AVENUE LAS VEGAS, NV 89143 CLARK COUNTY	
Insite Towers, LLC 8141 S. CORNER BLVD SUITE 100 LAS VEGAS NV 89149 OFFICE (702) 438-6200	
TITLE SHEET	
GILMORE & ASSOCIATES, INC. CONSULTING ENGINEER & LAND SURVEYORS 10011 GILCREASE AVENUE SUITE 100 LAS VEGAS NV 89143 OFFICE (702) 438-6200	
RECEIVED T-1 1 7	

THIS DOCUMENT WAS DEVELOPED TO REFLECT
A SPECIFIC SITE AND ITS SITE INFO AND CONDITIONS
IS NOT TO BE USED FOR ANY OTHER SITE
UNLESS OTHER CONDITIONS ARE PRESENT AT
THE CURRENT TIME OF DEVELOPMENT REUSE OF THIS
DOCUMENT IS AT THE SOLE RISK OF THE USER

DO NOT SCALE DRAWINGS
CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING
DIMENSIONS AND CONDITIONS RELATING TO THIS
PROJECT AND SHALL IMMEDIATELY NOTIFY
THE ENGINEER OF ANY DISCREPANCIES PRIOR
TO PROCEEDING WITH WORK

VAR-20721
SUP-20718
05/10/07 PC

MAR 23 2007



PROJECT INFORMATION

BASIS OF BEARING

THE BASIS OF BEARINGS FOR THIS PROJECT IS QUARTER MERIDIAN
 EAST FROM THE NORTHEAST QUARTER OF THE NORTHEAST
 QUARTER SECTION 18, TOWNSHIP 19 NORTH, RANGE 20 EAST,
 40th CLARK COUNTY, NEVADA, AS SHOWN ON A RECORD
 SURVEY ON FILE IN THE CLARK COUNTY RECORDS OFFICE
 OFFICE IN THE 123 AT PAGE 33

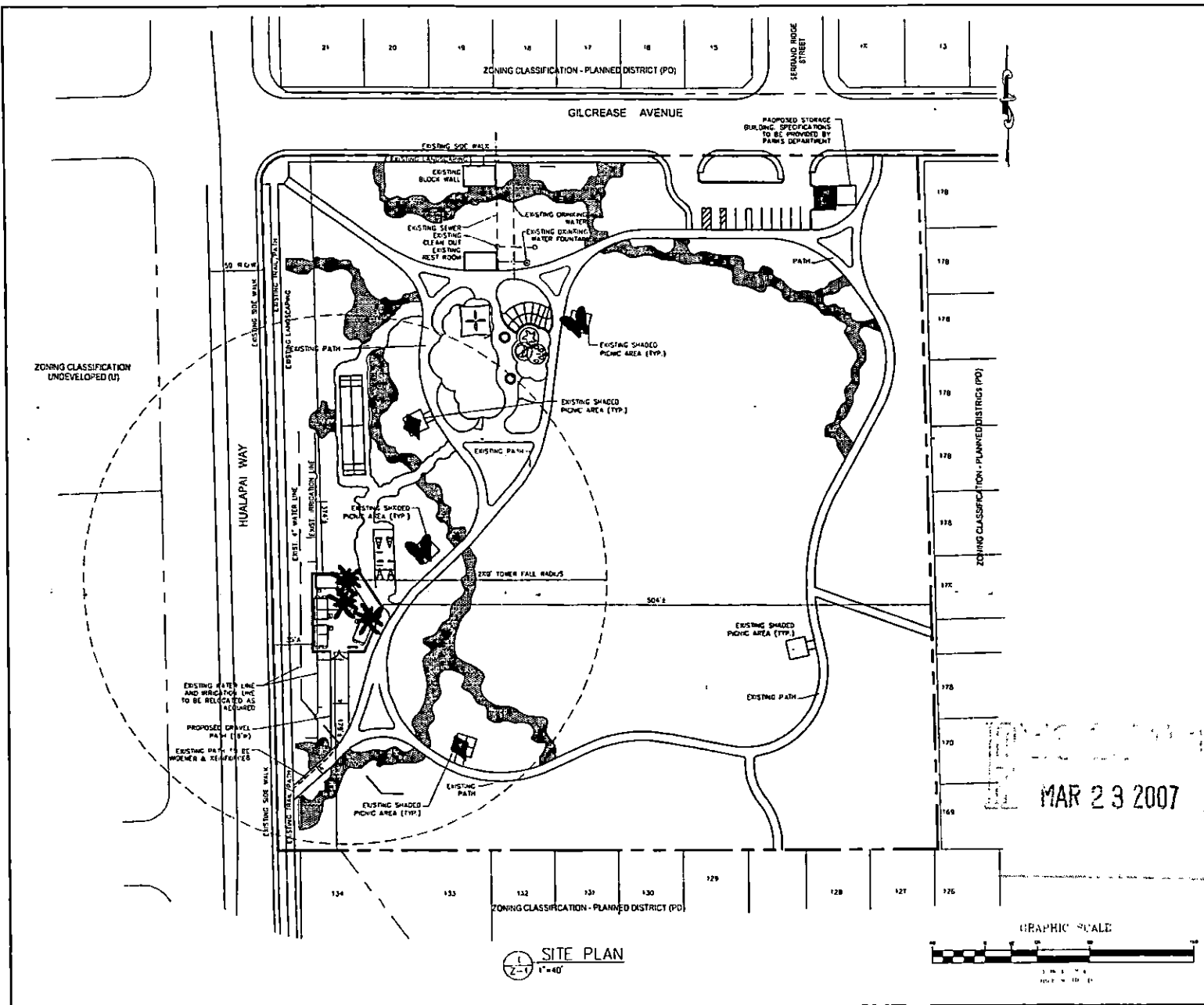
BENCHMARK

PROJECT BENCHMARK NO. 88
 CITY OF LAS VEGAS BENCHMARK BLVD-130120 ELEVATION =
 2049.89 FEET
 NAIL AND PLATE IN A CONCRETE CHALKER AT THE SOUTHWEST
 CORNER OF HUALAPAI AND GILCREASE

RECEIVED
 MAR 23 2007

ABE ROBERT L. BLASSCOX S.A.S. CIVIL ENGINEER CONVEY TOOD FUSON TURNKEY LANDLORD LEASING R.F. ZONING CONSTRUCTION		10011 GILCREASE AVENUE LAS VEGAS, NV 89103 CLARK COUNTY EXISTING CONDITIONS PLAN	Insite Towers, LLC 4030 AVISTA COURT LAS VEGAS, NV 89128 OFFICE: (702) 430-8388 GILMORE & ASSOCIATES, INC. COASTAL ENGINEERS & LAND SURVEYORS 4000 SOUTH LAS VEGAS AVENUE SUITE 200 LAS VEGAS, NV 89119 PHONE: (702) 430-8388 FAX: (702) 430-8389
DATE DRAWN BY CHECKED BY DATE	DATE DRAWN BY CHECKED BY DATE	SHEET NO. 2 OF 7	

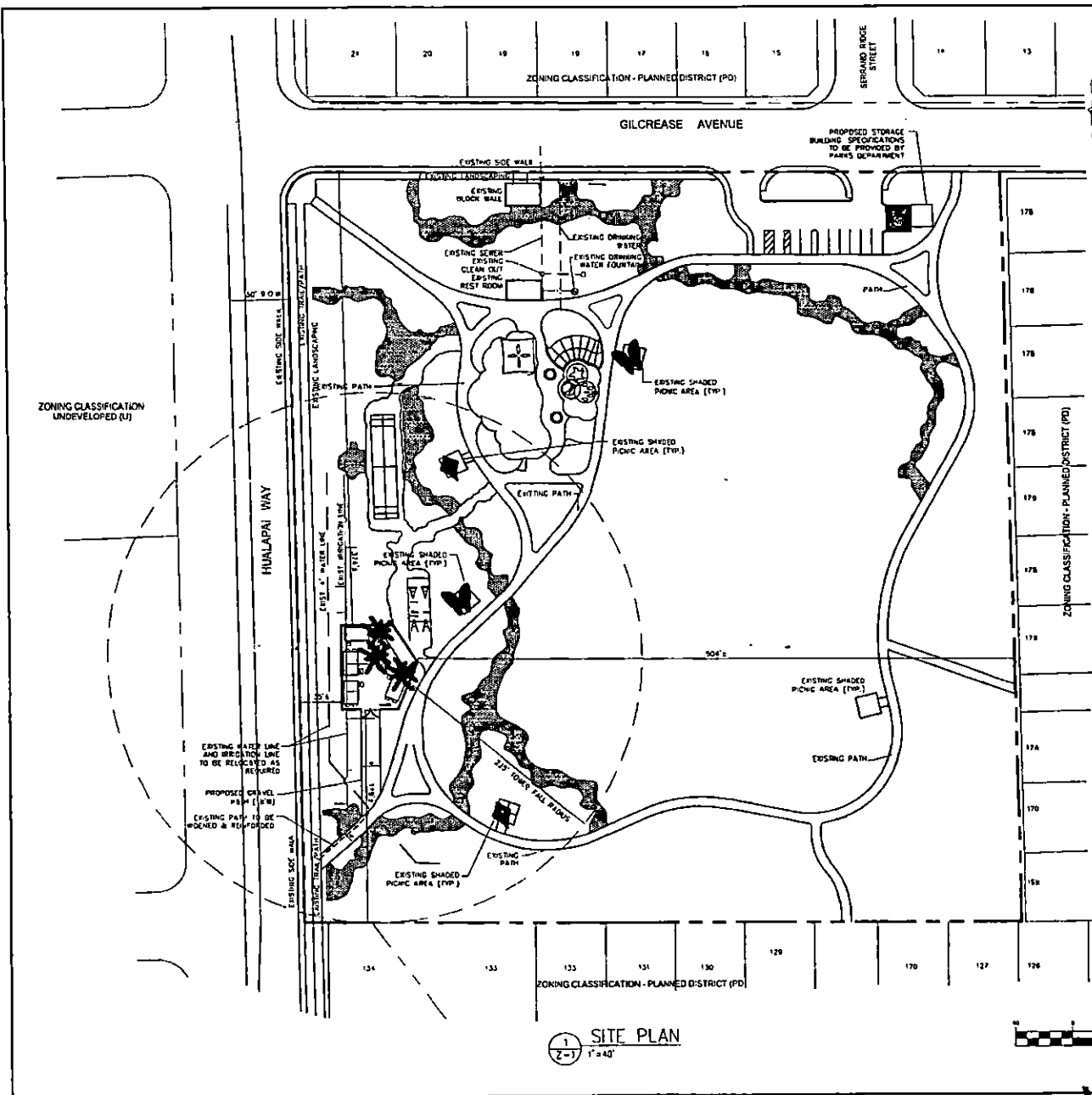
VAR-20721
SUP-20718
05/10/07 PC



SITE LOCATION INFORMATION	
PROJECT NO.	10011 GILCREASE AVENUE
PROJECT NAME	10011 GILCREASE AVENUE
PROJECT ADDRESS	10011 GILCREASE AVENUE
PROJECT CITY	CLARK COUNTY
PROJECT STATE	NEVADA
PROJECT ZIP	89143
PROJECT PHONE	702.735.1234
PROJECT FAX	702.735.1234
PROJECT EMAIL	info@insitetowers.com
PROJECT WEBSITE	www.insitetowers.com

SITE CHARACTERISTICS	
EXISTING USE	UNDEVELOPED
EXISTING ZONING	PD
EXISTING LOT AREA	1.00 AC
EXISTING LOT AREA	1.00 AC
EXISTING LOT AREA	1.00 AC
EXISTING LOT AREA	1.00 AC
EXISTING LOT AREA	1.00 AC
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EXISTING LOT AREA	1.00 AC
EXISTING LOT AREA	1.00 AC

PREPARED BY: ROBERT L. BLASSYK DATE: 03/23/2007 CHECKED BY: TODD FUSON DATE: 03/23/2007 DRAWN BY: [blank] DATE: [blank] ZONING: [blank] CONSTRUCTION: [blank]	
10011 GILCREASE AVENUE LAS VEGAS, NV 89143 CLARK COUNTY	Insite Towers, LLC 10011 GILCREASE AVENUE LAS VEGAS, NV 89143 OFFICE: 702.735.1234
ZONING EXHIBIT	GILMORE & ASSOCIATES, INC. CONSULTING ENGINEER & LAND SURVEYOR 10011 GILCREASE AVENUE LAS VEGAS, NV 89143 PHONE: 702.735.1234 FAX: 702.735.1234 WWW: www.gilmoreandassociates.com
SHEET NO. 1 OF 1	TOTAL SHEETS 1
SCALE: 1" = 40'	SCALE: 1" = 40'
Z-1	3
7	7

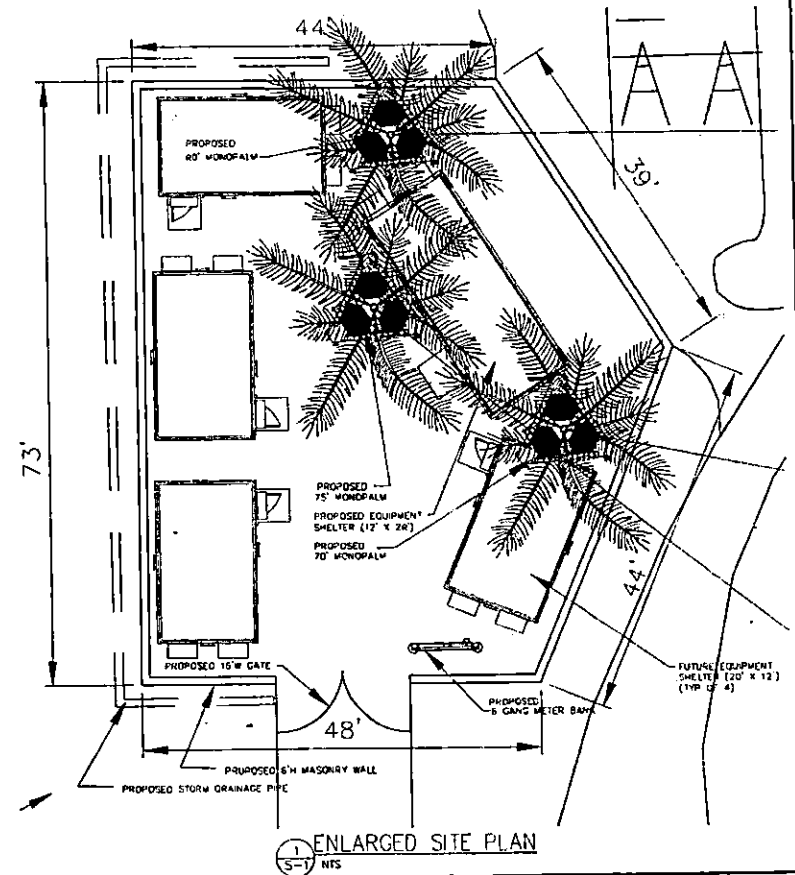
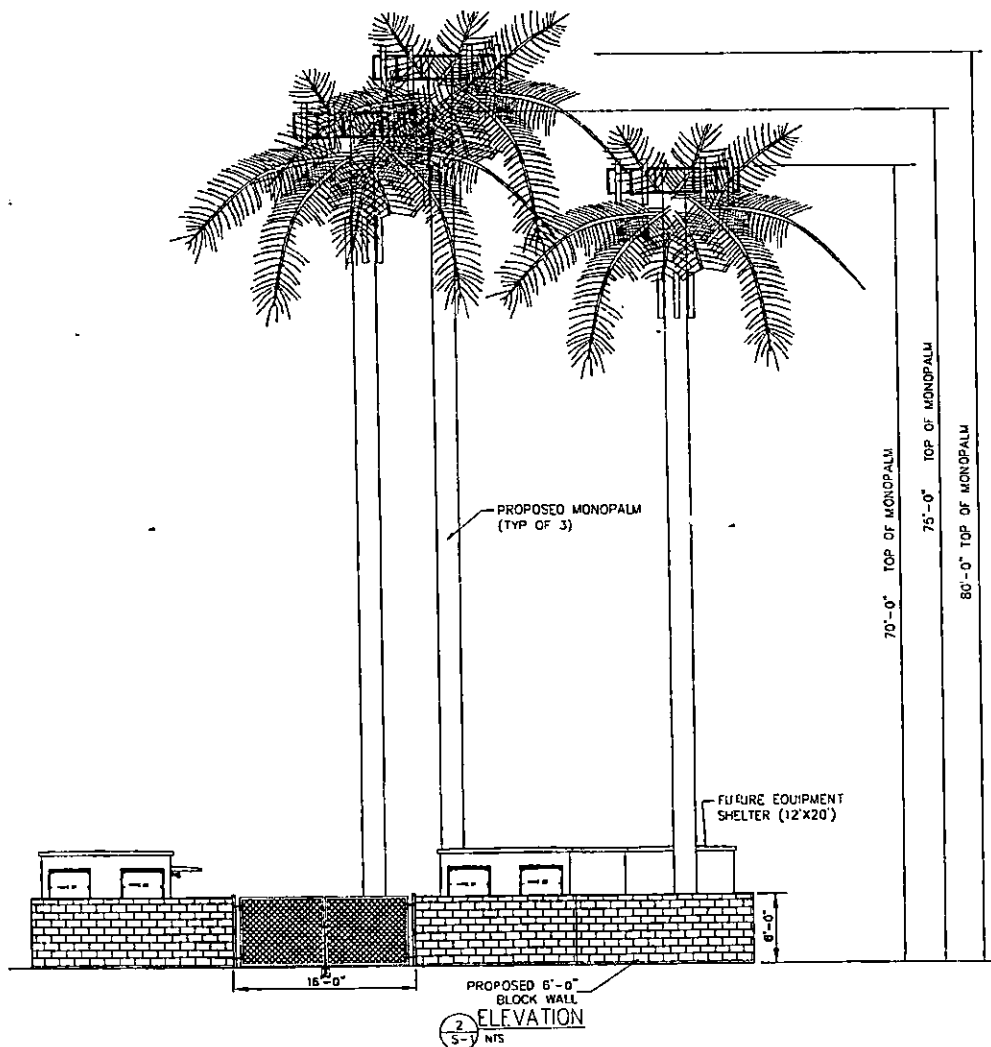


SITE LOCATION INFORMATION	
ADDRESS	10011 GILCREASE AVENUE
CITY	LAS VEGAS, NV
COUNTY	CLARK COUNTY
STATE	NEVADA
ZIP CODE	89143
UTM ZONE	18Q UTM ZONE
UTM EASTING	567,000.00
UTM NORTHING	1,100,000.00
UTM SCALE	1:100,000
UTM DATUM	NAD 83
UTM EPOCH	1982.0
UTM TOWNSHIP	18Q
UTM RANGE	18Q

SITE CHARACTERISTICS	
ACRES	1.00
OWNER	INSITE TOWERS, LLC
DEVELOPER	INSITE TOWERS, LLC
DESIGNER	GLADORE & ASSOCIATES, INC.
DATE	05/10/07
PROJECT	10011 GILCREASE AVENUE
PROJECT NO.	05-001
PROJECT NAME	10011 GILCREASE AVENUE
PROJECT ADDRESS	10011 GILCREASE AVENUE
PROJECT CITY	LAS VEGAS, NV
PROJECT STATE	NEVADA
PROJECT ZIP	89143
PROJECT COUNTY	CLARK COUNTY

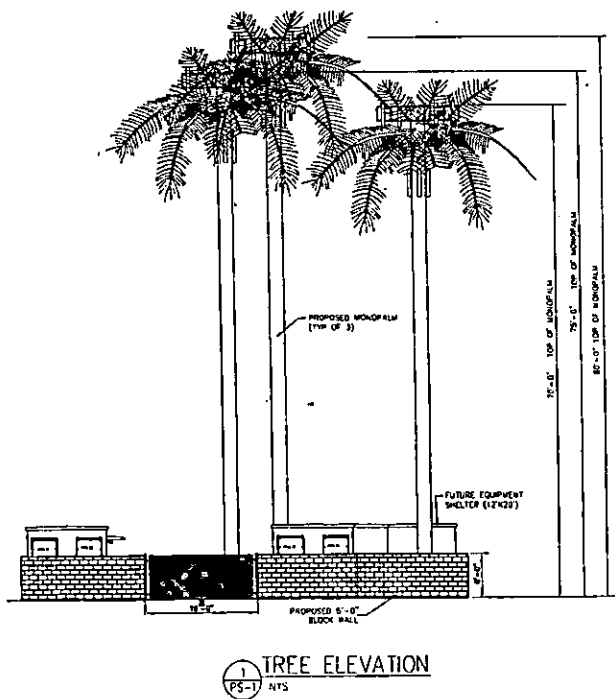
ARE: ROBERT L. BLASSCOY SAS CONST. TERRY FUSON TURKEY LANDLORD LEASING RT. ZONING CONSTRUCTION		10011 GILCREASE AVENUE LAS VEGAS, NV 89143 CLARK COUNTY	Insite Towers, LLC 8037 JUSTINE COURT LAS VEGAS, NV 89148 OFFICE: (702) 438-4300
DRAWING TITLE ZONING EXHIBIT		GLADORE & ASSOCIATES, INC. CONSULTING ENGINEERS & LAND SURVEYORS 10011 GILCREASE AVENUE LAS VEGAS, NV 89143 PHONE: (702) 438-4300 FAX: (702) 438-4301	
SCALE 1" = 40'		SHEET NO. Z-2	

VAR-20721
 SUP-20718
 05/10/07 PC



ARE ROBERT L. BLASSCH SAs RF CONST. EDDY FUSON TURNKEY LANDLORD LEASING R.F. ZONING CONSTRUCTION	10011 GILCREASE AVENUE LAS VEGAS, NV 89143 CLARK COUNTY S-1 SITE PLAN & TOWER ELEVATION	Insite Towers, LLC 8122 JUSTICE COURT LAS VEGAS, NV 89123 OFFICE (702) 438-8444
GILMORE & ASSOCIATES, INC. CONSULTING ARCHITECTS & LAND SURVEYORS 10011 GILCREASE AVENUE LAS VEGAS, NV 89143 PHONE (702) 438-8444 FAX (702) 438-8444	DATE DRAWN BY CHECKED BY SCALE S-1	SHEET NO. 6 OF 7

VAR-20721
 SUP-20718
 05/10/07 PC



MAR 23 2007

SITE LOCATION INFORMATION	
PROPERTY	10011 GILCREASE AVENUE
ADDRESS	LAS VEGAS, NV 89143
CITY	LAS VEGAS
COUNTY	CLARK COUNTY
STATE	NV
ZIP	89143
OWNER	INSITE TOWERS, LLC
DESIGNER	GILMORE & ASSOCIATES, INC.
DATE	03/23/07
PROJECT	INSITE TOWERS, LLC
DESCRIPTION	PROPOSED MONOPOLE TOWER AND FUTURE EQUIPMENT SHELTER
DATE	03/23/07
PROJECT	INSITE TOWERS, LLC
DESCRIPTION	PROPOSED MONOPOLE TOWER AND FUTURE EQUIPMENT SHELTER
DATE	03/23/07

SITE CHARACTERISTICS	
PROJECT NO.	00000000
DATE	03/23/07
PROJECT NO.	00000000
DATE	03/23/07
PROJECT NO.	00000000
DATE	03/23/07

ALE ROBERT L. BLASSCHKE SAs CONST. TODD FUSON TURN KEY LANDLORD LEASING R.F. JOYING CONSTRUCTION		10011 GILCREASE AVENUE LAS VEGAS, NV 89143 CLARK COUNTY DISTRICT	Insite Towers, LLC 1112 ADAMS COURT LAS VEGAS, NV 89143 OFFICE (702) 400-0000
TREE ELEVATION		GILMORE & ASSOCIATES, INC. CONSULTING ENGINEERS & LAND SURVEYORS 10011 GILCREASE AVENUE LAS VEGAS, NV 89143 PHONE (702) 400-0000 FAX (702) 400-0000 WWW.GILMORE-ASSOCIATES.COM	
PS-1		7	

VAR-20721
SUP-20718
05/10/07 PC

TURN-KEY TELECOM, LLC

Offering a full array of Site Development Services

Site Acquisition • Land Use Entitlement • Construction Management • Tower Site Development

January 15, 2007

City of Las Vegas Current Planning Division
731 S. Fourth Street
Las Vegas, NV 89101

**Re: InSite Towers, LLC Application for Special Use & Variance
Wireless Communications Facility @ Gilcrease Park located at
10011 Gilcrease Park - Las Vegas, NV 89149 (APN: 125-18-201-017)**

Dear Sir or Madam:

This correspondence is intended to serve as the Justification Letter in connection with InSite Towers, LLC application for a Site Development Plan Review allowing for the construction and operation of a multi-user Wireless Communications Facility for InSite Towers, LLC @ 10011 Gilcrease Ave - Las Vegas, NV 89149 (APN# 125-18-201-017).

Site Zoning Classification:

The site is located in a C-V zoning district in the City of Las Vegas, which requires an applicant to obtain approval of the proposed facility as a conditional use. The parcel to the north is zoned Planned Development (PD), to the south and east are zoned also Planned Development (PD), to the west Hualapai Drive and Undeveloped (U/PCD). The proposed project site will not meet the 3 to 1 required setback from residential to the south due to park use configurations, existing structure and the necessary area required for a communication compound.

Project Description:

InSite Towers, LLC is proposing to construct a new Wireless Communication Facility (Stealth Design) to include three (3) individual monopoles ranging from 70' to 80' within a block walled communication equipment area defined as lease area. The applicant will be leasing a currently vacant area of the property from the city of Las Vegas. The project will not affect the existing use of the property and the proposed design will blend in with the existing aesthetics of the property. The ground level equipment and three (3) monopoles will be screened with a block wall.

Project Justification:

InSite Towers, LLC is proposing to build a co-locatable stealth communication tower site which includes three (3) monopoles capable of accommodating three (3) individual carriers. Currently there are no existing wireless communications within 600 feet of this location.

VAR-20721

SUP-20718

8432 Justine Court ♦ Las Vegas, NV 89128

Office: (702) 430-8369

Fax: 05/10/07 PC

RECEIVED

MAR 23 2007

TURN-KEY TELECOM, LLC

Offering a full array of Site Development Services

Site Acquisition • Land Use Entitlement • Construction Management • Tower Site Development

InSite Towers, LLC seeks to minimize the visual impact to the immediate area when searching for suitable candidates for our communication tower sites. Furthermore, our proposed installation is an unmanned facility requiring maintenance only once a month. This project was pursued because of a lack of existing tower structures to collocate on, landlord interest (City of Las Vegas), site location, and the ability to locate a new facility while minimizing the impact on the surrounding area.

Section 19A.04.040(C) of the zoning code of the city of Las Vegas, sub-section "Wireless Communication Facility, Stealth Designs (All Districts)" outlines the elements that the Current Planning Division must conduct to determine the zoning requirements of this application. InSite Towers, LLC satisfies the requirements of Section 19A.04.040(C) as follows:

1. There is no residential use that exists on the property.
2. The design conforms to the definition of the term "Wireless Communication Facility, Stealth Design" as set forth in section 19A.20.020.
3. The site is not located within an area designated as a Historic Preservation District.
4. The design and location of the proposed facility is compatible with the surrounding uses in terms of scale, site design and operating characteristics, and the facility will be appropriately screened to ensure compatibility.
5. The frequencies to be used by the carriers are in conformance with Federal Communication Commission standards, as certified by a competent professional (i.e. radio frequency engineer).

Thank you for considering InSite Towers, LLC application for a new stealth communication site at Gilcrease Park. InSite Towers, LLC requests approval of its Application. Please feel free to call me at (702) 430-8369 if you have any questions.

Best Regards,



Todd Fuson
Turn-Key Telecom, LLC
Site Acquisition & Development

8432 Justine Court ♦ Las Vegas, NV 89128
Office: (702) 430-8369 Fax: (702) 995-7004

VAR-20721
SUP-20718
05/10/07 PC

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

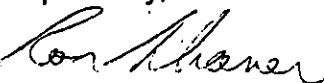
May 2, 2007

To whom it may concern,

I recently received two notices of public hearing, SUP-20718 and VAR-20721, both related to the installation of wireless communication towers in Gilcrease Park on the corner of Gilcrease and Hualapai. I am a homeowner in that neighborhood and would like to protest the installation of those towers for a number of reasons. Gilcrease Park is a small but well used city park that has a water park, playground, picnic tables, barbecues and both bocce and horseshoe pits. A local high school's lacrosse team practices there and also stores their equipment at the park. The existing parking lot is too small for the park and people are forced to park along Gilcrease or along Hualapai where there is a considerable amount of construction traffic due to construction in the Providence area. The park is already stretched for space and putting cell towers would only serve to reduce that available space.

I am also opposed to a setback variance since our area also has two different sets of high tension towers running through it already. I feel that the wireless towers could be more appropriately placed on the corner of Hualapai and Grand Teton where there is presently very little residential or recreational development or even further west on Grand Teton closer to the water detention basin. Thank you for your consideration in this matter.

Respectfully,


Ron Shaver
7616 Okra Plains St.
Las Vegas, NV 89149
645-8012

Cc: Councilman Gary Reese
Councilman Steven Ross

Submitted after final agenda

Date 5/10/07 Item # 43-44

ITEM # 43 + 44
CASE # See Above
PC MTG 5-10-07

P

TURN-KEY TELECOM, LLC

Offering a full array of Site Development Services

Site Acquisition • Land Use Entitlement • Construction Management • Tower Site Development

May 1, 2007

City of Las Vegas
Planning & Development Department
731 S Fourth Street
Las Vegas NV 89101

Re: InSite Towers Case #(s) SUP-20718 & VAR-20721 – Stealth Co-Location Communication Site

This letter is to request that case numbers SUP-20718 & VAR -20721 be “Tabled” until the next hearing date scheduled for May 24th 2007. This will allow time for InSite Towers to reconfigure the site to meet all set back required for this type of application per the Planning Departments recommendations.

Thank you for your assistance with this mater and please feel free to contact me with any further questions.

Sincerely Your,

Todd Fuson
Representing InSite Towers, LLC

Cc: InSite Tower, LLC – Veronica Scozia

8432 Justine Court ♦ Las Vegas, NV 89128
Office: (702) 430-8369 Fax: (702) 995-7004

Submitted after final agenda

Date 5/10/07 Item 43-44

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-20718 - SPECIAL USE PERMIT - PUBLIC HEARING RELATED TO VAR-20721 - APPLICANT: INSITE TOWERS, LLC - OWNER: CITY OF LAS VEGAS - Request for a Special Use Permit FOR A 70-FOOT, 75-FOOT, AND 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, (STEALTH DESIGN) on property located at 10011 Gilcrease Avenue (APN 125-18-201-017), C-V (Civic) Zone, Ward 6 (Ross).

C.C.: 6/20/07

PROTESTS RECEIVED BEFORE:

City Council Mtg.

1

City Council Meeting

APPROVALS RECEIVED BEFORE:

City Council Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends this item be **TABLED**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report – Not Applicable
3. Supporting Documentation
4. Justification Letter

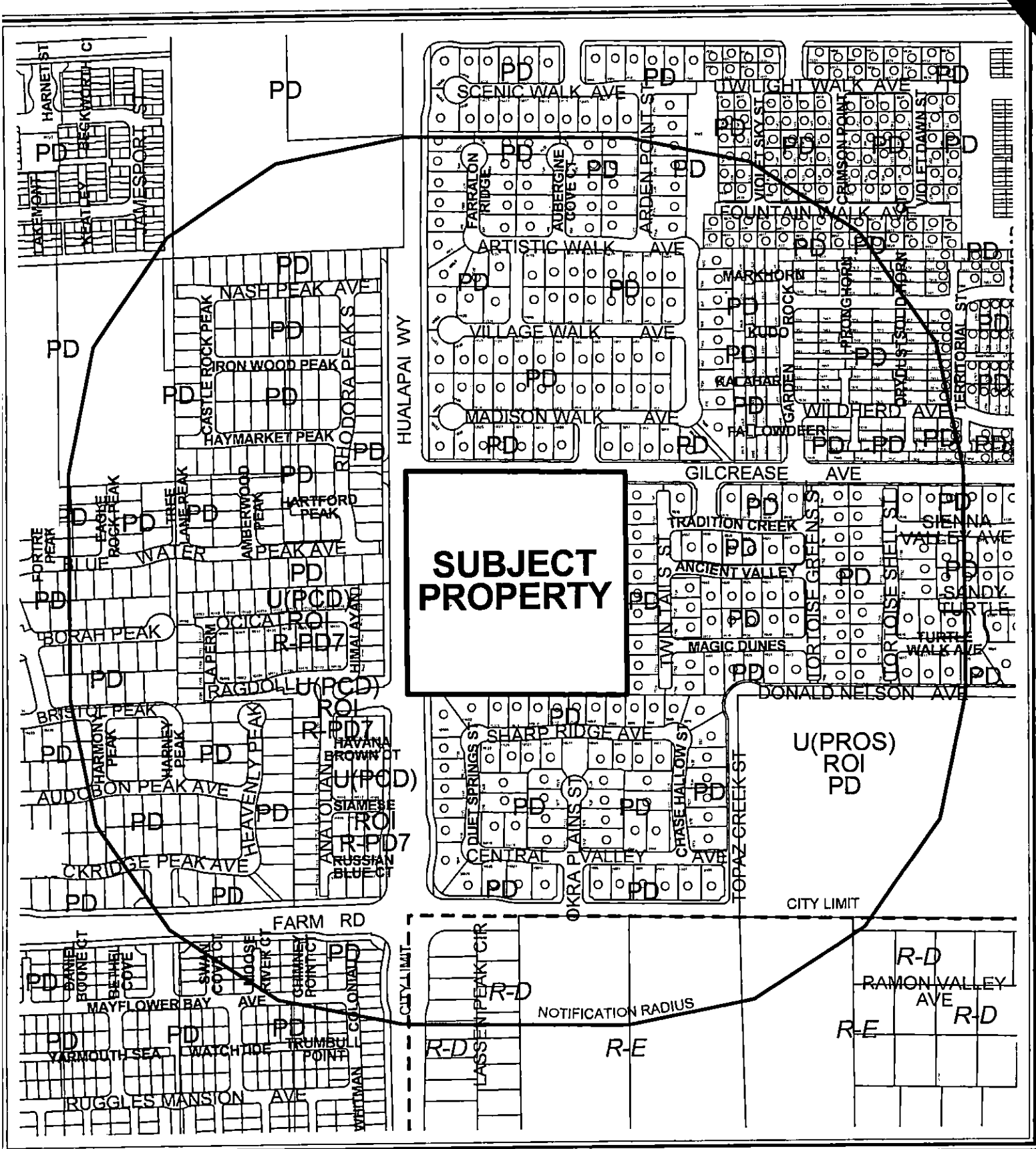
MOTION:

GOYNES – STRIKE Item 25; TABLE Items 16 and 43-44; HOLD IN ABEYANCE Items 28 and 47-48 to 5/24/2007; Items 17-21 and 37-42 to 6/14/2007 – UNANIMOUS

MINUTES:

The applicant for Items 43-44 requested the items be tabled.

(6:02 – 6:09)



CASE: SUP-20718

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 10, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-20718 - APPLICANT: INSITE TOWERS, LLC - OWNER:
CITY OF LAS VEGAS

APPLICANT REQUESTS THIS ITEM BE TABLED

TURN-KEY TELECOM, LLC
Offering a full array of Site Development Services

Site Acquisition • Land Use Entitlement • Construction Management • Tower Site Development

May 1, 2007

City of Las Vegas
Planning & Development Department
731 S Fourth Street
Las Vegas NV 89101

Re: InSite Towers Case #(s) SUP-20718 & VAR-20721 – Stealth Co-Location Communication Site

This letter is to request that case numbers SUP-20718 & VAR -20721 be “Tabled” until the next hearing date scheduled for May 24th 2007. This will allow time for InSite Towers to reconfigure the site to meet all set back required for this type of application per the Planning Departments recommendations.

Thank you for your assistance with this mater and please feel free to contact me with any further questions.

Sincerely Your,

Todd Fuson
Representing InSite Towers, LLC

Cc: InSite Tower, LLC – Veronica Scozia



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-20718 APN: 125-18-201-017
Name of Property Owner: City of Las Vegas
Name of Applicant: InSite Towers, LLC

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

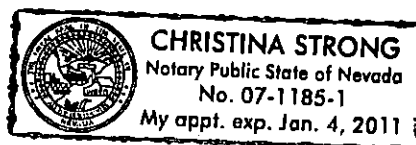
Signature of Property Owner: Robin York

Print Name: Robin Yorkum

Subscribed and sworn before me

This 20th day of March, 2007

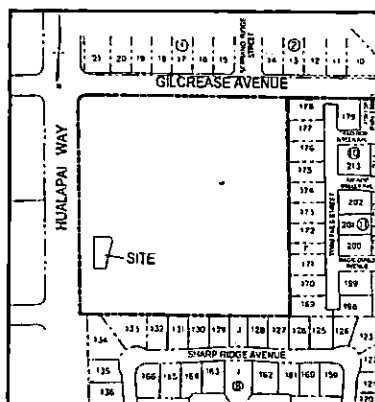
Christina Strong
Notary Public in and for said County and State
Clark County



RECEIVED

Insite Towers, LLC

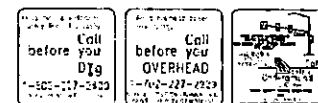
10011 GILCREASE AVENUE
PARCEL 125-18-201-017
LAS VEGAS
CLARK COUNTY, NEVADA



AREA MAP
CLARK COUNTY, NEVADA

SITE LOCATION INFORMATION	
SITE NAME	GILCREASE PARK
SITE ADDRESS	10011 GILCREASE AVENUE LAS VEGAS, NV 89143
PARCEL	125-18-201-017
JURISDICTION	CLARK COUNTY
CURRENT ZONING	R-1
SAFE COORDINATES	NAD 83 811315.17
SITE OWNER	CITY OF LAS VEGAS LAS VEGAS NV 89101
SITE APPLICANT	INSITE TOWERS, LLC 8412 JUSTICE COURT LAS VEGAS NV 89123 OFFICE: (702) 433-4307
SITE CONTACT	ATM, TOWER, RAMP OTHER EQUIPMENT
EXISTING PRELIM	GILCREASE & ASSOCIATES, INC. 8412 JUSTICE COURT LAS VEGAS NV 89123 OFFICE: (702) 433-4307

SITE CHARACTERISTICS	
STRUCTURE TYPE	REINFORCED CONCRETE
GROUND ELEV.	3000.00
LOCATION OF WIND EQUIPMENT	GROUND
PROPOSED USE OF STRUCTURE	WINDLESS EQUIPMENT
STRUCTURE HEIGHT	100.00
APPROX. INTERIOR HEIGHT	100.00
GROUND SPACE	100.00



SHEET INDEX																												
SHEET NO.	SHEET DESCRIPTION																											
1-1	TITLE SHEET																											
1-2	EXISTING CONDITIONS																											
2-1	ZONING EXHIBIT FOR R-1 ZONING																											
2-2	ZONING EXHIBIT FOR R-1 ZONING																											
2-3	ZONING EXHIBIT FOR R-1 ZONING																											
3-1	SITE PLAN & ELEVATION																											
3-2	TREE ELEVATION																											
<table border="1"> <tr> <td>ARE ROBERT L. GILCREASE</td> <td></td> <td></td> </tr> <tr> <td>SAS:</td> <td></td> <td></td> </tr> <tr> <td>CONST. TODD FUSON</td> <td></td> <td></td> </tr> <tr> <td>TURNKEY</td> <td></td> <td></td> </tr> <tr> <td>LANDLORD</td> <td></td> <td></td> </tr> <tr> <td>LEASING</td> <td></td> <td></td> </tr> <tr> <td>R.F.</td> <td></td> <td></td> </tr> <tr> <td>ZONING</td> <td></td> <td></td> </tr> <tr> <td>CONSTRUCTION</td> <td></td> <td></td> </tr> </table>		ARE ROBERT L. GILCREASE			SAS:			CONST. TODD FUSON			TURNKEY			LANDLORD			LEASING			R.F.			ZONING			CONSTRUCTION		
ARE ROBERT L. GILCREASE																												
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CONST. TODD FUSON																												
TURNKEY																												
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<table border="1"> <tr> <td>10011 GILCREASE AVENUE LAS VEGAS, NV 89143 CLARK COUNTY</td> <td> Insite Towers, LLC 8412 JUSTICE COURT LAS VEGAS NV 89123 OFFICE: (702) 433-4307 </td> </tr> </table>		10011 GILCREASE AVENUE LAS VEGAS, NV 89143 CLARK COUNTY	Insite Towers, LLC 8412 JUSTICE COURT LAS VEGAS NV 89123 OFFICE: (702) 433-4307																									
10011 GILCREASE AVENUE LAS VEGAS, NV 89143 CLARK COUNTY	Insite Towers, LLC 8412 JUSTICE COURT LAS VEGAS NV 89123 OFFICE: (702) 433-4307																											
<table border="1"> <tr> <td>TITLE SHEET</td> <td> GILCREASE & ASSOCIATES, INC. CIVIL ENGINEERS & LAND SURVEYORS 8412 JUSTICE COURT LAS VEGAS NV 89123 OFFICE: (702) 433-4307 </td> </tr> </table>		TITLE SHEET	GILCREASE & ASSOCIATES, INC. CIVIL ENGINEERS & LAND SURVEYORS 8412 JUSTICE COURT LAS VEGAS NV 89123 OFFICE: (702) 433-4307																									
TITLE SHEET	GILCREASE & ASSOCIATES, INC. CIVIL ENGINEERS & LAND SURVEYORS 8412 JUSTICE COURT LAS VEGAS NV 89123 OFFICE: (702) 433-4307																											

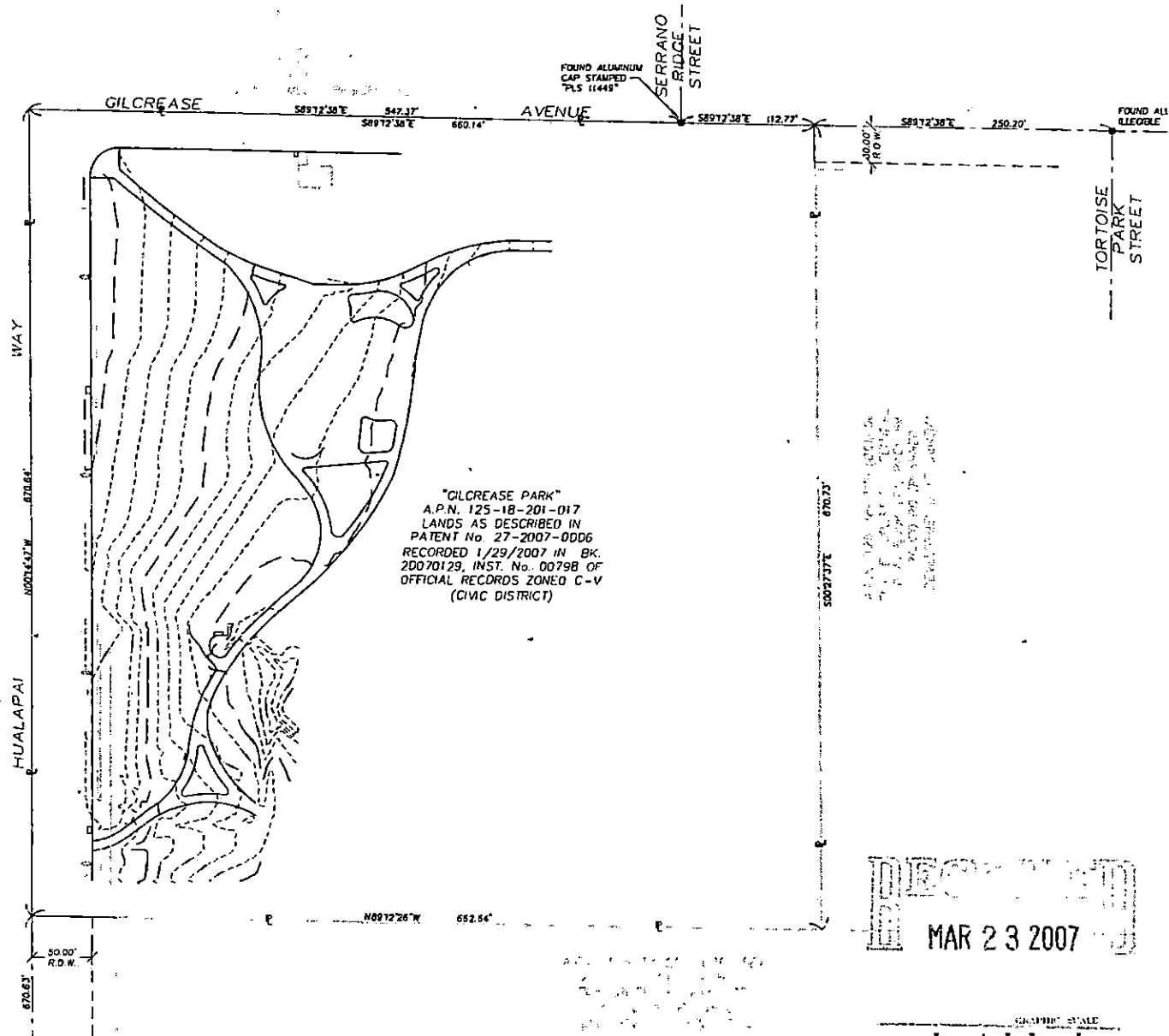
THIS DOCUMENT WAS DEVELOPED TO REFLECT
A SPECIFIC SITE AND ITS SITE INFO AND CONDITIONS
IS NOT TO BE USED FOR ANOTHER SITE
WHEN OTHER CONDITIONS ARE PRESENT AT
THE CURRENT TIME OF DEVELOPMENT. REUSE OF THIS
DOCUMENT IS AT THE SOLE RISK OF THE USER.

DO NOT SCALE DRAWINGS
CONTRIBUTOR SHALL VERIFY ALL PLANS AND EXISTING
DIMENSIONS AND CONDITIONS RELATING TO THIS
PROJECT AND SHALL IMMEDIATELY NOTIFY
THE ENGINEER OF ANY DISCREPANCIES PRIOR
TO CONSTRUCTION.

VAR-20721
SUP-20718
05/10/07 PC

RECEIVED

MAR 23 2007



PROJECT INFORMATION

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS PROJECT IS SOUTH 89°17'30" EAST BEING THE NORTH-WEST QUARTER OF THE NORTHWEST QUARTER SECTION 18, TOWNSHIP 18 SOUTH, RANGE 82 EAST, 10 S. CLARK COUNTY, NE 1/4, AS SHOWN ON A RECORD SURVEY ON FILE IN THE CLARK COUNTY, NEVADA RECORDS OFFICE, IN FILE 23 AT PAGE 20.

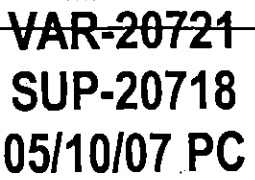
BENCHMARK

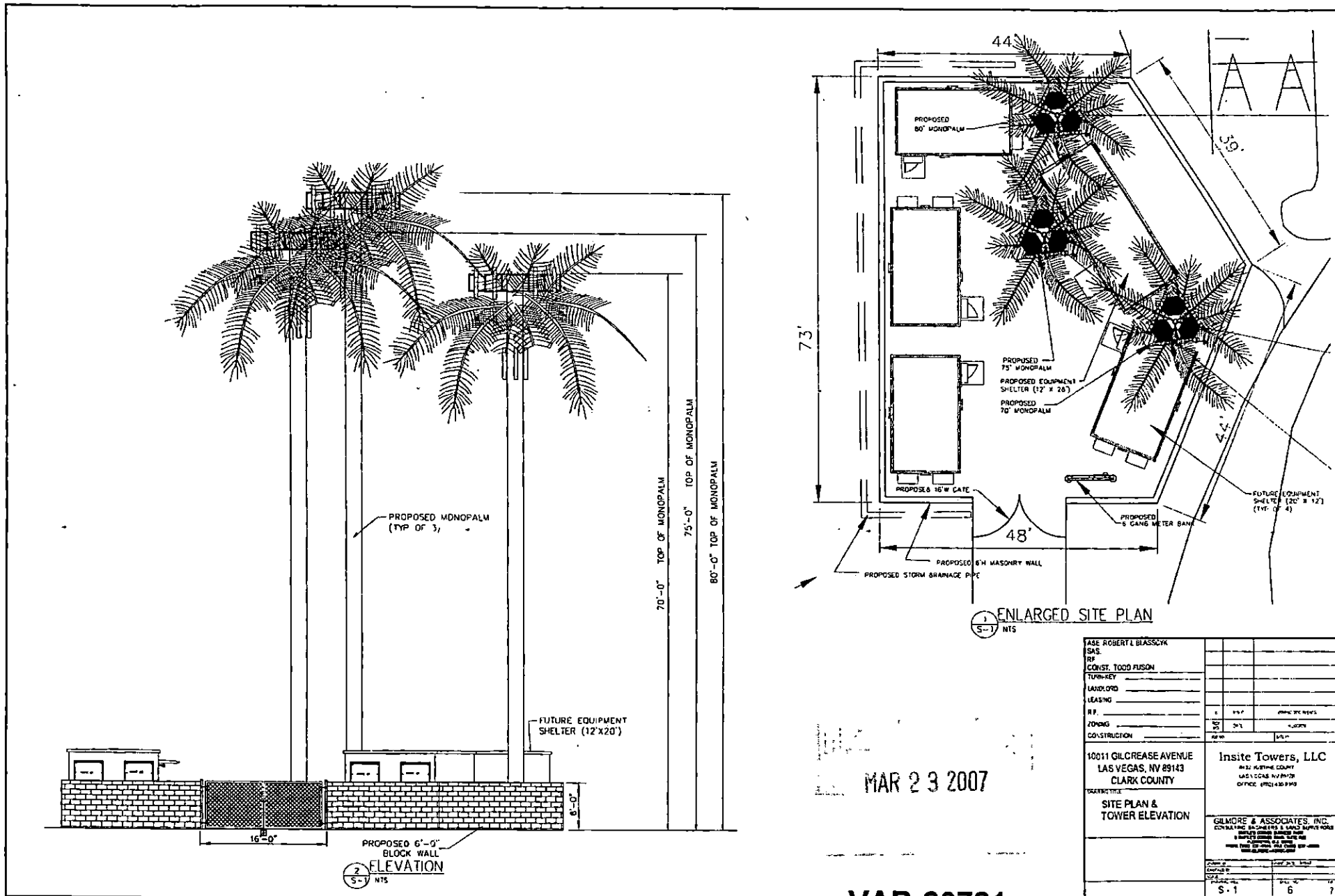
PROJECT DATUM: NAVD 83
CITY OF LAS VEGAS BENCHMARK: BVM11+1+308 ELEVATION = 2086.95 FEET
BENCH MARK IS A CONCRETE CANTER AT THE SOUTHWEST CORNER OF MAIN AND GILCREASE

RECORDED
MAR 23 2007

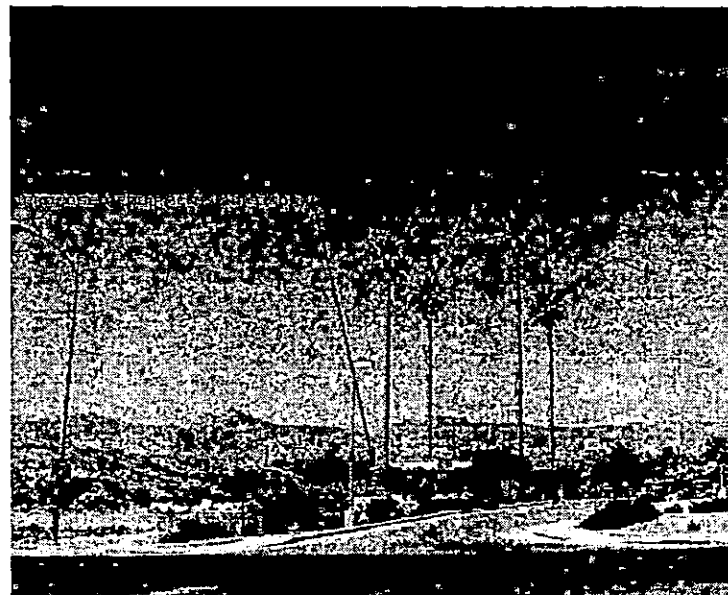
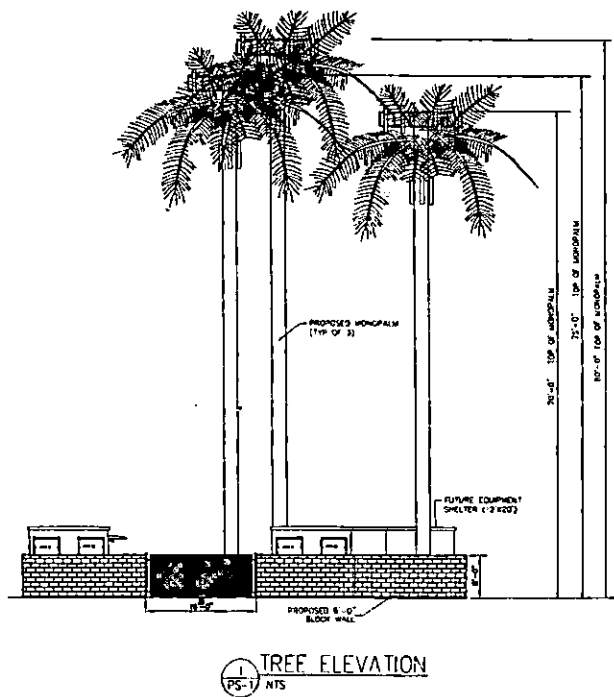
ASST. ROBERT C. BLASCHKA	
SAS	
RF	
CONSET. TODD FUSON	
TURNOUT	
LANDLORD	
LEASING	
W.F.	
ZONING	
CONSTRUCTION	
10011 GILCREASE AVENUE LAS VEGAS, NV 89143 CLARK COUNTY	Insite Towers, LLC LAS VEGAS, NV 89178 OFFICE: (702) 430-8888
DRAWING TITLE	
EXISTING CONDITIONS PLAN	
GILMORE & ASSOCIATES, INC. CONSULTING ENGINEERS & LAND SURVEYORS 10011 GILCREASE AVENUE LAS VEGAS, NV 89143 PHONE: (702) 430-8888 FAX: (702) 430-8888	
DATE OF SURVEY	NOV 15, 2006
DATE OF PLAN	
TOTAL	2
ADDITIONAL	7

VAR-20721
SUP-20718
05/10/07 PC





VAR-20721
SUP-20718
05/10/07 PC



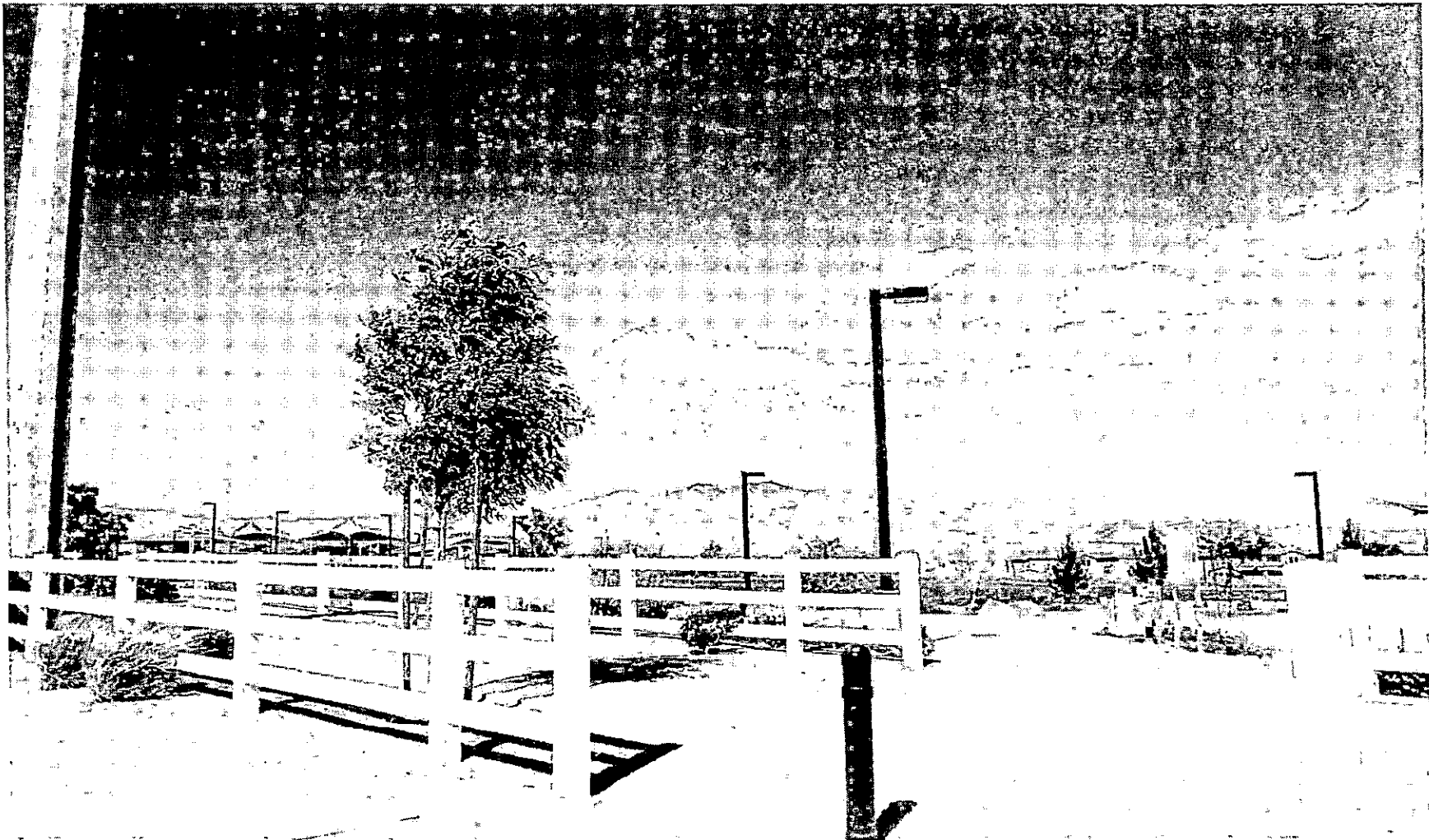
MAR 23 2007

SITE LOCATION INFORMATION	
ADDRESS	10011 GILCREASE AVENUE
CITY	LAS VEGAS, NV
STATE	NV
COUNTY	CLARK
ZIP	89143
OWNER	INSITE TOWERS, LLC
DESIGNER	GILLMORE & ASSOCIATES, INC.
DATE	05/10/07

SITE CHARACTERISTICS	
EXISTING USE	INDUSTRIAL
PROPOSED USE	INDUSTRIAL
ADJACENT LAND USE	INDUSTRIAL
ADJACENT STREET	10011 GILCREASE AVENUE
ADJACENT STREET	10011 GILCREASE AVENUE
ADJACENT STREET	10011 GILCREASE AVENUE
ADJACENT STREET	10011 GILCREASE AVENUE
ADJACENT STREET	10011 GILCREASE AVENUE

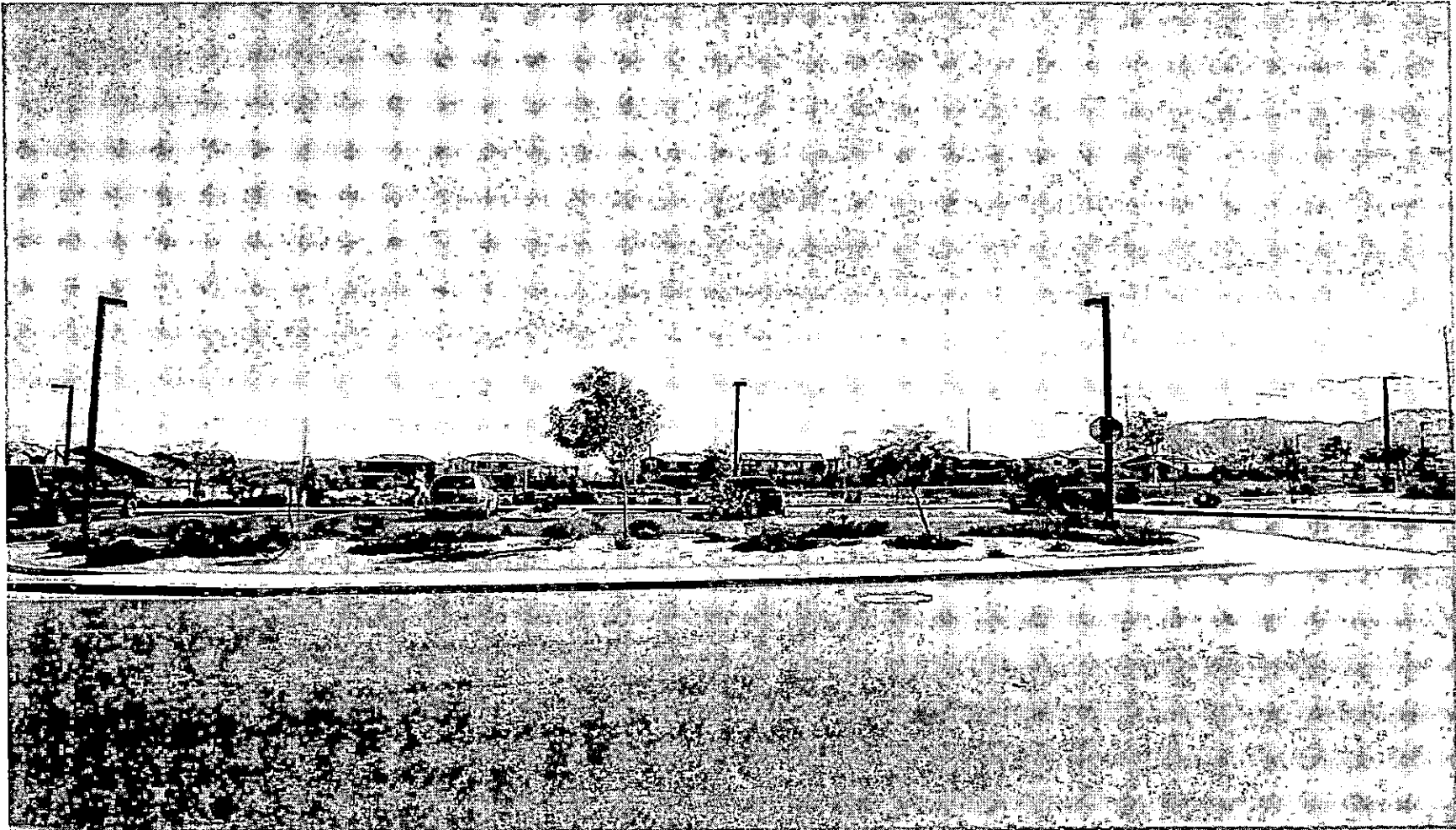
10011 GILCREASE AVENUE LAS VEGAS, NV 89143 CLARK COUNTY		Insite Towers, LLC 1122 EAST ASH AVENUE LAS VEGAS, NV 89143 OFFICE (702) 438-4141	
TREE ELEVATION		GILLMORE & ASSOCIATES, INC. CLARK COUNTY ENGINEERS & LAND SURVEYORS 10011 GILCREASE AVENUE LAS VEGAS, NV 89143 OFFICE (702) 438-4141	
PS-1	7	7	7

VAR-20721
SUP-20718
05/10/07 PC



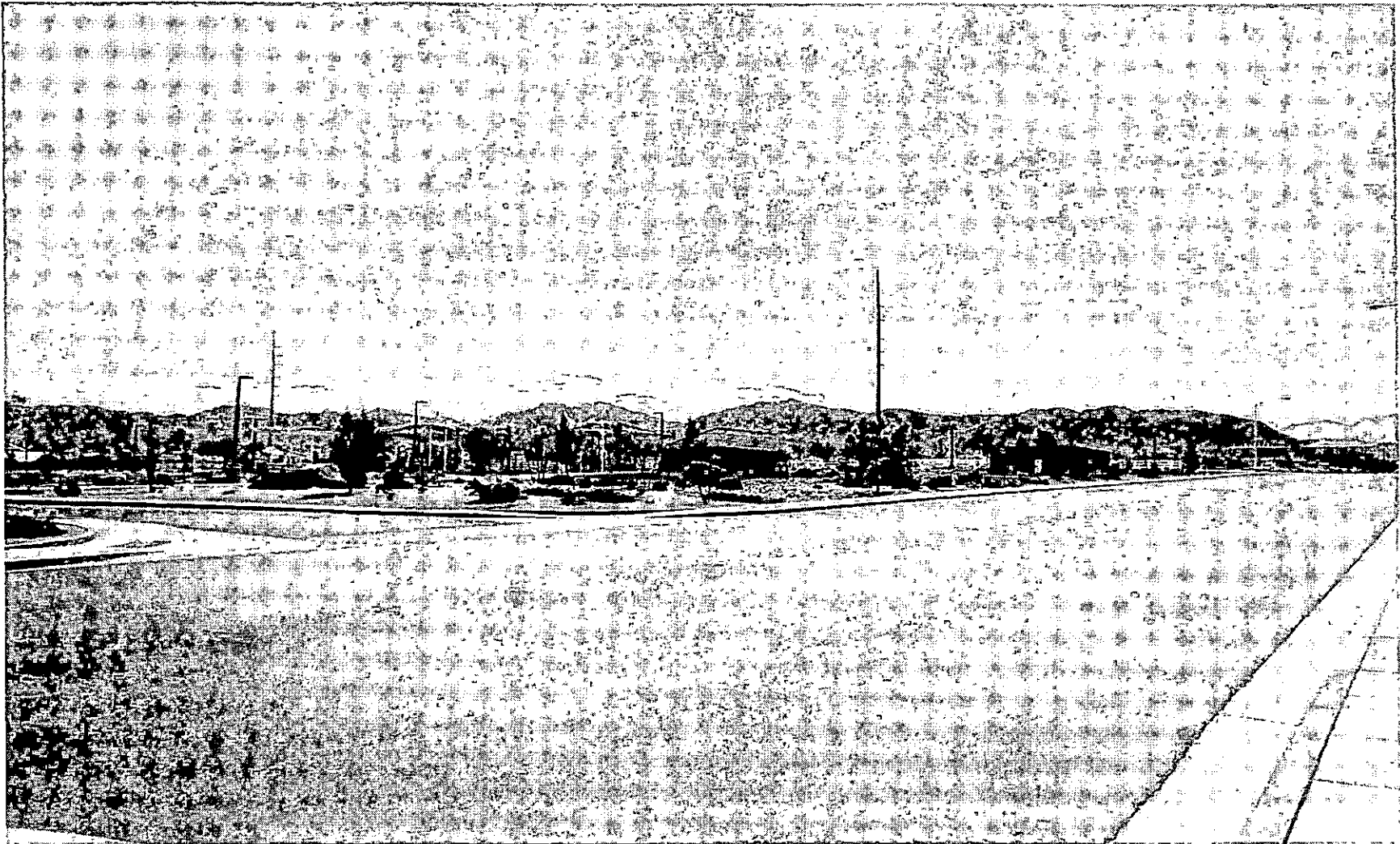
VAR-20721 AND SUP-20718 - APPLICANT: INSITE TOWERS, LLC - OWNER: CITY OF LAS VEGAS
10011 GILCREASE AVENUE
MAY 10, 2007 PLANNING COMMISSION

04/24/07



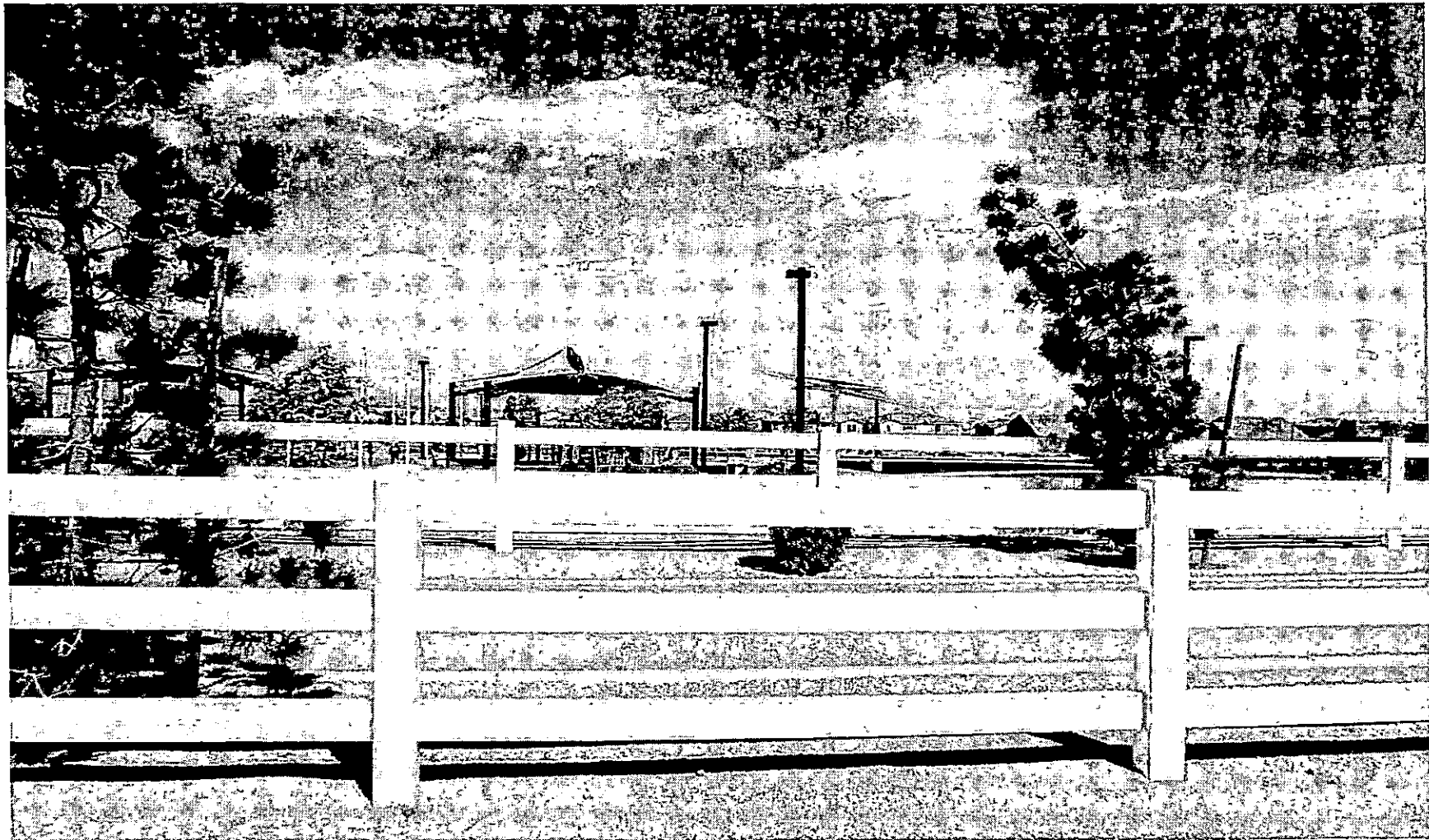
VAR-20721 AND SUP-20718 - APPLICANT: INSITE TOWERS, LLC - OWNER: CITY OF LAS VEGAS
10011 GILCREASE AVENUE
MAY 10, 2007 PLANNING COMMISSION

04/24/07



VAR-20721 AND SUP-20718 - APPLICANT: INSITE TOWERS, LLC - OWNER: CITY OF LAS VEGAS
10011 GILCREASE AVENUE
MAY 10, 2007 PLANNING COMMISSION

04/24/07



VAR-20721 AND SUP-20718 - APPLICANT: INSITE TOWERS, LLC - OWNER: CITY OF LAS VEGAS
10011 GILCREASE AVENUE
MAY 10, 2007 PLANNING COMMISSION

04/24/07

TURN-KEY TELECOM, LLC

Offering a full array of Site Development Services

Site Acquisition • Land Use Entitlement • Construction Management • Tower Site Development

January 15, 2007

City of Las Vegas Current Planning Division
731 S. Fourth Street
Las Vegas, NV 89101

**Re: InSite Towers, LLC Application for Special Use & Variance
Wireless Communications Facility @ Gilcrease Park located at
10011 Gilcrease Park - Las Vegas, NV 89149 (APN: 125-18-201-017)**

Dear Sir or Madam:

This correspondence is intended to serve as the Justification Letter in connection with InSites Towers, LLC application for a Site Development Plan Review allowing for the construction and operation of a multi-user Wireless Communications Facility for InSite Towers, LLC @ 10011 Gilcrease Ave - Las Vegas, NV 89149 (APN# 125-18-201-017).

Site Zoning Classification:

The site is located in a C-V zoning district in the City of Las Vegas, which requires an applicant to obtain approval of the proposed facility as a conditional use. The parcel to the north is zoned Planned Development (PD), to the south and east are zoned also Planned Development (PD), to the west Hualapai Drive and Undeveloped (U/PCD). The proposed project site will not meet the 3 to 1 required setback from residential to the south due to park use configurations, existing structure and the necessary area required for a communication compound.

Project Description:

InSite Towers, LLC is proposing to construct a new Wireless Communication Facility (Stealth Design) to include three (3) individual monopoles ranging from 70' to 80' within a block walled communication equipment area defined as lease area. The applicant will be leasing a currently vacant area of the property from the city of Las Vegas. The project will not affect the existing use of the property and the proposed design will blend in with the existing aesthetics of the property. The ground level equipment and three (3) monopoles will be screened with a block wall.

Project Justification:

InSites Towers, LLC is proposing to build a co-locatable stealth communication tower site which includes three (3) monopoles capable of accommodating three (3) individual carriers. Currently there are no existing wireless communications within 600 feet of this location.

VAR-20721

RECEIVED

SUP-20718

8432 Justine Court ♦ Las Vegas, NV 89123

Office: (702) 430-8369

Fax: (702) 430-7075

05/10/07 PC

MAR 23 2007

TURN-KEY TELECOM, LLC

Offering a full array of Site Development Services

Site Acquisition • Land Use Entitlement • Construction Management • Tower Site Development

InSite Towers, LLC seeks to minimize the visual impact to the immediate area when searching for suitable candidates for our communication tower sites. Furthermore, our proposed installation is an unmanned facility requiring maintenance only once a month. This project was pursued because of a lack of existing tower structures to collocate on, landlord interest (City of Las Vegas), site location, and the ability to locate a new facility while minimizing the impact on the surrounding area.

Section 19A.04.040(C) of the zoning code of the city of Las Vegas, sub-section "Wireless Communication Facility, Stealth Designs (All Districts)" outlines the elements that the Current Planning Division must conduct to determine the zoning requirements of this application. InSite Towers, LLC satisfies the requirements of Section 19A.04.040(C) as follows:

1. There is no residential use that exists on the property.
2. The design conforms to the definition of the term "Wireless Communication Facility, Stealth Design" as set forth in section 19A.20.020.
3. The site is not located within an area designated as a Historic Preservation District.
4. The design and location of the proposed facility is compatible with the surrounding uses in terms of scale, site design and operating characteristics, and the facility will be appropriately screened to ensure compatibility.
5. The frequencies to be used by the carriers are in conformance with Federal Communication Commission standards, as certified by a competent professional (i.e. radio frequency engineer).

Thank you for considering InSite Towers, LLC application for a new stealth communication site at Gilcrease Park. InSite Towers, LLC requests approval of its Application. Please feel free to call me at (702) 430-8369 if you have any questions.

Best Regards,



Todd Fuson
Turn-Key Telecom, LLC
Site Acquisition & Development

8432 Justine Court ♦ Las Vegas, NV 89128
Office: (702) 430-8369 Fax: (702) 995-7004

VAR-20721
SUP-20718
05/10/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-20793 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SLV INVESTMENTS LLC - Request for Variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT ON 2.94 ACRES WHERE FIVE ACRES IS THE MINIMUM REQUIRED FOR A SEVEN LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on property located on the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue (APN 138-12-601-005), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre) Zone, Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

City Council Mtg.

1

City Council Meeting

APPROVALS RECEIVED BEFORE:

City Council Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Letter of opposition for Items 45 and 46 by Sandra R. Matthys

MOTION:

DUNNAM – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Items 45 and 46.

DOUG RANKIN, Planning and Development Department, summarized the history of Items 45 and 46 and recommended approval of both as nothing has changed since the previous approval.

PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 45 – VAR-20793

MINUTES – Continued:

ATTORNEY TONY CELESTE, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He reviewed the size and location of the property as well as concurred with staff's comments and conditions.

MARK ADJOHN, President of the Northwest Area Homeowners Association (NARA), 5645 West Alexander Road, pointed out that the parcel does not comply with the size requirement for an RPD development.

ATTORNEY CELESTE rebutted that this is an infill project which was already approved and no changes have been made. COMMISSIONER DUNNAM added that the parcel cannot be expanded or increased regardless of what is approved for the property. MR. ADJOHN indicated he merely wanted his comments on the record.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Items 45 and 46.

(10:09 – 10:14)

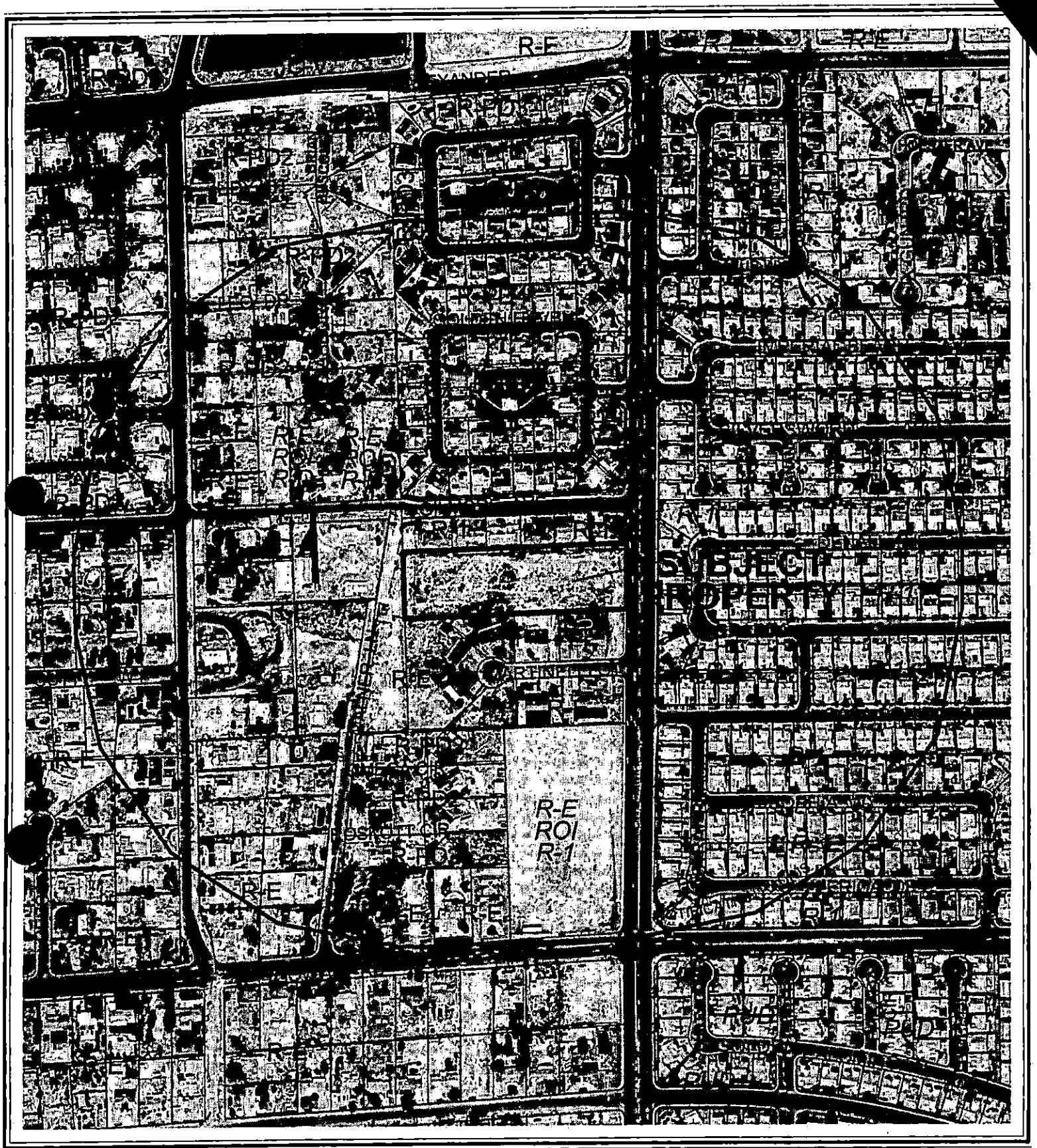
3-1293

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-5203), if approved.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-20792) approved by the City Council.
3. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.





CASE: **VAR-20793**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 10, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20793 - APPLICANT/OWNER: SLV INVESTMENTS LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-5203), if approved.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-20792) approved by the City Council.
3. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-20793 - Staff Report Page One
May 10, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow the development of an R-PD (Residential Planned Development) zoning district on 2.94 acres, where 5.00 acres are the minimum required, adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue. The applicant is requesting the Variance so that this infill development may proceed under the Residential Planned Development mechanism as laid out in Title 19.06.050.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
11/17/04	The City Council approved a Rezoning (ZON-5203) from R-E (Residence Estates) to R-PD2 (Residential Planned Development - 2 Units per Acre); a Variance (VAR-5202) to allow a 2.94 acre development where a 5 acre development is required for a residential planned development; and a Site Development Plan Review (SDR-5204) for a proposed 7 lot single family residential development. The Planning Commission and staff recommended approval on 10/21/04.
01/27/05	The Planning Commission approved a Tentative Map (TMP-5777) for a proposed 7-lot single family residential subdivision on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 200 feet south of Gilmore Avenue. Staff recommended approval of the request.
12/20/06	The City Council approved an Extension of Time (EOT-17977) for Rezoning (ZON-5203)
Related Building Permits/Business Licenses	
01/06/06	A Final Map (FMP-11147) was submitted for technical review. No map was recorded.
Pre-Application Meeting	
3/13/07	A pre-application meeting was held between staff and the applicant's representative to revisit the recently expired Site Development Plan Review and Variance for a seven-lot residential subdivision. No changes from the previous approvals were made other than a minor adjustment to lots 6 and 7 to accommodate a utility easement.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	
Field Check	
4/5/07	Description.

VAR-20793 - Staff Report Page Two
May 10, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	2.94 acres

ANALYSIS

- **General Plan/Land Use**

The site is designated DR (Desert Rural Density Residential) on the Centennial Hills Interlocal Land Use Plan Map of the Centennial Hills Sector Plan of the General Plan. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning designation is in conformance with the General Plan designation of DR (Desert Rural Density Residential).

- **Title 19.06.040 R-PD Residential Planned Development District**

Per Title 19.06.040 (A), the *Intent of R-PD District and Minimum Site Area*, the requested Variance is necessary as the minimum site area eligible for rezoning to the R-PD zoning district is five acres.

- **Rural Preservation Overlay District (RPOD)**

The proposed 7-lot Residential development has maximum density of 2.38 dwelling units per acre. Although the property is located within 330 feet of an existing street that is more than 99 feet wide and could potentially request a Rezoning to higher density, the applicant has submitted a proposal that is within the character of the Rural Preservation Overlay District. The proposed RPD-2 development is in compliance with the L (Low) density General Plan Land Use category and is in spirit with the intent of the Rural Preservation Overlay District.

FINDINGS

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

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

VAR-20793 - Staff Report Page Three
May 10, 2007 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

The subject site is a narrow lot with residential subdivisions to north and south. The applicant is planning a development similar in size and density to what exists around it. Because of the narrowness of the lot, the site would be a difficult one to develop as a multi lot subdivision. Because of the narrowness of the lot the site would not be developable with the standard setbacks of rural lots. With the R-PD (Residential Planned Development) proposal the applicant has been able to come up with an efficient design. Because of the inherent constraints of this site's dimensions, staff recommends approval of this variance request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 360 (Mailed with SDR-20792)

APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

Name of Representative: Peak Development Services

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

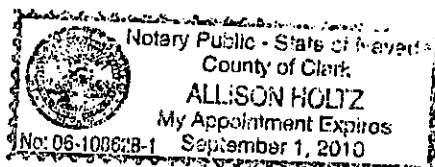
Signature of Property Owner:

Print Name:

Subscribed and sworn before me

This 26th day of February, 2007

Notary Public in and for said County and State



RECEIVED

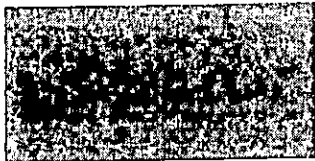
MATERIALS BOARD



Roof Tile:
Monier Lifetile Barcelona
Product Name: Apple Bark
Product Sku: 1BCCS0431



Accent Stone:
Coronado Stone
Product Name: Minnesota Fieldstone
Product Color: Dakota Brown



Primary Paint:
Sherwin Williams
Portabello SW 6102



Secondary Paint:
Sherwin Williams
Java SW 6090

Accent Paint:
Sherwin Williams
Reliable White SW 6091

VAR-20793
SDR-20792
05/10/07 PC

RECEIVED
MAR 27 2007

**KUMMER
KAEMPFER**

**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

TABITHA F. KEETCH

tkeetch@kkbrf.com

702.792.7051

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.798.7181

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

SUMMERLIN OFFICE
3425 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89129
Tel: 702.693.4280
Fax: 702.939.8457

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

March 26, 2007

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

**Re: Site Development Plan Review and Variance
3700 N. Decatur ANP # 138-12-601-005
SLNV Investments, LLC**

To Whom it May Concern:

Please be advised this office represents the applicant in the above referenced matter. This application is a request for a site development plan review and a variance for a previously approved development on approximately 2.94 acres located west of Decatur Boulevard and south of Gilmore Avenue.

The site plan depicts 7 single family lots ranging in size from 11,000 square feet to 17,000 square feet. The proposed density is 2.38 dwelling units per acre. To the north are R-1 and RPD-4 zoned developments, to the east across Decatur is entirely R-1, to the south and west are R-E zoned properties.

While the long and narrow shape of the property limited the layout possibilities, the applicant has designed the site so as to be sensitive to surrounding developments and to ensure compatibility with the area. The site plan depicts the largest lot on the southwest corner adjacent to the R-E zoned parcels with the private street alignment and 5 feet of landscaping buffering the remaining lots from the R-E lots to the south. The variance request is to allow an RPD on less than 5 acres. The RPD mechanism is necessary for this particular site because of its shape and because it is an infill property bounded by varying densities.

Lastly, the proposed site development plan review and variance were previously approved. Unfortunately, the applications recently expired. The applicant submitted an application to extend the zoning and that application was approved in December of 2006.

We appreciate your kind consideration of this matter. Please call me if you have any questions or if you need any additional information. Thank you.

**VAR-20793
SDR-20792
05/10/07 PC**

MAR 27 2007

KUMMER

KAEMPFER

To Whom it May Concern
March 26, 2007
Page 2

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO


Tabitha F. Keetch

TFK/lcj

VAR-20793

SDR-20792

05/10/07 PC

RECEIVED
MAR 27 2007

SANDRA R MATTHYS
13210 Ellison Avenue
Omaha, NE 68164

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

I vigorously oppose the approval of VAR-20793. This would put crackerboxes on postage stamp sized lots. This would lower the value of nearby real estate.

I vigorously oppose the approval of SDR-20792. More crackerboxes would lower the value of nearby real estate.

Sandra R Matthys
Sandra R Matthys

Submitted after final agenda

Date 5/10/07 Item #45-46

ITEM # 45 & 46
CASE # See Above
PC MTG 5-10-07

P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-20792 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-20793 - PUBLIC HEARING - APPLICANT/OWNER: SLV INVESTMENTS LLC - Request for a Site Development Plan Review FOR A PROPOSED SEVEN LOT SINGLE-FAMILY SUBDIVISION OF ONE-STORY HOMES on 2.94 acres located on the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue (APN 138-12-601-005), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre) Zone, Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

City Council Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

City Council Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

DUNNAM – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

See Item 45 for related discussion and backup.

(10:09 – 10:14)

3-1293

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-5203), if approved.

PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 46 – SDR-20792

CONDITIONS – Continued:

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-20793) approved by the City Council.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan date stamped: 4/06/07 and the landscape plan, floor plans, and building elevations date stamped: 3/27/07, except as amended by conditions herein.
5. The standards for this development shall include a Minimum lot size of 11,007 square feet and Building height shall not exceed two stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 20 feet to the front of the house, as measured from back of sidewalk, 10 feet on the side, 15 feet on the corner side, and 30 feet in the rear.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 46 – SDR-20792

CONDITIONS – Continued:

12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

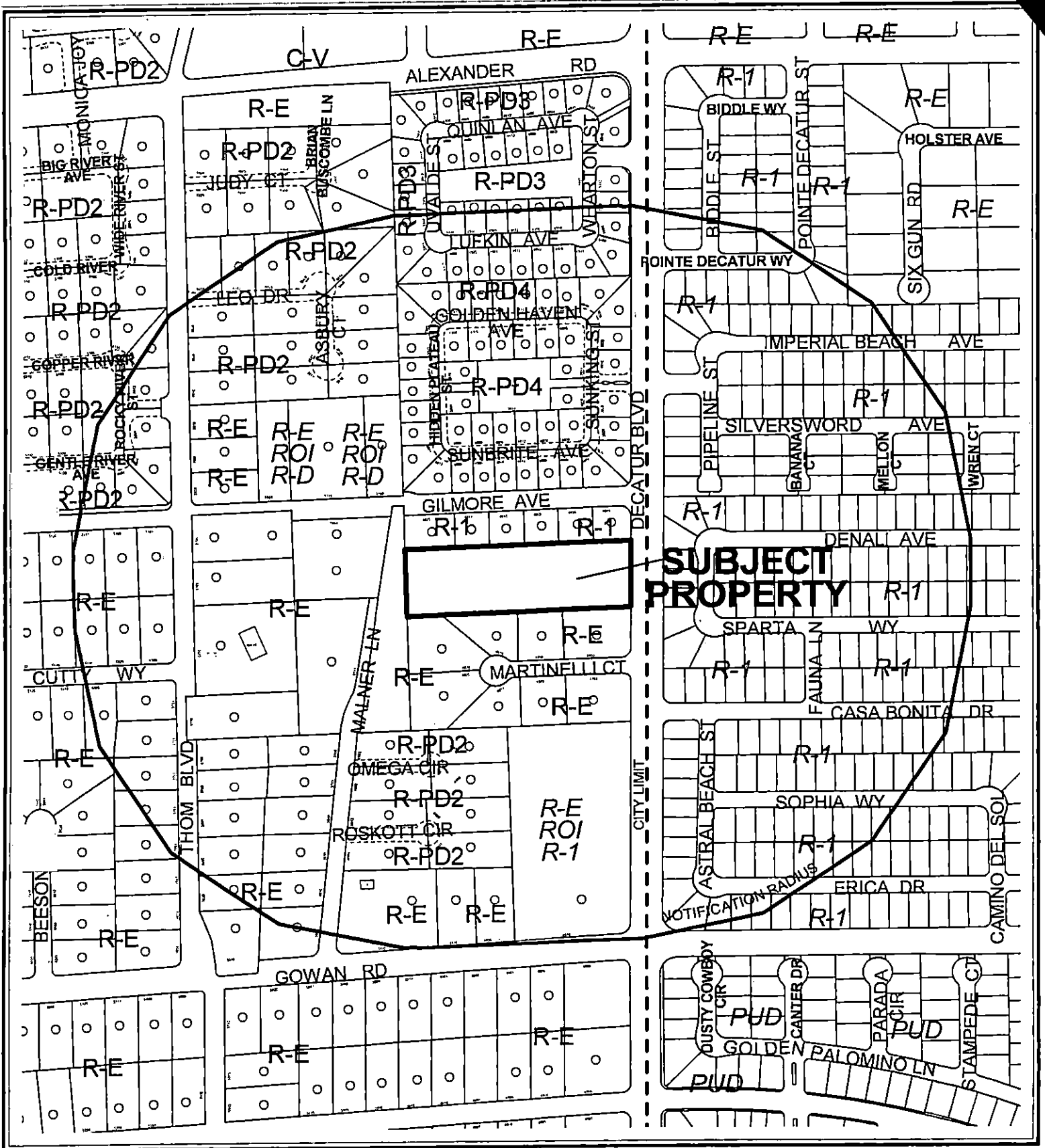
Public Works

15. The onsite street shall be labeled as a private street, be designated as a common lot and shall be labeled as a private street, public utility easement (P.U.E.), public sewer easement and public drainage easement to be privately maintained by the Homeowners' Association on the map for this site.
16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
17. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5203 and all other subsequent site-related actions.
19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and

PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 46 – SDR-20792

CONDITIONS – Continued:

drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.



CASE: SDR-20792

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 500 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MAY 10, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-20792 - APPLICANT/OWNER: SLV INVESTMENTS LLC**

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

1. Conformance to the conditions for Rezoning (ZON-5203), if approved.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-20793) approved by the City Council.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan date stamped: 4/06/07 and the landscape plan, floor plans, and building elevations date stamped: 3/27/07, except as amended by conditions herein.
5. The standards for this development shall include a Minimum lot size of 11,007 square feet and Building height shall not exceed two stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 20 feet to the front of the house, as measured from back of sidewalk, 10 feet on the side, 15 feet on the corner side, and 30 feet in the rear.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

SDR-20792 - Conditions Page Two
May 10, 2007 - Planning Commission Meeting

9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. The onsite street shall be labeled as a private street, be designated as a common lot and shall be labeled as a private street, public utility easement (P.U.E.), public sewer easement and public drainage easement to be privately maintained by the Homeowners' Association on the map for this site.
16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
17. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

SDR-20792 - Conditions Page Three
May 10, 2007 - Planning Commission Meeting

18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5203 and all other subsequent site-related actions.
19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

SDR-20792 - Staff Report Page One
May 10, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Site Development Plan Review for a 7 lot single-family development located adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue. The applicant seeks to develop this parcel as a Residential Planned Development as the DR (Desert Rural) General Plan Category only supports an R-PD2 (Residential Planned Development – 2units per acre) or U (undeveloped) zoning district.

This development proposal will require the approval of the accompanying Variance (VAR-20793) to allow a Residential Planned Development on 2.94 acres where Title 19.06.040 requires a minimum development area of 5 acres.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/17/04	The City Council approved a Rezoning (ZON-5203) from R-E (Residence Estates) to R-PD2 (Residential Planned Development - 2 Units per Acre); a Variance (VAR-5202) to allow a 2.94 acre development where a 5 acre development is required for a residential planned development; and a Site Development Plan Review (SDR-5204) for a proposed 7 lot single family residential development. The Planning Commission and staff recommended approval on 10/21/04.
01/27/05	The Planning Commission approved a Tentative Map (TMP-5777) for a proposed 7-lot single family residential subdivision on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 200 feet south of Gilmore Avenue. Staff recommended approval of the request.
12/20/06	The City Council approved an Extension of Time (EOT-17977) for Rezoning (ZON-5203)
<i>Related Building Permits/Business Licenses</i>	
There are no related building permits or business licenses with this request.	
<i>Pre-Application Meeting</i>	
3/13/07	A pre-application meeting was held between staff and the applicant's representative to revisit the recently expired Site Development Plan Review and Variance for a seven-lot residential subdivision. No changes from the previous approvals were made other than a minor adjustment to lots 6 and 7 to accommodate a utility easement.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
Month/date/year	Description.

MH

SDR-20792 - Staff Report Page Two
May 10, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	2.94 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural)	R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre)
North	Single Family Dwellings	DR (Desert Rural)	R-1 (Single Family Residential)
South	Single Family Dwellings	DR (Desert Rural)	R-E (Residence Estates)
East	Single Family Dwellings (Clark County)	Clark County	Clark County
West	Undeveloped/Single Family Dwellings	DR (Desert Rural)	R-E (Residence Estates)

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

SDR-20792 - Staff Report Page Three
May 10, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.040, the following proposed standards apply upon final approval of this Site Development Review:

Standard	Proposed	Acceptable
Min. Lot Size	11,007	Y
Min. Setbacks		
• Front	20 Feet	Y
• Side	10 Feet	Y
• Corner	15 Feet	Y
• Rear	30 Feet	Y

Existing Zoning	Permitted Density	Units Allowed
RE (ROI to RPD2)	2 units per acre	5.88 units
Proposed Zoning	Permitted Density	Units Allowed
RPD2	2.49 units per acre	8.56 units
General Plan	Permitted Density	Units Allowed
DR	2.49 units per acre	8.56 units

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer:				
Min. Trees	1 Tree/ 30 Linear Feet	6 Trees	4 Trees	N*
TOTAL				Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	6 Feet		6 Feet**	Y

*Two trees were removed from the previous approval (SDR-5204) to accommodate the location of a power transformer box.

** 6-foot perimeter walls along the north, south, and west property lines already exist.

Open Space - R-PD only						
Total Acreage	Density	Required*			Provided	
		Ratio	Percent	Area	Percent	Area
2.94 acres	2.38 units per acre	NA	NA	NA	6%	7,409 SF

*Per Title 19.06, Residential Planned Developments of 12 lots or less are not required to provide Open Space landscaping.

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May 10, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family, Detached	7	2 spaces per dwelling unit	14	NA	21	NA	Y
TOTAL			14	NA	21	NA	Y

ANALYSIS

- General Plan/Land Use**

The site maintains a Land use designation of DR (Desert Rural Density Residential) as shown on the Centennial Hills Interlocal Land Use Plan Map of the Centennial Hills Sector Plan of the General Plan.

- Zoning**

The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning designation is in conformance with the General Plan designation of DR (Desert Rural Density Residential). The 7-lot single-family development has a density of 2.38 dwelling units per acre which is allowed in the R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning district and the Rural Preservation Overlay District.

- Rural Preservation Overlay District (RPOD)**

The proposed 7-lot Residential development has maximum density of 2.38 dwelling units per acre. Although the property is located within 330 feet of an existing street that is more than 99 feet wide and could potentially request a Rezoning to higher density, the applicant has submitted a proposal that is within the character of the Rural Preservation Overlay District. The proposed RPD-2 development is in compliance with the L (Low) density General Plan Land Use category and is in spirit with the intent of the Rural Preservation Overlay District.

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May 10, 2007 - Planning Commission Meeting

- **Site Plan**

The proposed site plan presents an appropriate layout for this development. The density and lot sizes range from 11,007 square feet to 15,194 square feet, are compatible with the surrounding development, and are in compliance with the General Plan and Zoning Code.

- **Landscaping**

As set forth in Title 19.06.040, there is no Open Space Requirement for proposed Residential Planned Developments of 12 units or less. However, the applicant has provided a landscaped buffer along the south side of Decatur Bluff Court and a 3,938 square-foot common lot between lot 6 and lot 7.

- **Elevations**

The proposed building elevations depicting single story single-family dwellings are appropriate for a development of this type. The homes are finished with a cultured stone veneer along the front elevation with the remaining stucco finish painted with Sherwin Williams "Portabello SW 6102" (desert brown). The trim accents are finished with Sherwin Williams "Java SW 6090" and "Reliable White SW 6091" (coffee-brown and cream-white). The barrel-tile clay roofing has a mottled finish consisting of various rust and desert-tan tones.

- **Floor Plans**

The proposed floor plans depict variations of a 4 to 6-bedroom single-family dwelling that are appropriate for a development of this type.

FINDINGS

The following findings must be made for an SDR:

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

The proposed seven lot single-family development is appropriate and compatible with adjacent development in the area.

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May 10, 2007 - Planning Commission Meeting

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

The proposed project is consistent with the General Plan, Title 19 and the Residential Development Standards.

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

The site will have access to Decatur Boulevard, a 100-foot primary arterial, which is adequate to provide access to serve the proposed development. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

The building and landscape materials are common for a development of this type and are appropriate as proposed.

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

The proposed building elevations depicting single story single-family dwellings are appropriate for a development of this type and compatible with development in the area.

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

The proposed development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

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May 10, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 360 (Mailed with VAR-20793)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-20792** APN: 138-12-601-005

Name of Property Owner: SLV Investments LLC

Name of Applicant: SLV Investments LLC

Name of Representative: Peak Development Services

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

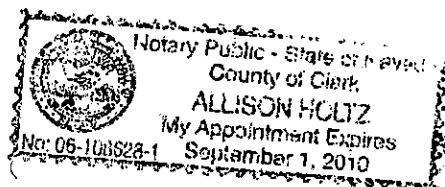
Signature of Property Owner: _____

Print Name:

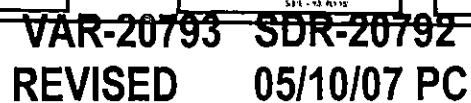
Subscribed and sworn before me

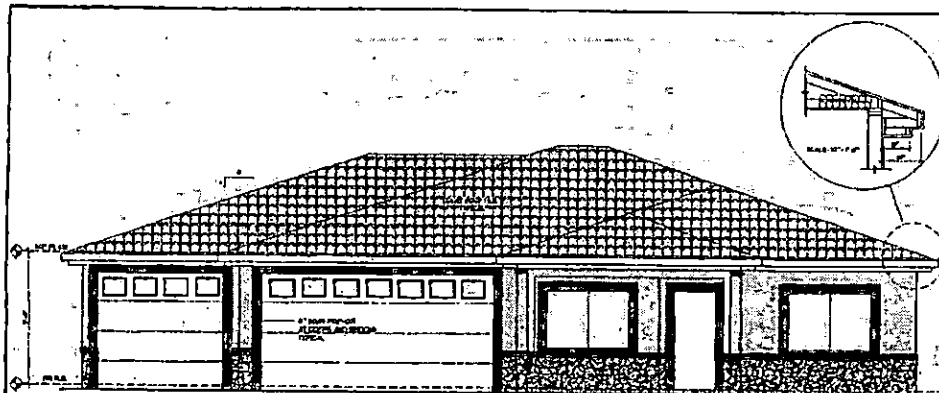
This 26th day of February, 2007

Allyson
Notary Public in and for said County and State

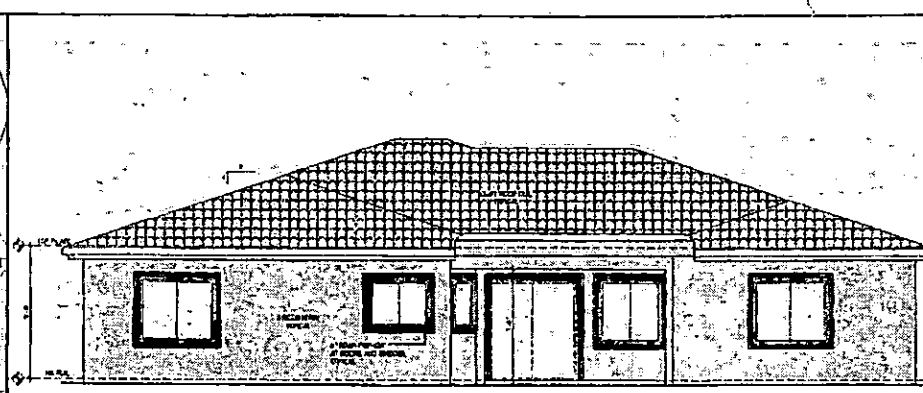


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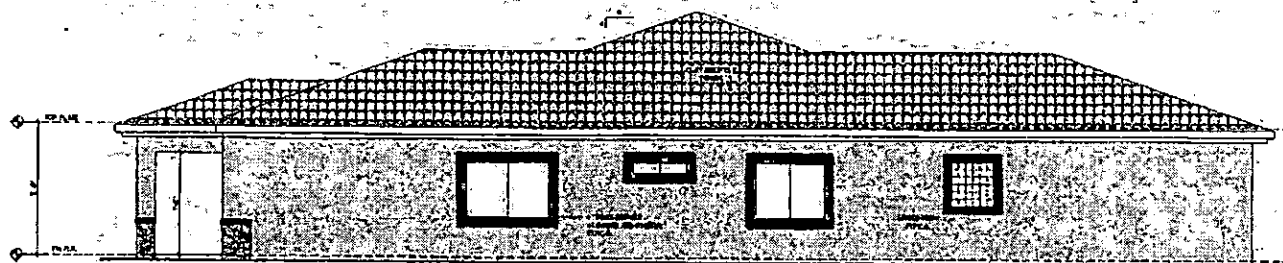




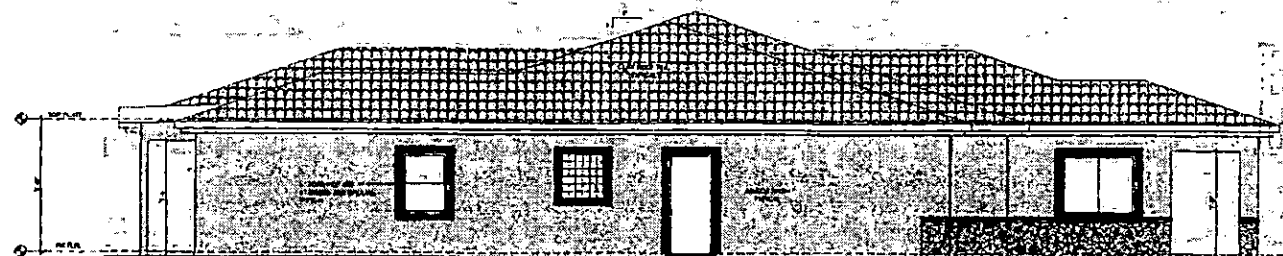
A
A2 FRONT ELEVATION



B
A2 REAR ELEVATION



C
A2 RIGHT SIDE ELEVATION



VAR-20793
SDR-20792
05/10/07 PC

NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO BE VERIFIED BY THE OWNER.
4. ALL DIMENSIONS ARE TO BE VERIFIED BY THE OWNER.
5. ALL DIMENSIONS ARE TO BE VERIFIED BY THE OWNER.

OWNER / BUILDER

EXTERIOR ELEVATIONS

Custom Residence for
Kevin and Barbara Sipes

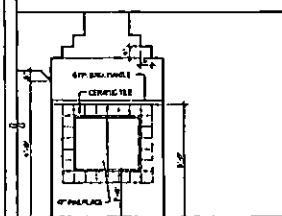
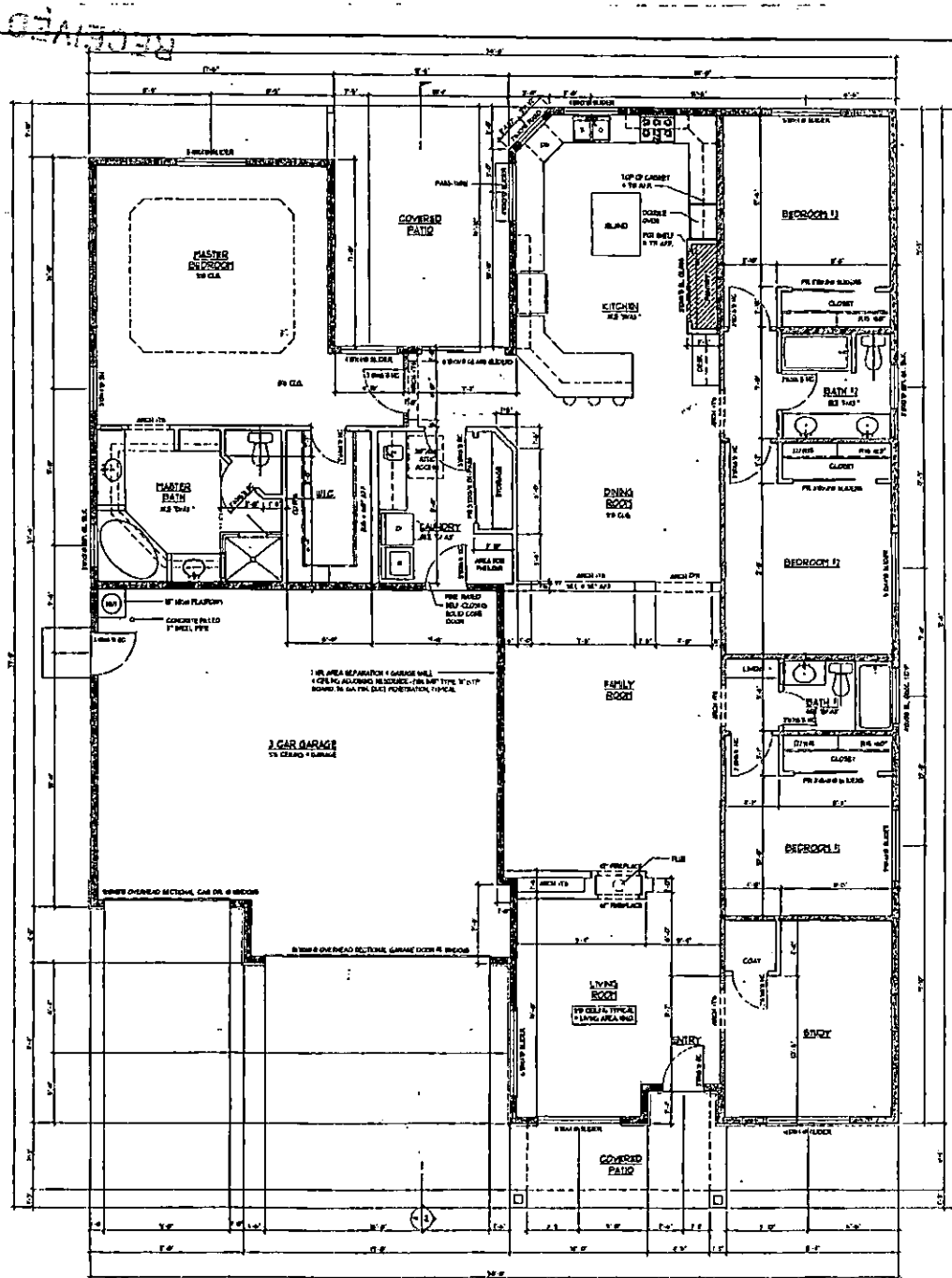
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A2

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MAR 27 2007

VAR-20793
SDR-20792
05/10/07 PC



FIREPLACE ELEVATION

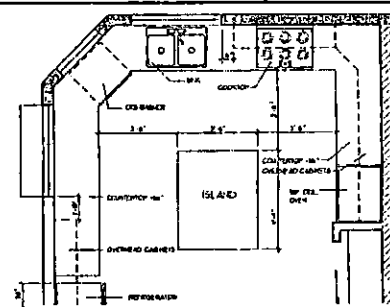
AREAS	
LIVING AREA	2151 SF
GARAGE	130 SF
COVERED PORCH / PATIO	322 SF
TOTAL BUILDING AREA	3604 SF

NOTES

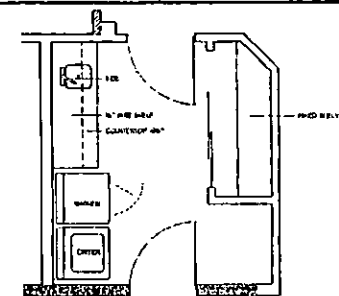
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2. ALL EXTERIOR WALLS TO BE 2" MIN. THICK.
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WALL LEGEND

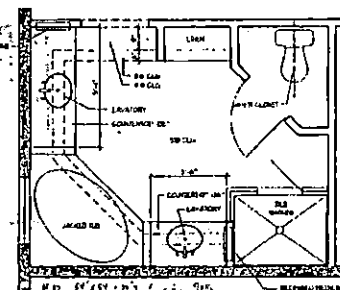
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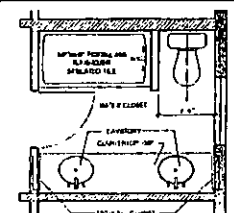
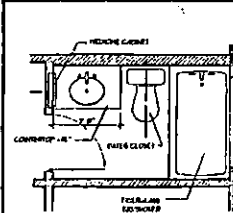
KITCHEN PLAN



LAUNDRY PLAN



MASTER BATH PLAN



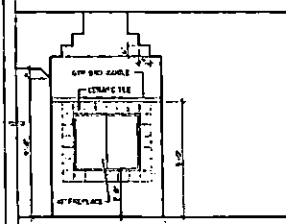
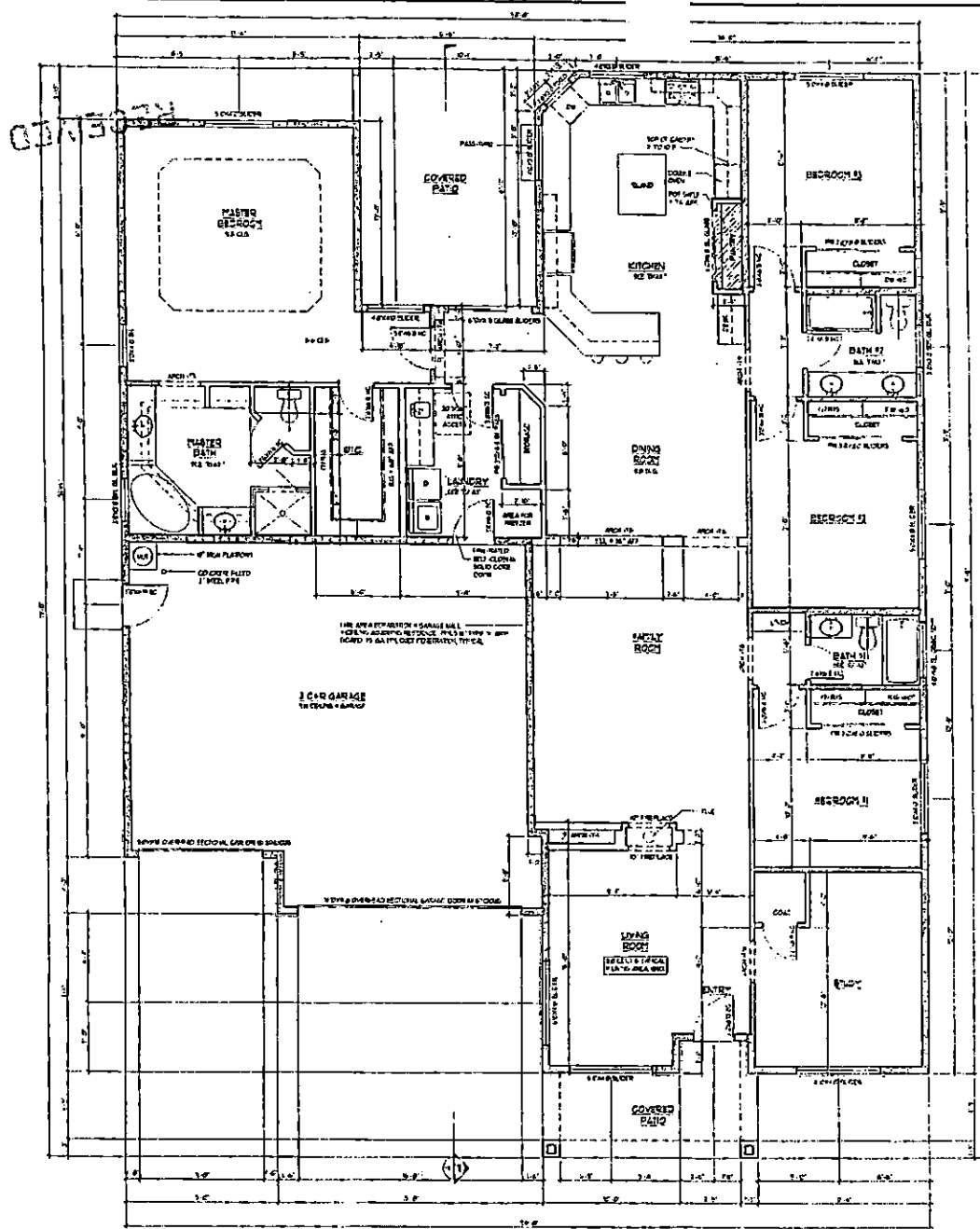
NOTE: THE OWNER IS RESPONSIBLE TO OBTAIN ANY AND ALL NECESSARY PERMITS AND TO OBTAIN ANY AND ALL NECESSARY INSURANCE TO PROTECT THE PROJECT FROM ANY AND ALL RISKS.

OWNER / BUILDER

FLOOR PLAN

Custom Residence for
Kevin and Barbara Sipes

9/11/03
SHEET No



FIREPLACE ELEVATION



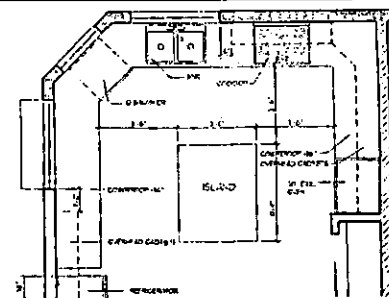
AREAS	
LIVING AREA	173 SF
GARAGE	173 SF
COVERED PORCH & PATIO	173 SF
TOTAL BUILDING AREA	520 SF

NOTES

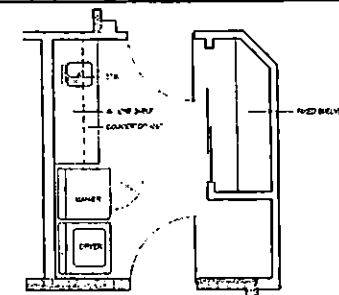
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8. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED

SCALE

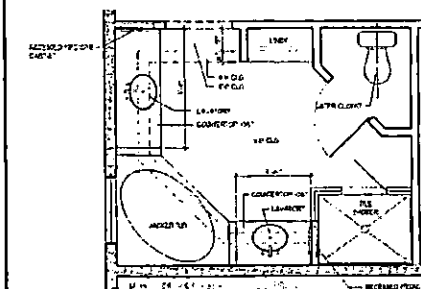
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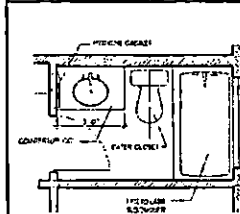
KITCHEN PLAN



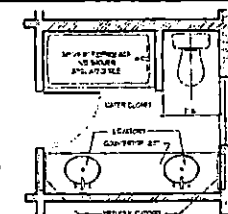
LAUNDRY PLAN



MASTER BATH PLAN



BATH #1



BATH #2

FLOOR PLAN

OWNER / BUILDER

FLOOR PLAN

Custom Residence for
Kevin and Barbara Sipes

5/11/03

SHEET No

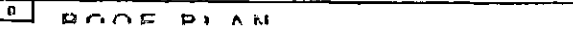
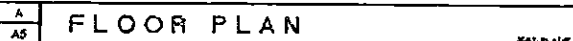
A3

MAR 27 2007

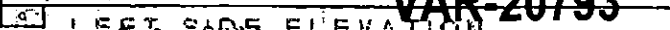
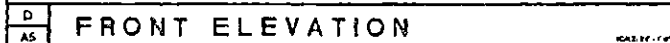
VAR-20793

SDR-20792

05/10/07 PC



C ELECTRICAL PLANT



SALE No. 1

~~VAR-20793~~
SDR-20792
05/10/07 PC

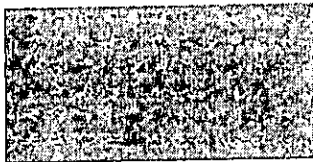
MATERIALS BOARD



Roof Tile:
Monier Lifetile Barcelona
Product Name: Apple Bark
Product Sku: 1BCCS0431



Accent Stone:
Coronado Stone
Product Name: Minnesota Fieldstone
Product Color: Dakota Brown



Primary Paint:
Sherwin Williams
Portabello SW 6102



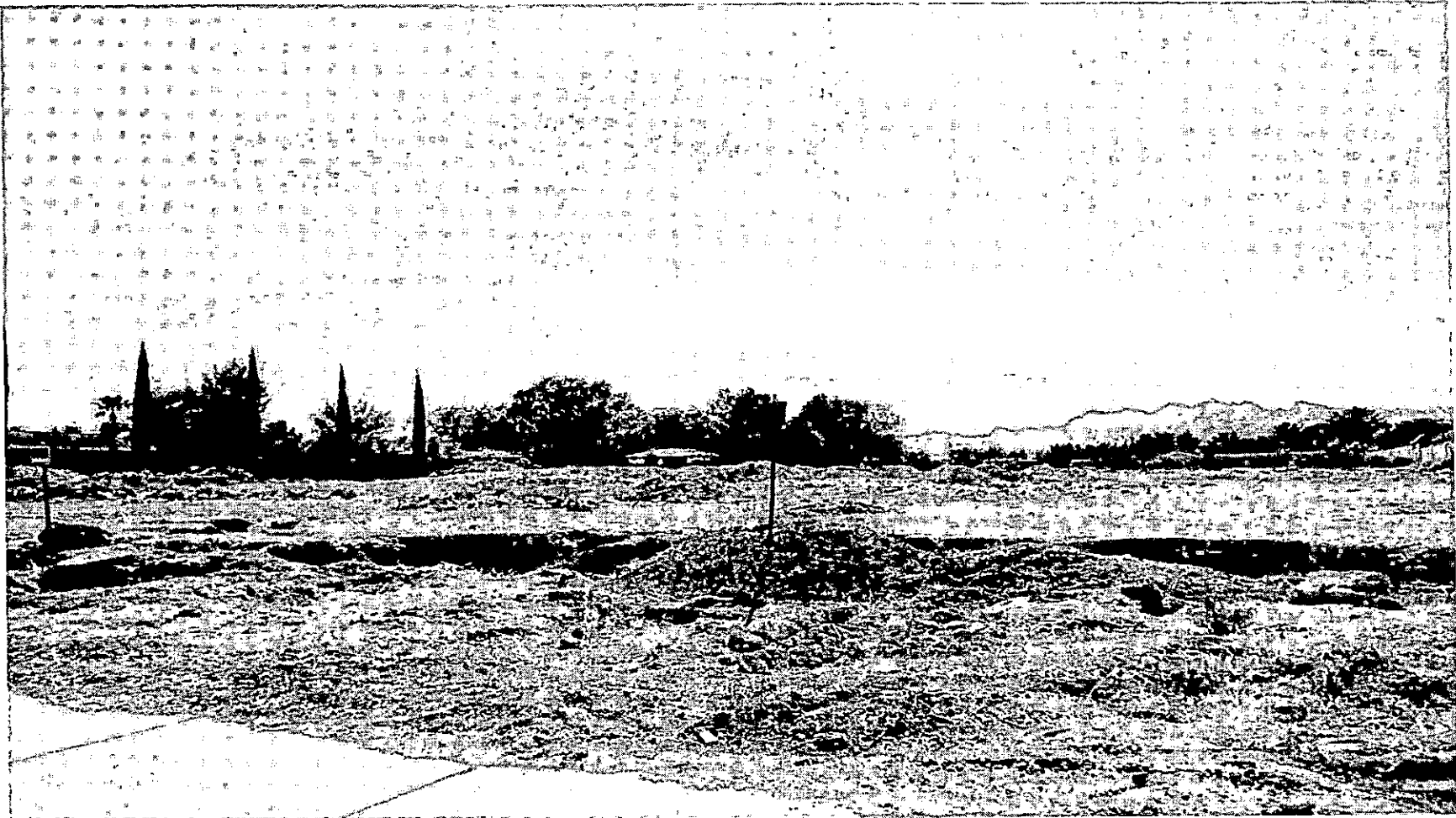
Secondary Paint:
Sherwin Williams
Java SW 6090

Accent Paint:
Sherwin Williams
Reliable White SW 6091

VAR-20793
SDR-20792
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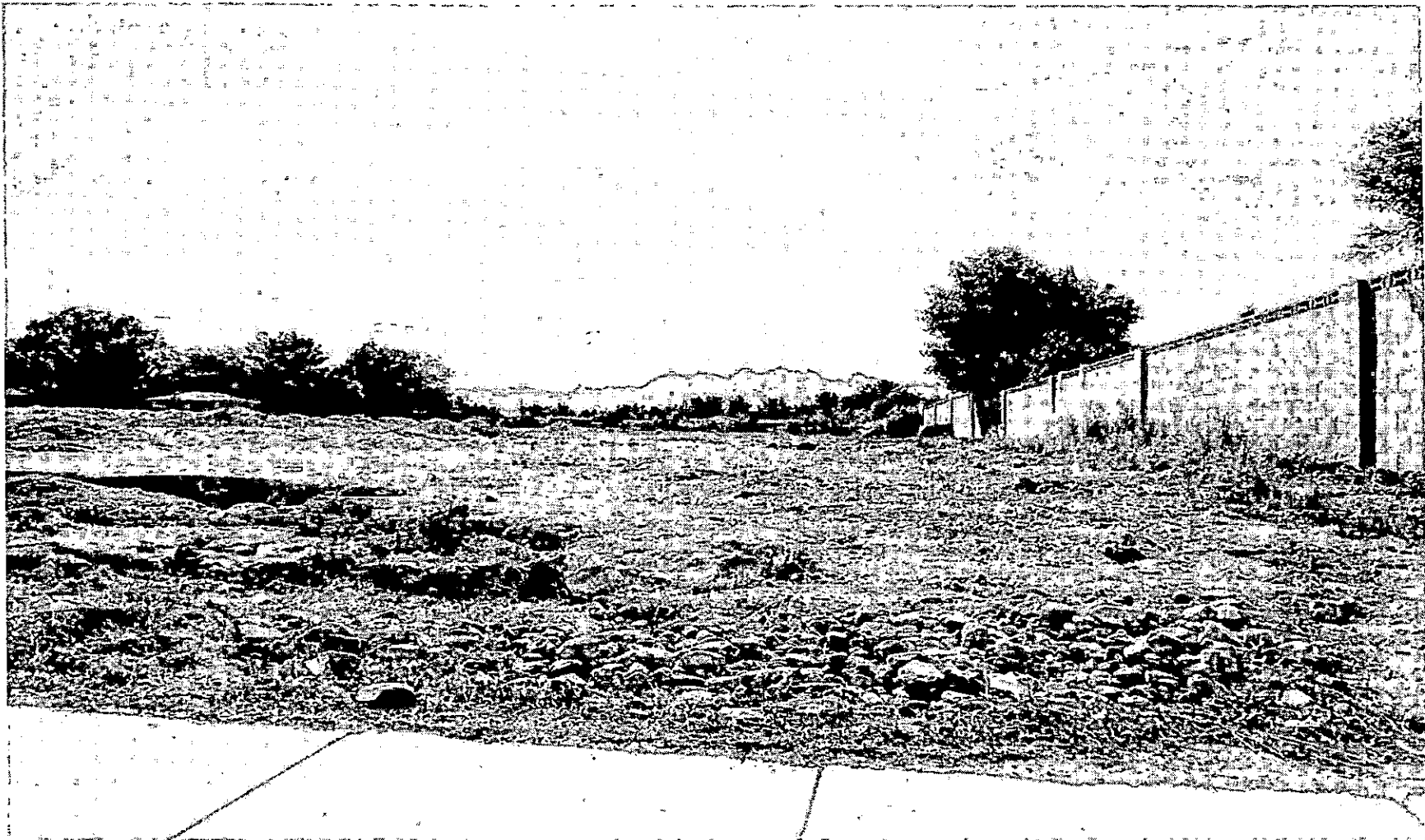
MAR 27 2007

SDR 20792				
SLV Investments				
WS Decatur, S of Gilmore				
Proposed 7 unit single family development.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	7	9.57	67
AM Peak Hour			0.75	5
PM Peak Hour			1.01	7
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Decatur Boulevard				
Average Daily Traffic (ADT)	31,225			
PM Peak Hour	2498			
(heaviest 60 minutes)				
Gilmore Avenue				
Average Daily Traffic (ADT)	490			
PM Peak Hour	39			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
Adjacent street ADT				
Capacity				
Decatur Boulevard	51700			
Gilmore Avenue	16200			
This project will add approximately 67 trips per day on Decatur and Gilmore. This will increase expected volumes by less than one percent on Decatur and about fourteen percent on Gilmore. Decatur is at about 60 percent of capacity and Gilmore is at about 3 percent of capacity.				
Based on Peak Hour use, this development will add roughly 7 additional cars into the area; which works out to about one every nine minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



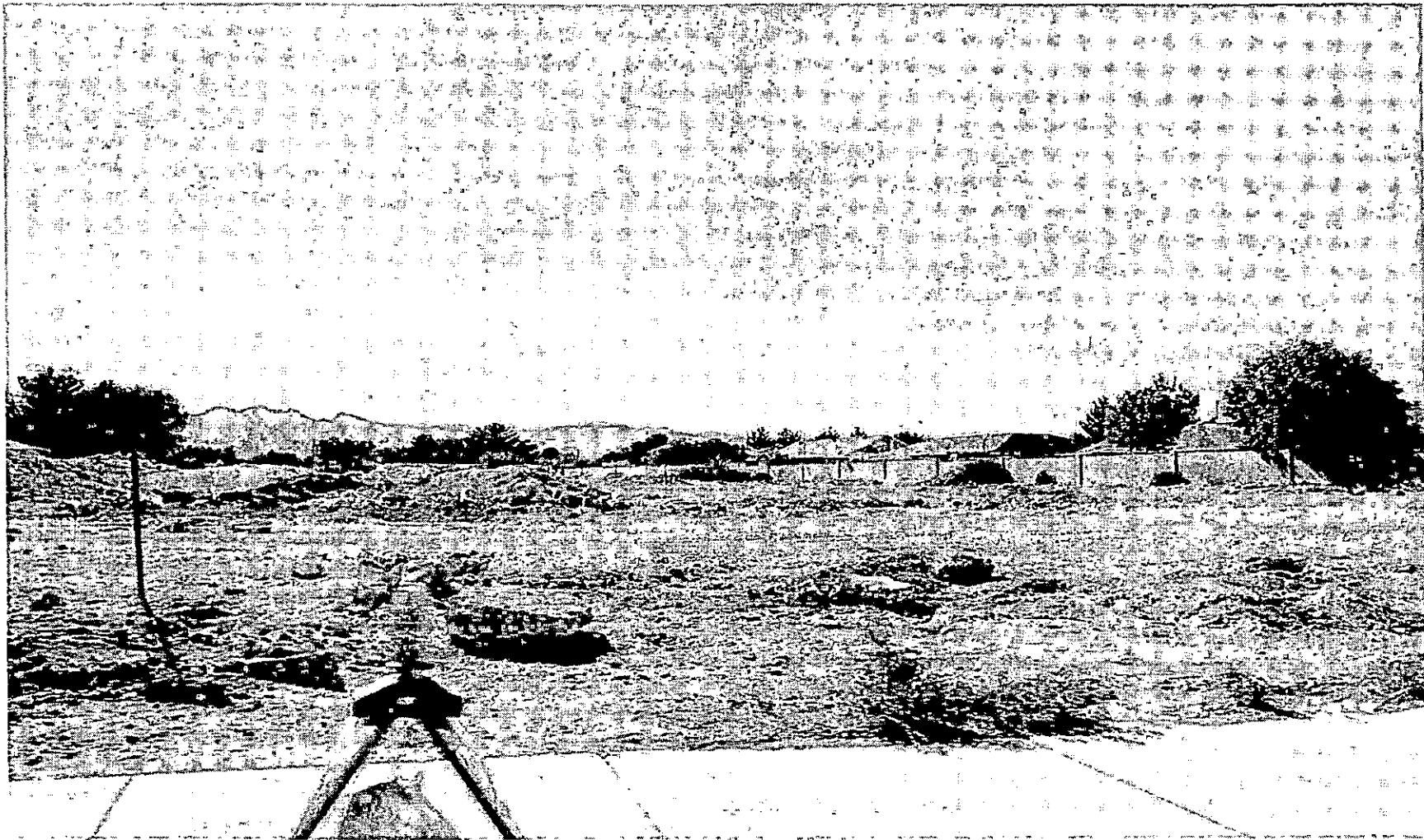
VAR-20793 AND SDR-20792 - APPLICANT/OWNER: SLV INVESTMENTS LLC
WEST SIDE OF DECATUR BOULEVARD, APPROXIMATELY 100 FEET SOUTH OF GILMORE AVENUE
MAY 10, 2007 PLANNING COMMISSION

04/24/07



VAR-20793 AND SDR-20792 - APPLICANT/OWNER: SLV INVESTMENTS LLC
WEST SIDE OF DECATUR BOULEVARD, APPROXIMATELY 100 FEET SOUTH OF GILMORE AVENUE
MAY 10, 2007 PLANNING COMMISSION

04/24/07



VAR-20793 AND SDR-20792 - APPLICANT/OWNER: SLV INVESTMENTS LLC
WEST SIDE OF DECATUR BOULEVARD, APPROXIMATELY 100 FEET SOUTH OF GILMORE AVENUE
MAY 10, 2007 PLANNING COMMISSION

04/24/07

KUMMER**KAEMPFER****KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO****ATTORNEYS AT LAW**

LAS VEGAS OFFICE

TABITHA F. KEETCHtkeetch@kkbrf.com
702.792.7051LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.798.7181RENO OFFICE
5585 Kretzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982SUMMERLIN OFFICE
3425 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89129
Tel: 702.693.4260
Fax: 702.939.8457CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.882.1311
Fax: 775.882.0257

March 26, 2007

City of Las Vegas Planning Commission
731 S 4th Street
Las Vegas, NV 89101***Re: Site Development Plan Review and Variance
3700 N. Decatur ANP # 138-12-601-005
SLNV Investments, LLC***

To Whom it May Concern:

Please be advised this office represents the applicant in the above referenced matter. This application is a request for a site development plan review and a variance for a previously approved development on approximately 2.94 acres located west of Decatur Boulevard and south of Gilmore Avenue.

The site plan depicts 7 single family lots ranging in size from 11,000 square feet to 17,000 square feet. The proposed density is 2.38 dwelling units per acre. To the north are R-1 and RPD-4 zoned developments, to the east across Decatur is entirely R-1, to the south and west are R-E zoned properties.

While the long and narrow shape of the property limited the layout possibilities, the applicant has designed the site so as to be sensitive to surrounding developments and to ensure compatibility with the area. The site plan depicts the largest lot on the southwest corner adjacent to the R-E zoned parcels with the private street alignment and 5 feet of landscaping buffering the remaining lots from the R-E lots to the south. The variance request is to allow an RPD on less than 5 acres. The RPD mechanism is necessary for this particular site because of its shape and because it is an infill property bounded by varying densities.

Lastly, the proposed site development plan review and variance were previously approved. Unfortunately, the applications recently expired. The applicant submitted an application to extend the zoning and that application was approved in December of 2006.

We appreciate your kind consideration of this matter. Please call me if you have any questions or if you need any additional information. Thank you.

**VAR-20793
SDR-20792
05/10/07 PC**

MAR 27 2007

KUMMER

KAEMPFER

To Whom it May Concern

March 26, 2007

Page 2

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO



Tabitha F. Keetch

TFK/lcj

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-20816 - VARIANCE - PUBLIC HEARING - APPLICANT: CRAIG AND CRETE DEVELOPERS, LLC - OWNER: SCHIFINI FAMILY TRUST - Request for a Variance TO ALLOW A THREE STORY, 50 FOOT TALL BUILDING WHERE TWO STORIES AND 35 FEET IS THE MAXIMUM HEIGHT ALLOWED (MEDICAL DISTRICT) at 600 South Tonopah Drive (APN: 139-32-705-002), PD (Planned Development) Zone, P-O (Professional Office) Land Use Designation, Ward 5 (Williams).

C.C.: 6/20/07

PROTESTS RECEIVED BEFORE:

City Council Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

City Council Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report – Not Applicable
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Abeyance request by Craig and Crete Developers, LLC for Items 47 and 48

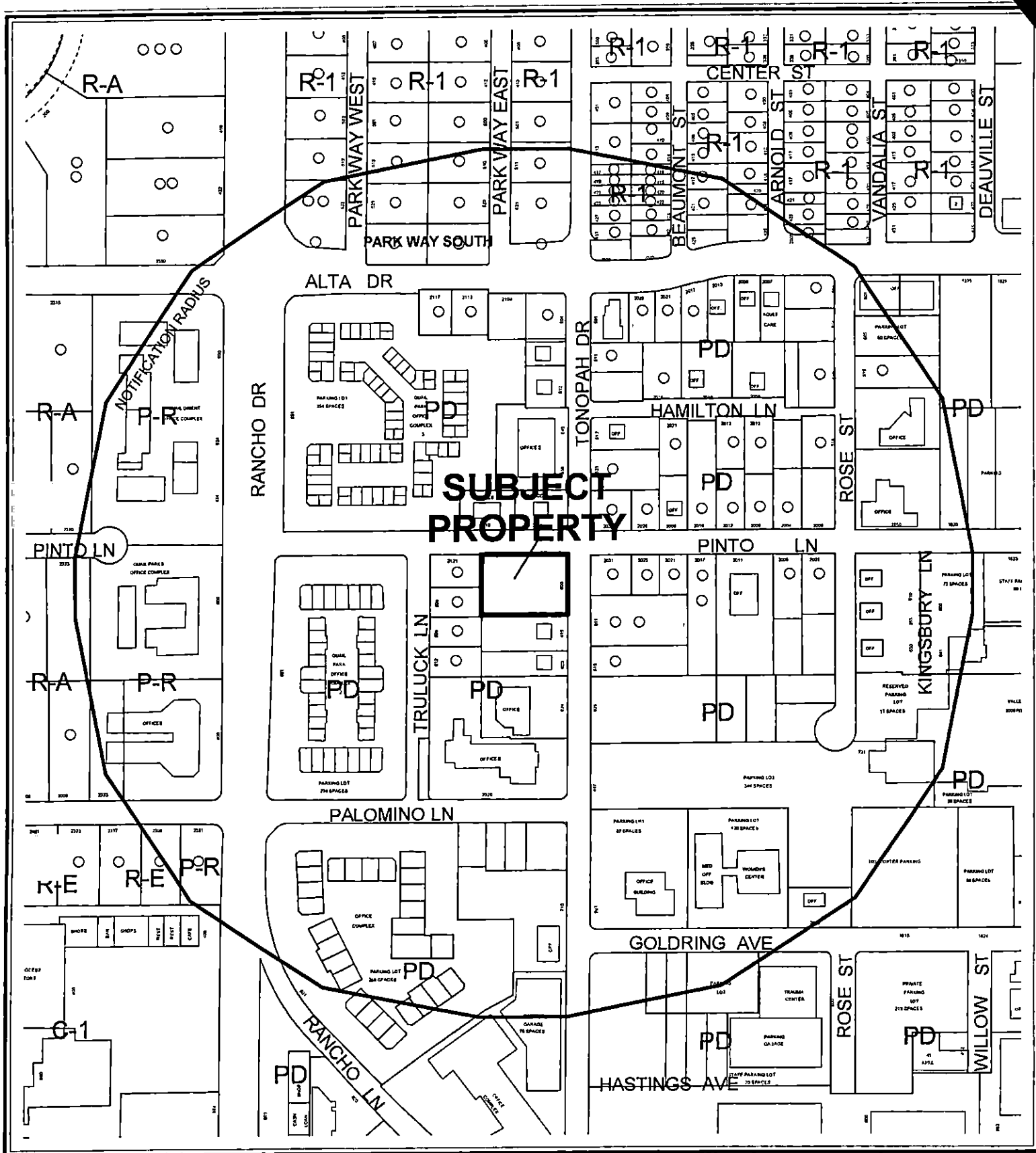
MOTION:

GOYNES – STRIKE Item 25; TABLE Items 16 and 43-44; HOLD IN ABEYANCE Items 28 and 47-48 to 5/24/2007; Items 17-21 and 37-42 to 6/14/2007 – UNANIMOUS

MINUTES:

DOUG RANKIN, Planning and Development Department, expressed the applicants' requests that Items 28 and 47-48 be held in abeyance to 5/24/2007.

(6:02 – 6:09)

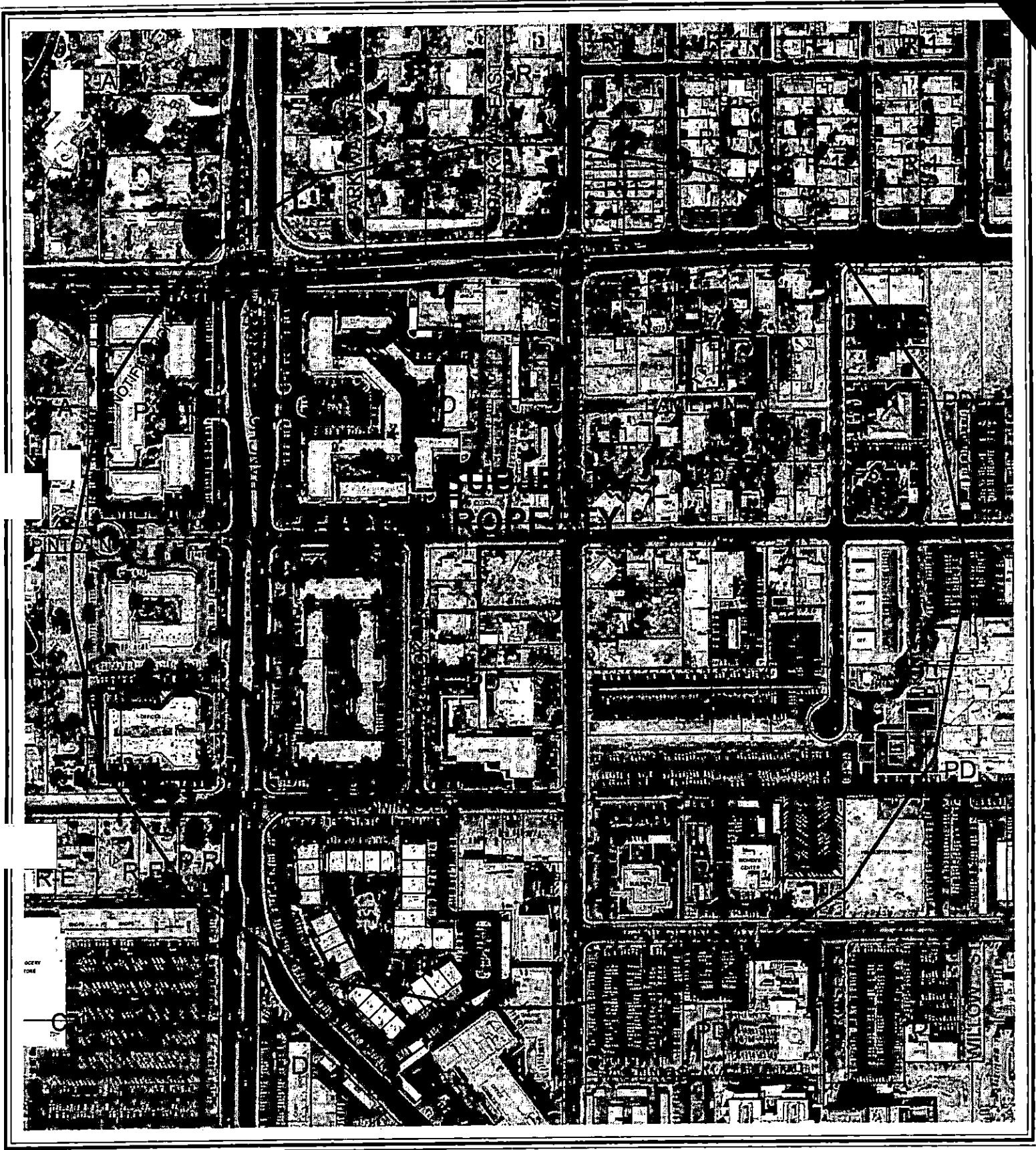


CASE: **VAR-20816**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)





CASE: **VAR-20816**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 10, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20816 - OWNER/APPLICANT: SCHIFINI FAMILY TRUST

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

April 27, 2007

City of Las Vegas
Planning & Development Department
400 Stewart Avenue
Las Vegas, NV 89101

RE: APN # 139-32-002 -- Abeyance Request Letter

To Whom It May Concern:

The Applicant, Craig and Crete Developers, LLC for VAR #20816 and SDR #20812 formally requests that it be moved from the PC meeting dated May 10th, 2007 to the May 24th PC meeting.

It was brought to the attention of the Design Team that an additional Variance Request was necessary. The paperwork of the addition request has been submitted and the review process for that application is appropriate for the May 24th meeting.

Respectfully,

A handwritten signature in black ink, appearing to read 'Casey Craig', with a stylized flourish at the end.

Casey Craig
Manager – Craig and Crete Developers, LLC

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20816** APN: 139-32-705-002
Name of Property Owner: Schifini Family Trust
Name of Applicant: Craig and Crote Developers, LLC
Name of Representative: W+L Studio

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: _____

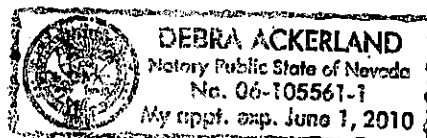
Signature of Property Owner:

Print Name:

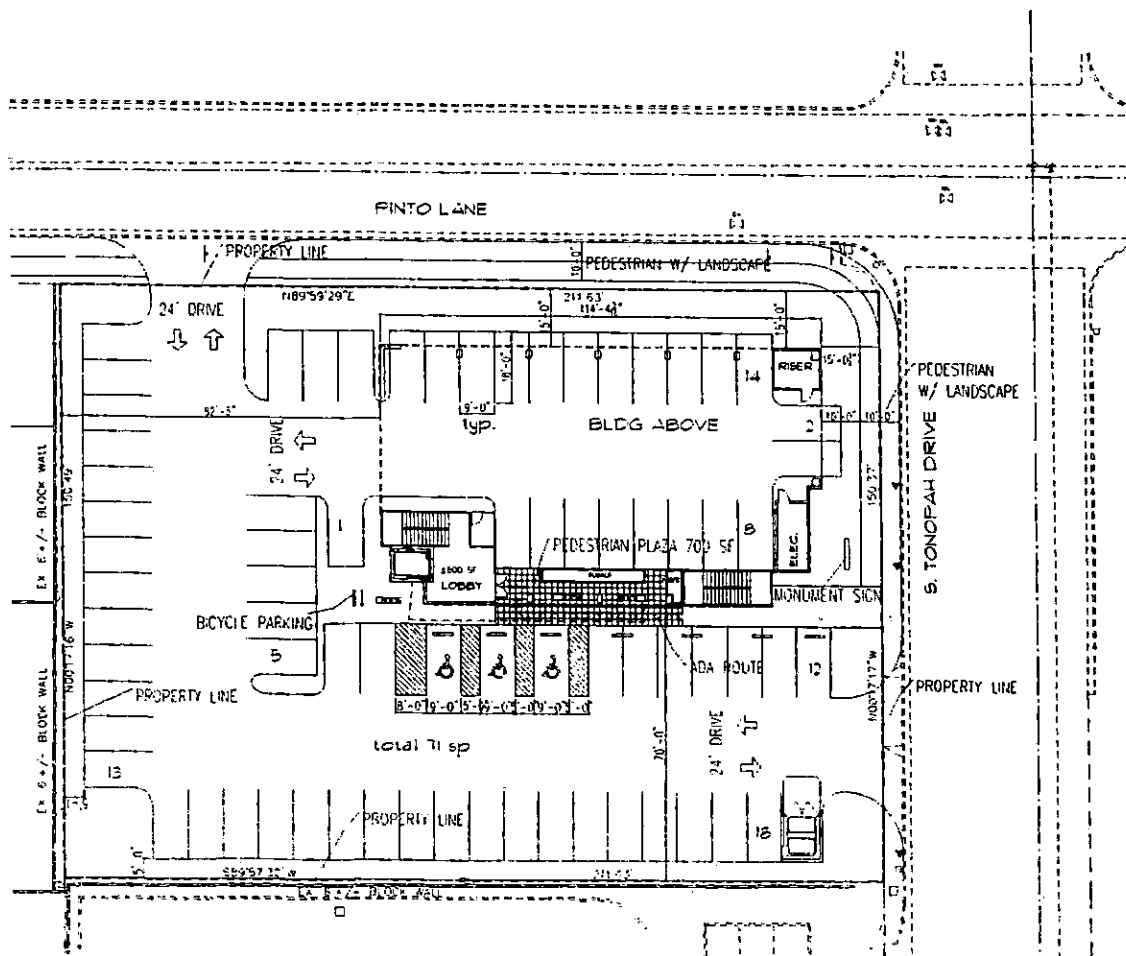
Subscribed and sworn before me

This 26 day of March, 2007

Debra Cleaveland
Notary Public in and for said County and State



RECEIVED



SITE PLAN

SCALE 1" = 30'-0"



SITE INFORMATION

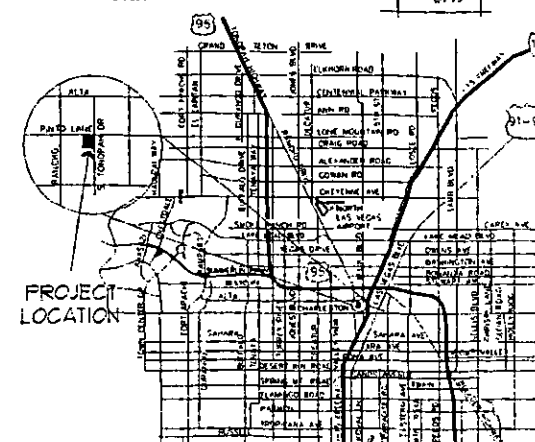
Parcel Numbers 139-32-705-002
 APPROVED ZONING P-R
 Building Setback
 Front ±20'-0"
 Side ±10'-0"
 Rear ±15'-0"
 SITE AREA ±0.70 Acre

BUILDING AREAS
 GENERAL/HEALTH CARE OFFICE ±15,000 sf

PARKING REQUIREMENTS
 ±7,500 SF GENERAL OFFICE @ 1 per 300 SF 25
 ±7,500 SF HEALTH CARE OFFICE @ 5 per 1,000 SF 38
 TOTAL REQUIRED 63
 (HANDICAP REQUIRED 2)
 TOTAL PROVIDED 72
 (HANDICAP PROVIDED 3)

FAR

0.49



VICINITY MAP

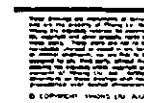
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APR 16 2007

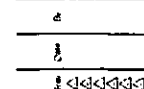


6000 CRENSHAW BOULEVARD
 LAS VEGAS, NV 89118
 702.736.6400
 702.960.7933 FAX

See



DATE: 03/27/07
 DRAWN BY: [Signature]



SCHIFINI OFFICE BUILDING
 600 S. TONOPAH DRIVE
 LAS VEGAS, NV

Urban Environment

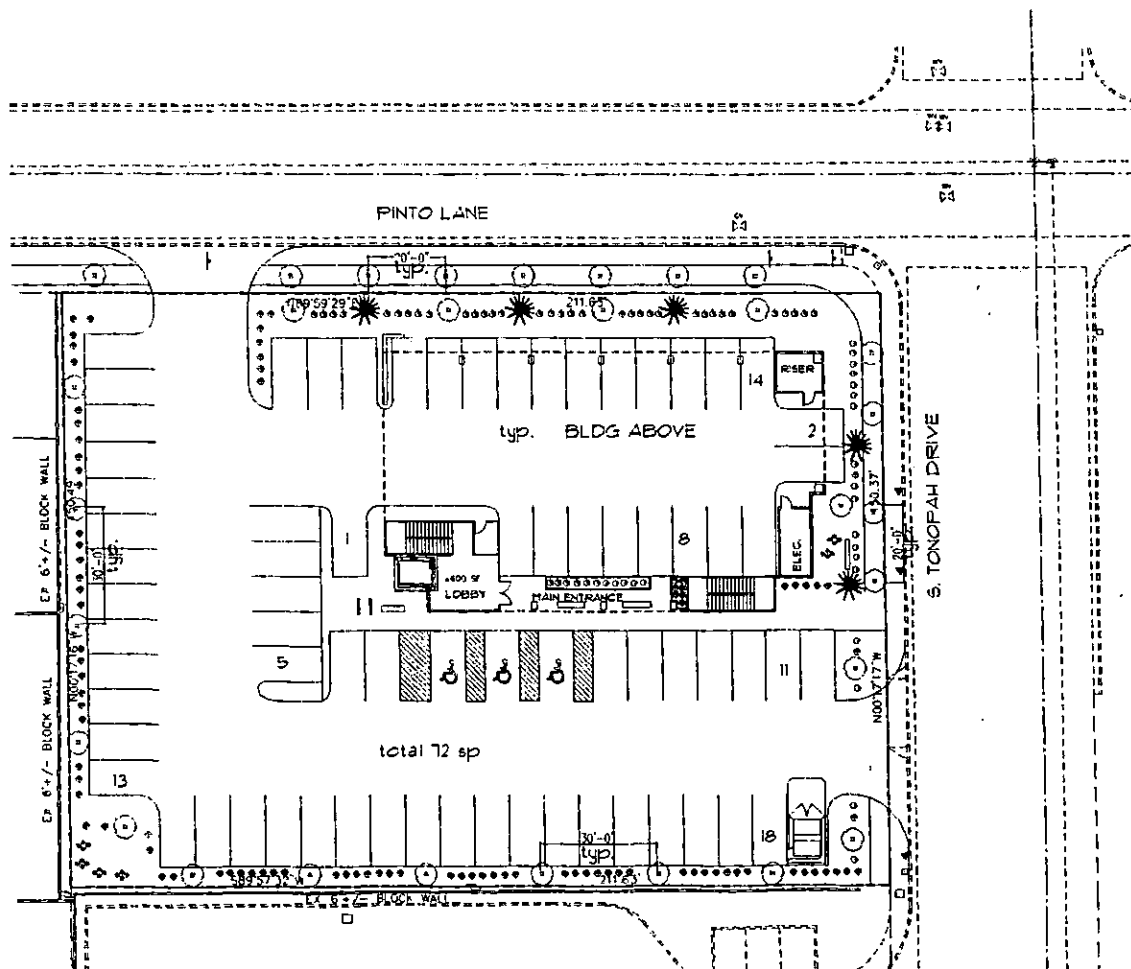
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MAR 27, 2007

Project Name

Sheet Number

VAR-20816 SDR-20812
 REVISED 05/10/07 PC



LANDSCAPE

SCALE : 1" = 30'-0"



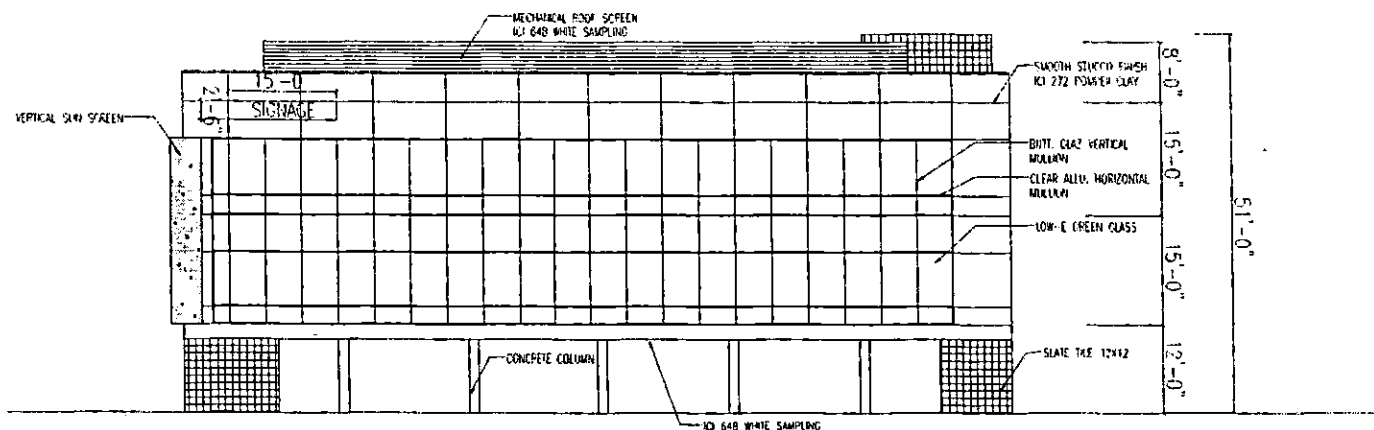
LANDSCAPE LEGEND	
TREES	
	GLADIOLUS TREEMIMIC - 24" DBH
	DATE PALM - 25' TALL
SHRUBS	
	GREEN CEDAR - 4 GALLON
	THAIRED CEDAR - 5 GALLON
	DEER GRASS - 2 GALLON
GROUND COVER	
	MEYER EYING PRINCE - 5 GALLON
	1'-2" HOYLE G. B. REEDWOODS GRASS - 2' TALL
LANDSCAPE NOTES	
- ALL REQUIRED LANDSCAPING SHALL BE PLANTED WITH LIVE PLANTS. - TREES SHALL NOT BE PLANTED WITHIN THREE (3) FEET OF A DEDICATED RIGHT-OF-WAY. - ANY TREES WITHIN 5' OF A SIDEWALK OR WALL SHALL BE PLANTED WITH A ROOT SHIELD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD. - ANY PLANT OR TREE THAT DOES NOT SURVIVE, OR SUSTAINS SEVERE DAMAGE, SHALL BE REPLACED WITHIN NINETY (90) DAYS. - SHRUBS SHALL BE PLANTED TO COVER MORE THAN FIFTY (50) PERCENTS OF THE LANDSCAPED AREA. - TREES SHALL BE PROVIDED WITH A 1' MINIMUM DEEP BASIN OR WELL 12" WIDE AROUND ROOT BALL. SHRUBS SHALL BE PROVIDED WITH A 1' MINIMUM DEEP BASIN OR WELL, 9" WIDE AROUND ROOT BALL. - A WATER CONSERVING IRRIGATION SYSTEM IS REQUIRED FOR ALL LANDSCAPING. Drip or SARALAN SYSTEMS WITH NO OVER SPRAY SHALL BE USED. IRRIGATION SYSTEM SHALL BE MAINTAINED IN GOOD OPERATING CONDITION. - ALL LANDSCAPING SHALL BE MAINTAINED IN A HEALTHY AND VIGOROUS LIVING CONDITION BY THE PROPERTY OWNER. DEAD VEGETATION SHALL BE PROMPTLY REPLACED, BASED ON STANDARD SEASONAL PLANTING PRACTICES, WITH HEALTHY, LIVING PLANTS.	

SCHIFINI OFFICE BUILDING
 600 S. TONOPAH DRIVE
 LAS VEGAS, NV

Drawn By/Checked By
 Title
 Date
 Project Number
 Sheet Number

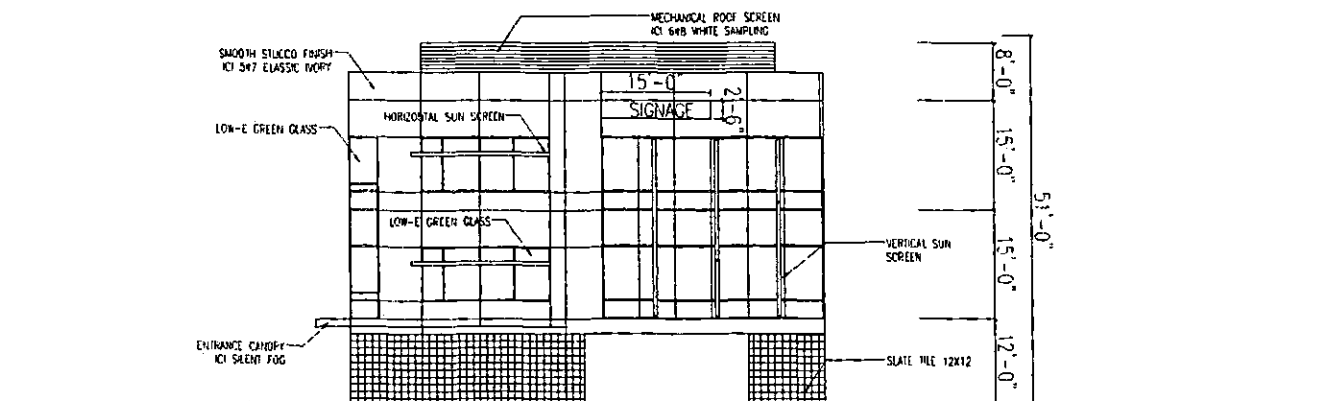
APR 16 2007

VAR-20816 SDR-20812
 REVISED 05/10/07 PC



SOUTH ELEVATION

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



EAST ELEVATION

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

APR 16 2007

VAR-20816 SDR-20812
REVISED 05/10/07 PC



6000 CROWDER ROAD
LAS VEGAS, NV 89121
702.555.8888
702.555.0500 FAX

DATE

PROJECT NO. 07-001
SHEET NO. 01
DATE 03/27/07
DRAWN BY J. HUNTER
CHECKED BY J. HUNTER
APPROVED BY J. HUNTER

DATE
DRAWN BY

DATE
DRAWN BY

DATE
DRAWN BY

SCHIFINI OFFICE BUILDING
800 S. TONOPAH DRIVE
LAS VEGAS, NV

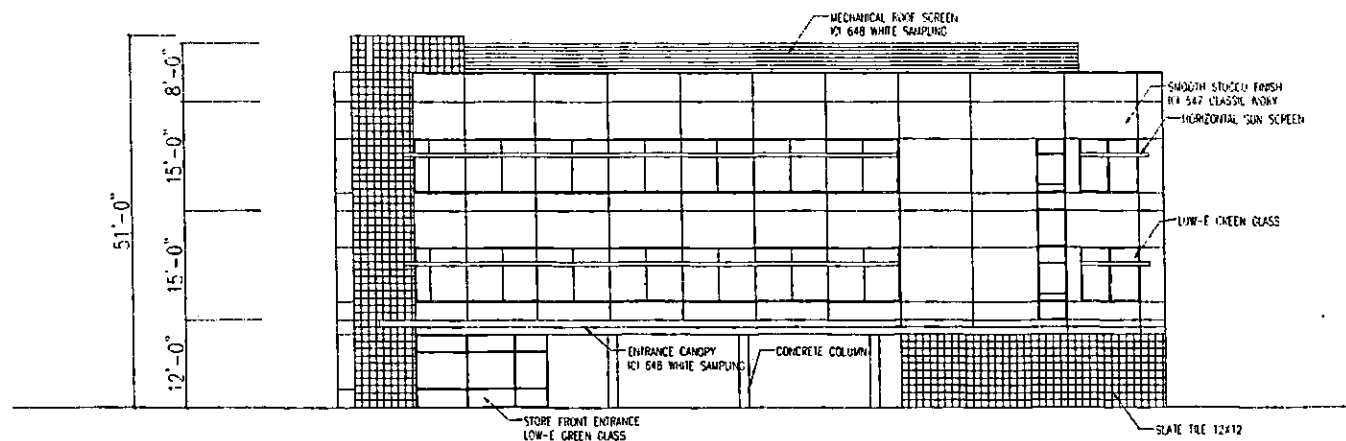
Drawn By/Checked By

DATE

MAR 27, 2007

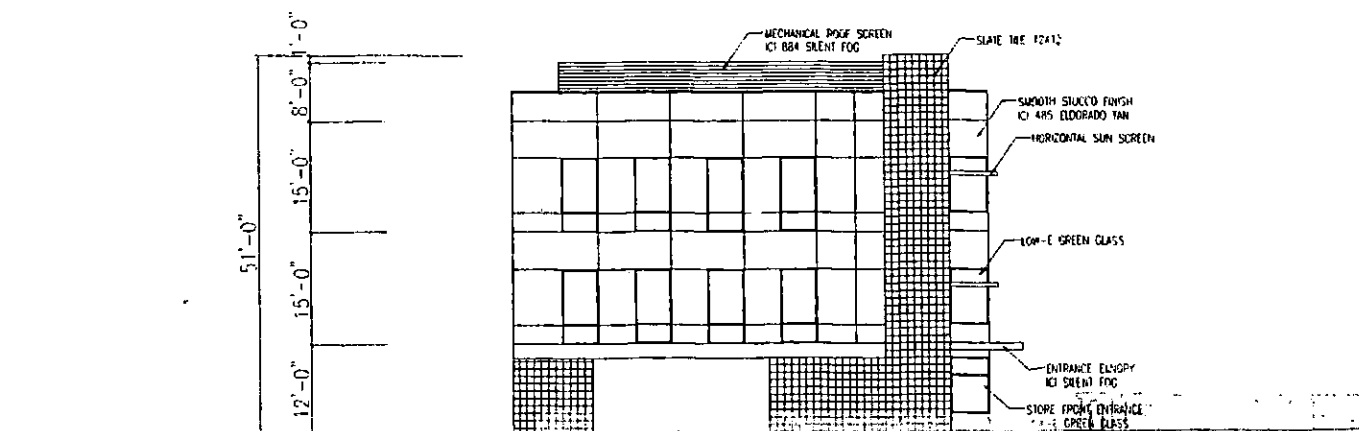
Project Number

Sheet Number



SOUTH ELEVATION

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

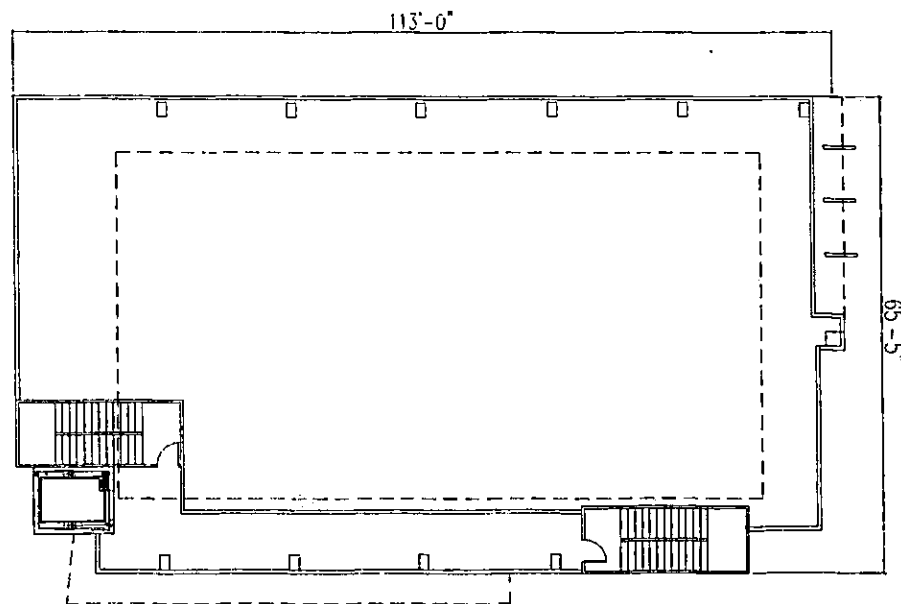


EAST ELEVATION

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

VAR-20816 SDR-20812
REVISED 05/10/07 PC

APR 16 2007



2ND AND 3RD FLOOR PLAN

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

VAR-20816 **SDR-20812**
REVISED **05/10/07 PC**

APR 16 2007

THIS DOCUMENT IS THE PROPERTY OF W & Studio. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF W & Studio.

DATE: _____
 BY: _____
 CHECKED BY: _____

SCHIFINI OFFICE BUILDING
600 S. TONOPAH DRIVE
LAS VEGAS, NV

Drawn By: _____
 Date: **MAR 27, 2007**
 Project Number: _____
 Sheet Number: _____

March 26, 2007

City of Las Vegas
Planning & Development Department
400 Stewart Avenue
Las Vegas, NV 89101

RE: APN # 139-32-002 – Variance Request Justification Letter

To Whom It May Concern:

Craig and Crete Developers, LLC has been hired by Schifini Family Trust to work with City of Las Vegas in order to obtain desired approvals for a General Health Care Office Building. The proposed development is located at 600 South Tonopah Dr., immediately North of University Medical Center. This letter and application is being submitted with the requested material as instructed in our Pre-Application Conference.

Our understanding is this property falls within a master planned re-development district. There are many commercial structures in the immediate vicinity, some directly across the street, which are already being used for or under construction to become General Health Care Offices. The project is consistent with the desired development in the area. For information on style, design and specific placement please see the accompanying elevations, site plan, landscape plan and other supporting documents submitted with this application.

The design team is seeking a height variance from 35' to 50' in order to accommodate a 3 story structure. The first story of the building is being used for covered parking. The second and third stories will be office space. The limited parcel size necessitates the third story. Office space will be 15,000 square feet. Required is 63 parking spaces and being provided is 69.

There are existing structures in the area with three stories and more. For example UMC and Valley Hospital Medical Center both have structures 3 stories tall and more. The subject property shares the street of Pinto with Valley Hospital Medical Center and the street of Tonopah with UMC. Immediately across the street at 611 & 621 South Tonopah a 3 story building is currently under construction.

Right now the property is a vacant lot. This building will be a complement to the local city re-development objectives. The people it will serve and location for work opportunities will greatly enhance and contribute to the community.

Respectfully,



Casey Craig
Manager – Craig and Crete Developers, LLC

VAR-20816
SDR-20812
05/10/07 PC

RECEIVED

April 27, 2007

City of Las Vegas
Planning & Development Department
400 Stewart Avenue
Las Vegas, NV 89101

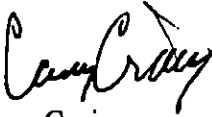
RE: APN # 139-32-002 – Abeyance Request Letter

To Whom It May Concern:

The Applicant, Craig and Crete Developers, LLC for VAR #20816 and SDR #20812 formally requests that it be moved from the PC meeting dated May 10th, 2007 to the May 24th PC meeting.

It was brought to the attention of the Design Team that an additional Variance Request was necessary. The paperwork of the addition request has been submitted and the review process for that application is appropriate for the May 24th meeting.

Respectfully,



Casey Craig
Manager – Craig and Crete Developers, LLC

Submitted after final agenda

Date 5/10/07 Item 47-48

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-20812 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-20816 - PUBLIC HEARING - APPLICANT: CRAIG AND CRETE DEVELOPERS, LLC - OWNER: SCHIFINI FAMILY TRUST - Request for a Site Development Plan Review FOR A 15,000 SQUARE FOOT MEDICAL OFFICE AND A WAIVER TO ALLOW A FIVE FOOT LANDSCAPE BUFFER ALONG PORTIONS OF THE SOUTH AND WEST PROPERTY LINES WHERE AN EIGHT-FOOT WIDE LANDSCAPE BUFFER IS REQUIRED (MEDICAL DISTRICT) at 600 South Tonopah Drive (APN 139-32-705-002), PD (Planned Development) Zone, P-O (Professional Office) Land Use Designation, Ward 5 (Williams).

C.C.: 6/20/07

PROTESTS RECEIVED BEFORE:

City Council Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

City Council Mtg.	0
City Council Meeting	

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report – Not Applicable
3. Supporting Documentation
4. Justification Letter

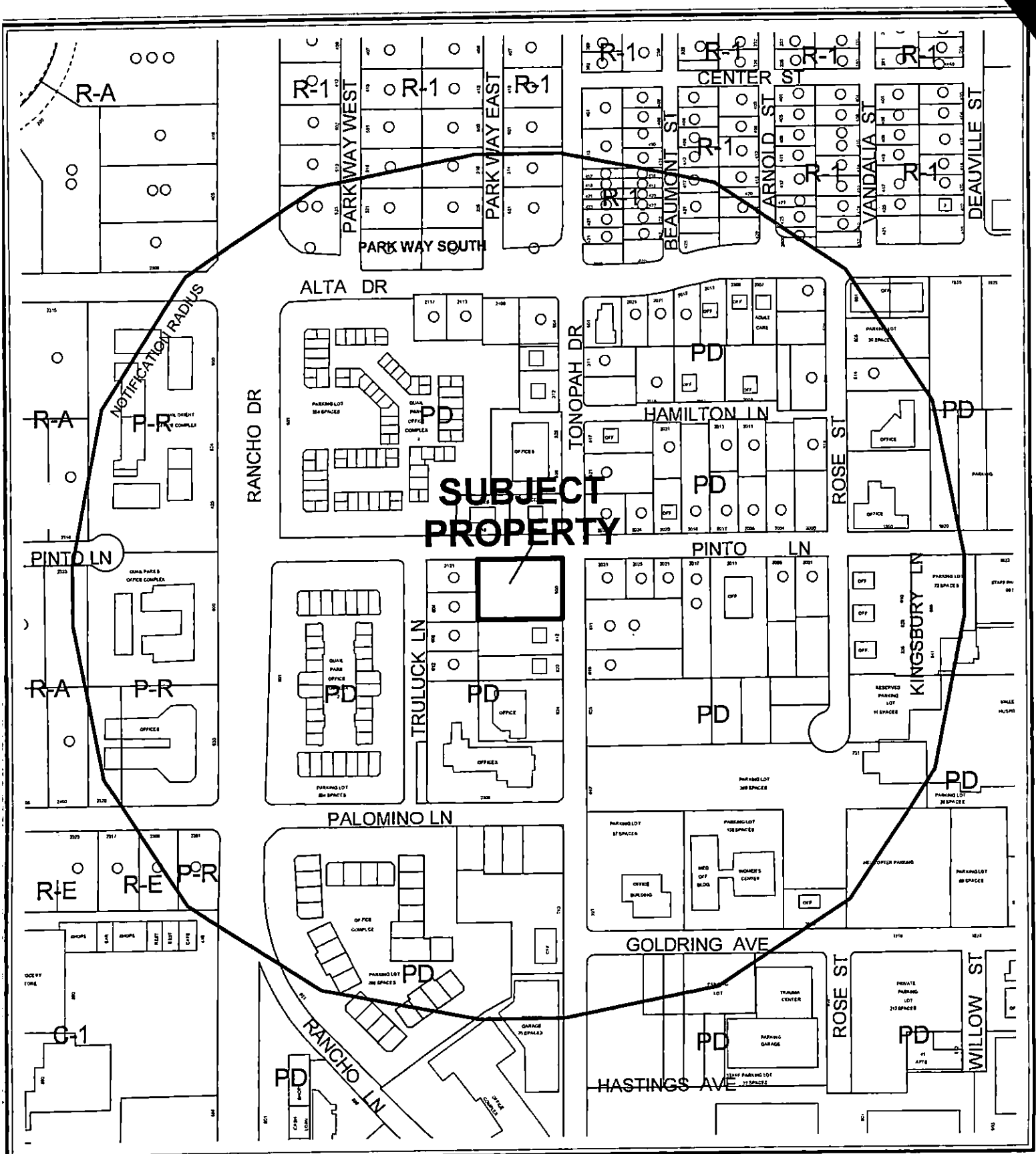
MOTION:

GOYNES – STRIKE Item 25; TABLE Items 16 and 43-44; HOLD IN ABEYANCE Items 28 and 47-48 to 5/24/2007; Items 17-21 and 37-42 to 6/14/2007 – UNANIMOUS

MINUTES:

DOUG RANKIN, Planning and Development Department, expressed the applicants' requests that Items 28 and 47-48 be held in abeyance to 5/24/2007.

(6:02 – 6:09)



CASE: SDR-20812
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 10, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-20812 - APPLICANT: CRAIG AND CRETE
DEVELOPERS, LLC - OWNER: SCHIFINI FAMILY TRUST

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

April 27, 2007

City of Las Vegas
Planning & Development Department
400 Stewart Avenue
Las Vegas, NV 89101

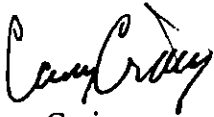
RE: APN # 139-32-002 – Abeyance Request Letter

To Whom It May Concern:

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It was brought to the attention of the Design Team that an additional Variance Request was necessary. The paperwork of the addition request has been submitted and the review process for that application is appropriate for the May 24th meeting.

Respectfully,

A handwritten signature in black ink, appearing to read "Casey Craig", with a stylized flourish at the end.

Casey Craig
Manager – Craig and Crete Developers, LLC

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-20812** APN: 139-32-705-002
Name of Property Owner: Schifini Family Trust.
Name of Applicant: Craig and Cretc Developers, LLC
Name of Representative: W+L Studio

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**

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: _____

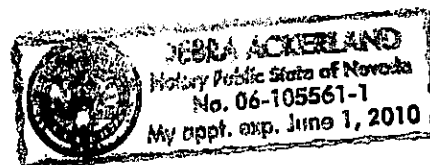
Signature of Property Owner: Jennifer Schipani

Print Name: Jennifer Schifini

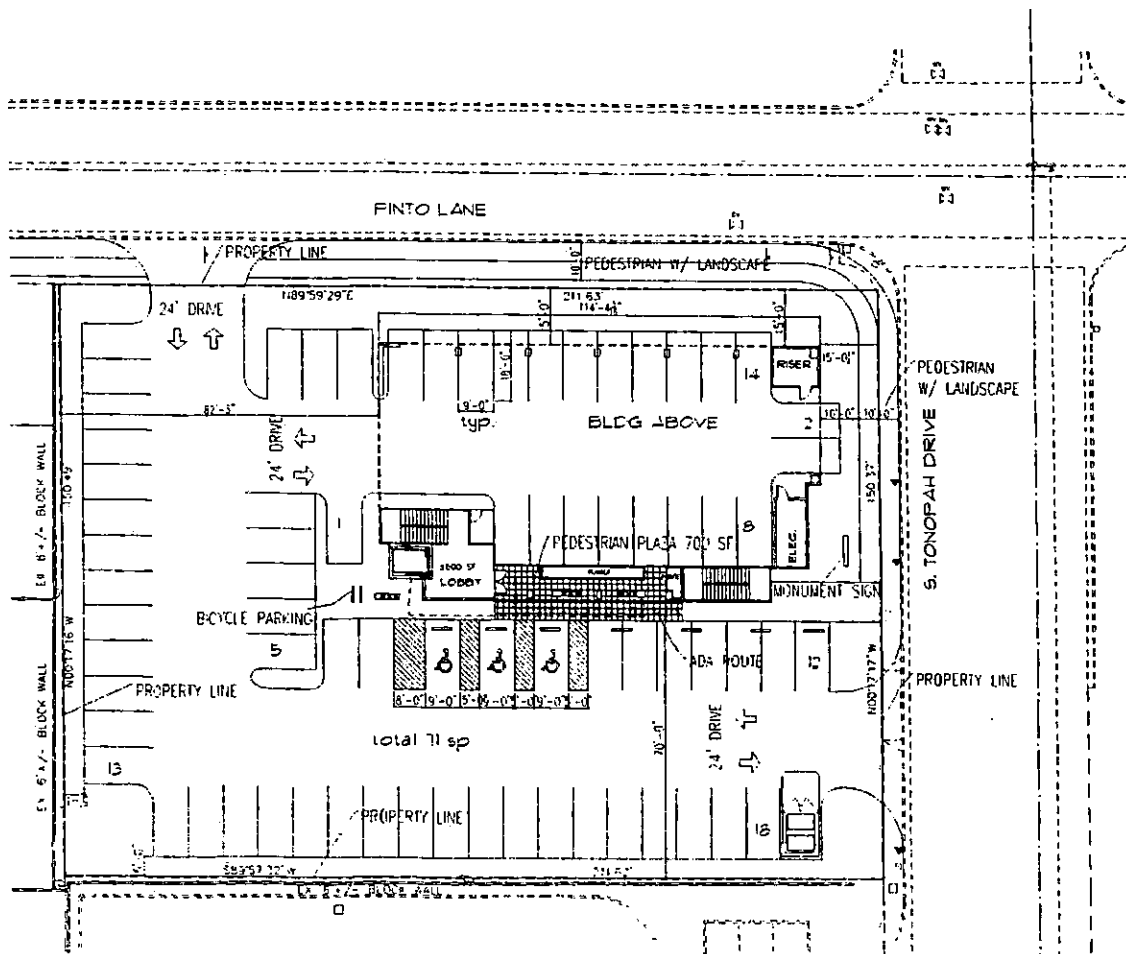
Subscribed and sworn before me

This 26 day of March, 2007

Debra Ackeland
Notary Public in and for said County and State



RECEIVED



SITE PLAN

SCALE 1" = 30'-0"

SITE INFORMATION

Parcel Numbers 139-32-705-002

APPROVED ZONING P-R

Building Setback
 Front ±20'-0"
 Side ±10'-0"
 Rear ±15'-0"

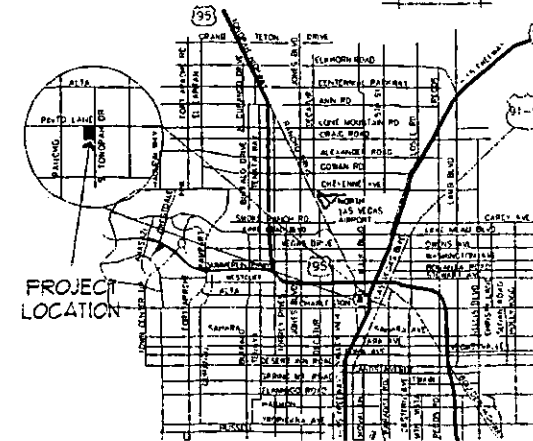
SITE AREA ±0.70 Acre

BUILDING AREAS
 GENERAL/HEALTH CARE OFFICE ±15,000 sf

PARKING REQUIREMENTS
 ±7,500 SF GENERAL OFFICE @ 1 per 300 SF 25
 ±7,500 SF HEALTH CARE OFFICE @ 5 per 1,000 SF 38
 TOTAL REQUIRED 63
 (HANDICAP REQUIRED 2)
 TOTAL PROVIDED 72
 (HANDICAP PROVIDED 3)

FAR

0.49



VICINITY MAP

SCALE: 1" = 0.49

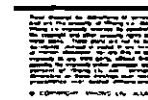
APR 16 2007

VAR-20816 SDR-20812
 REVISED 05/10/07 PC



1840 CHRYSLER ROAD CT
 LAS VEGAS, NV 89136
 702.526.6400
 702.526.0333 FAX

See



Scale: 1" = 30'-0"

DATE: MAR 27, 2007
 PROJECT: SCHIFINI OFFICE BUILDING
 DRAWN BY: CHS 1075

SCHIFINI OFFICE BUILDING
 600 S. TONOPAH DRIVE
 LAS VEGAS, NV

Drawn By: CHS 1075

Date:

MAR 27, 2007

Project Number:

Sheet Number:

These drawings are preliminary and are not to be used for construction without the approval of the architect. The owner is responsible for obtaining all necessary permits and for providing all information required for the design. The architect is not responsible for the accuracy of the information provided by the owner or for the results of the design. The architect is not responsible for the construction of the project.

7/20/07
Electronics

2

2

2

SCHIFINI OFFICE BUILDING
800 S. TONOPAH DRIVE
LAS VEGAS, NV

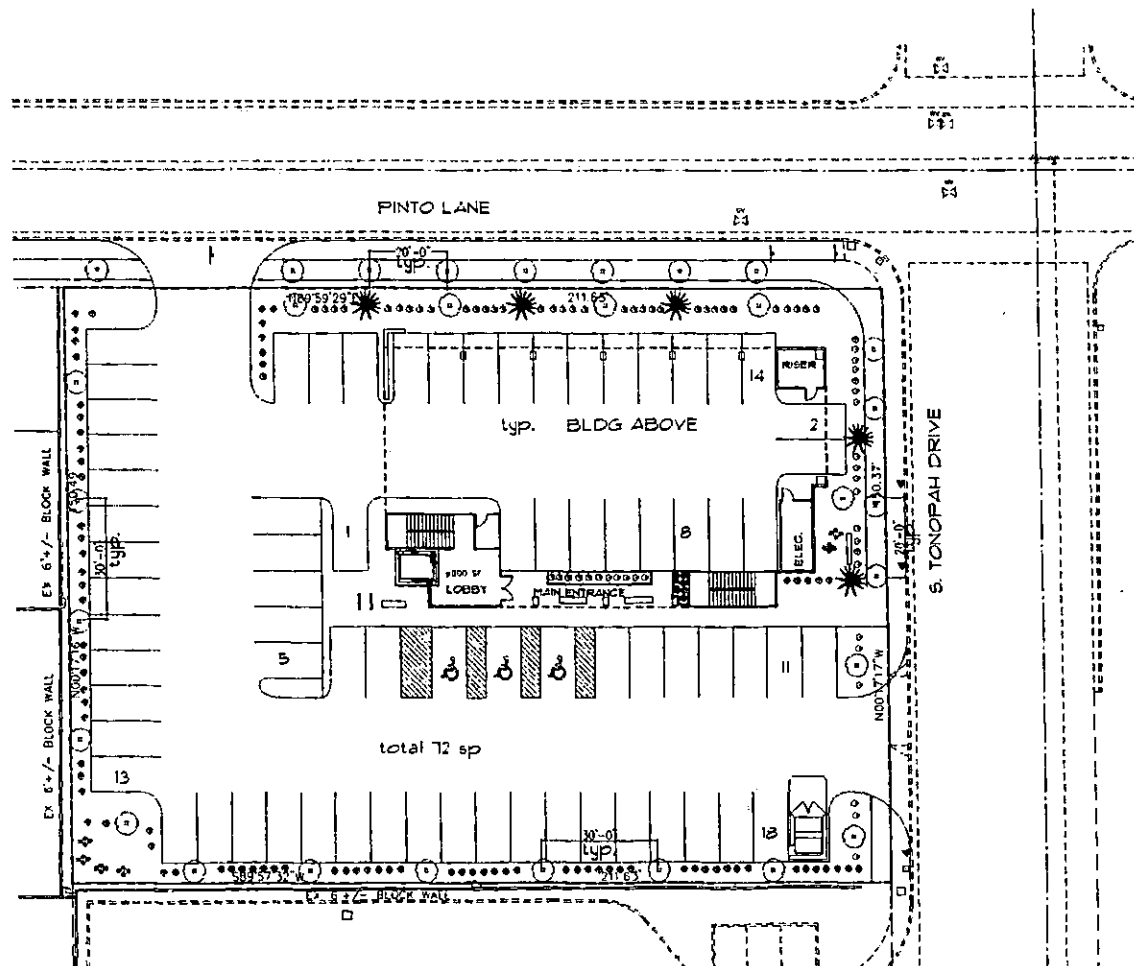
Drawn by: J. Schifini

Check

MAR 27, 2007

Project Number

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



LANDSCAPE

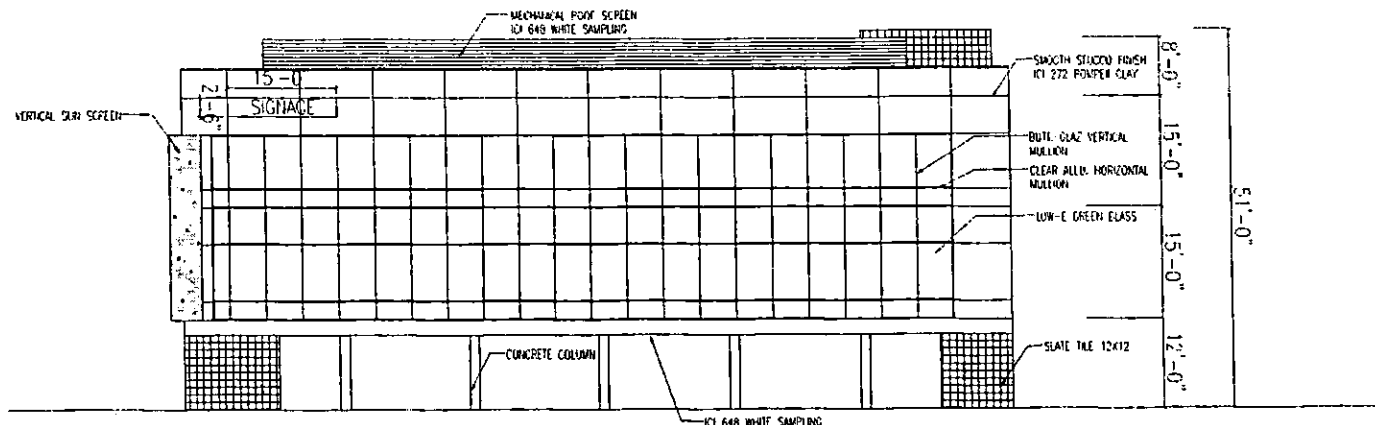
SCALE: 1" = 30'-0"



LANDSCAPE LEGEND	
TREES	
	GEORGINA TRIUMPHANT, 24" DBH
	DATE PALM, 25' TALL
SHRUBS	
	GREEN ELDER, 5' GALLON
	THUNDER ELDER, 5' GALLON
	DEEP GRASS, 5' GALLON
GROUNDCOVER	
	MEXICAN EVENING PRIMROSE, 5' GALLON
	1/2" POLARIS GOLD RECOMPOSED GRANITE, 2" DEPTH
LANDSCAPE NOTES	
1. ALL REQUIRED LANDSCAPING SHALL BE PLANTED WITH LIVE PLANTS.	
2. TREES SHALL NOT BE PLANTED WITHIN THOSE (2) FEET OF A DEDICATED RIGHT-OF-WAY.	
3. ANY TREES WITHIN 5' OF A SIDEWALK OR WALL SHALL BE PLANTED WITH A ROOT SHIELD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD.	
4. ANY PLANT OR TREE THAT DOES NOT SURVIVE, OR SUSTAINS SEVERE DAMAGE, SHALL BE REPLACED WITHIN NINE (9) MONTHS.	
5. SHRUBS SHALL BE PLANTED TO COVER MORE THAN FIFTY (50) PERCENT OF THE LANDSCAPED AREA.	
6. TREES SHALL BE PROVIDED WITH A 1' HIGH BY 1' DEEP BASH OR WELL 12" WIDE AROUND ROOT BALL. SHRUBS SHALL BE PROVIDED WITH A 1' HIGH BY 1' DEEP BASH OR WELL, 9" HIGH WIDE AROUND ROOT BALL.	
7. A WATER CONSERVING IRRIGATION SYSTEM IS REQUIRED FOR ALL LANDSCAPING. Drip, Low, or Micro Irrigation Systems with no open, overhead, or surface irrigation system shall be maintained in good operating condition.	
8. ALL LANDSCAPING SHALL BE MAINTAINED IN A HEALTHY AND MOORISH LIVING CONDITION BY THE PROPERTY OWNER. DEAD VEGETATION SHALL BE PROMPTLY REPLACED, BASED ON STANDARD SEASONAL PLANTING PRACTICES, WITH HEALTHY, LIVING PLANTS.	

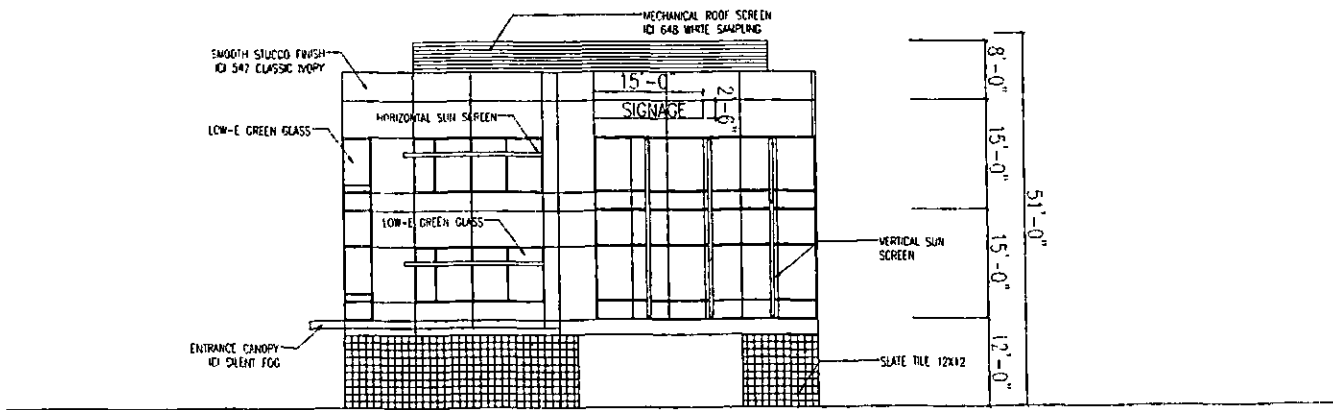
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APR 16 2007

VAR-20816 SDR-20812
REVISED 05/10/07 PC



SOUTH ELEVATION

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



EAST ELEVATION

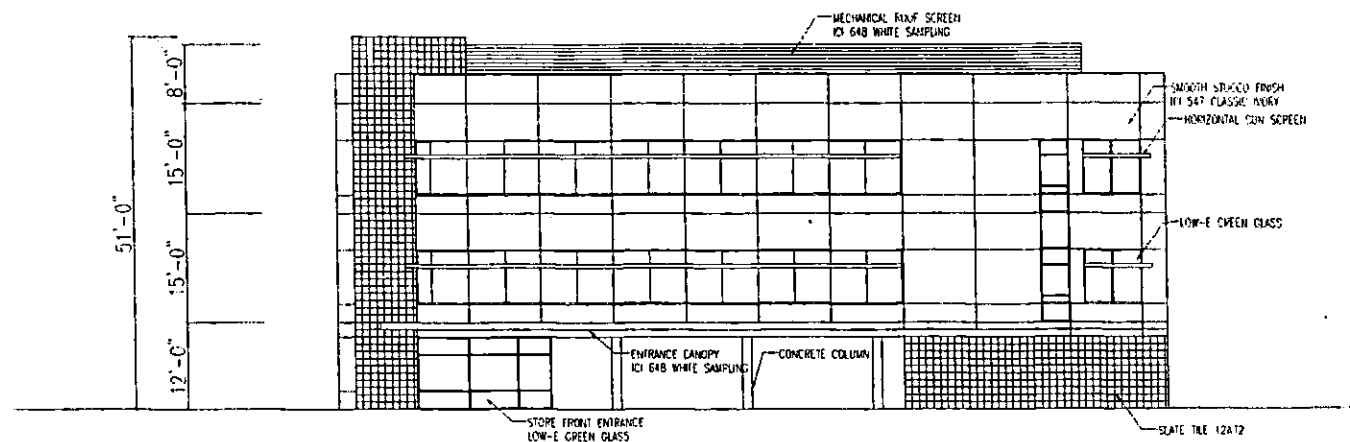
SCALE : 1/8" = 1'-0"

APR 16 2007

VAR-20816 SDR-20812
REVISED 05/10/07 PC

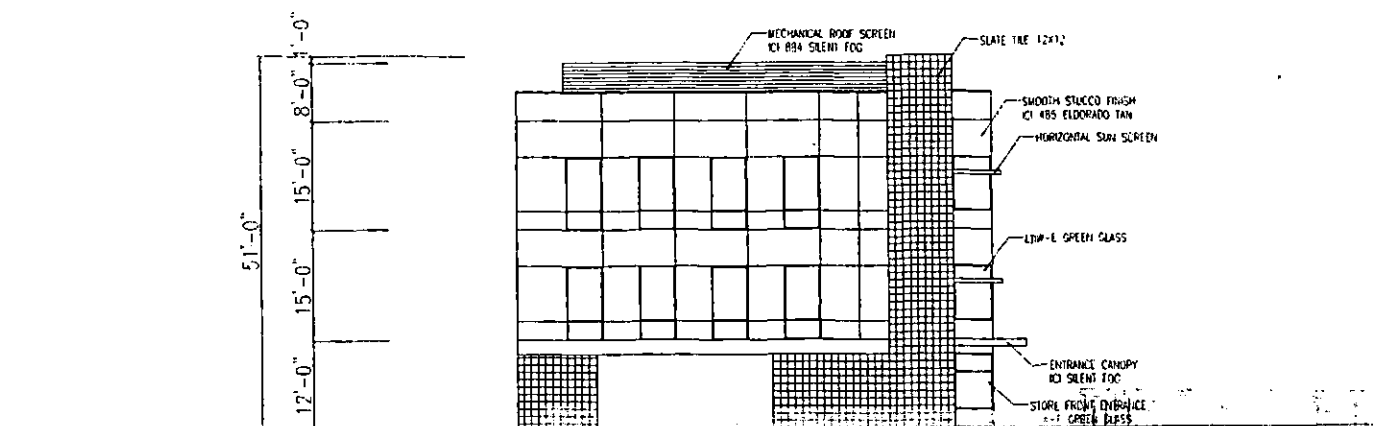


W&L Studio
4400 CHURCHILL AVENUE
LAS VEGAS, NEVADA 89119
702.735.0000
WWW.WANDLSTUDIO.COM



SOUTH ELEVATION

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



EAST ELEVATION

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

VAR-20816 SDR-20812
REVISED 05/10/07 PC

APR 16 2007

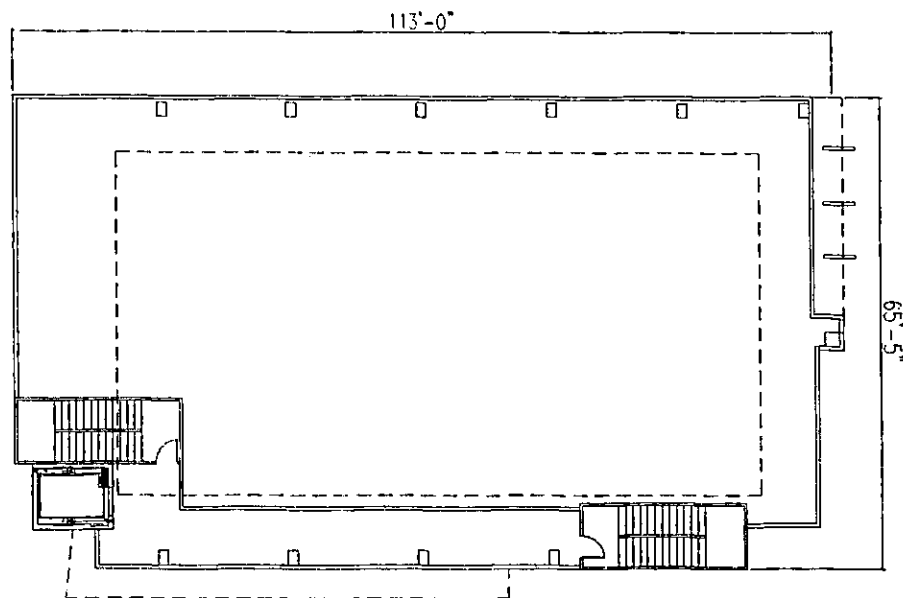
SCHIFINI OFFICE BUILDING
800 S. TONOPAH DRIVE
LAS VEGAS, NV

Drawn By: C. H. H. H.

Date: MAR 27, 2007

Project Number:

Sheet Number:



2ND AND 3RD FLOOR PLAN

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

VAR-20816
 REVISED

SDR-20812
 05/10/07 PC

APR 16 2007

These drawings are the property of W & L Studio. They are to be used only for the project and site specifically identified on these drawings. Any other use, reproduction, or distribution of these drawings without the written consent of W & L Studio is strictly prohibited. W & L Studio shall not be responsible for any errors or omissions in these drawings. © COPYRIGHT, 1992 W & L Studio, Inc.

REVISIONS
 Description

1
 2
 3
 4

SCHIFINI OFFICE BUILDING
 600 S. TONOPAH DRIVE
 LAS VEGAS, NV

Drawn By: C. H. H. H.

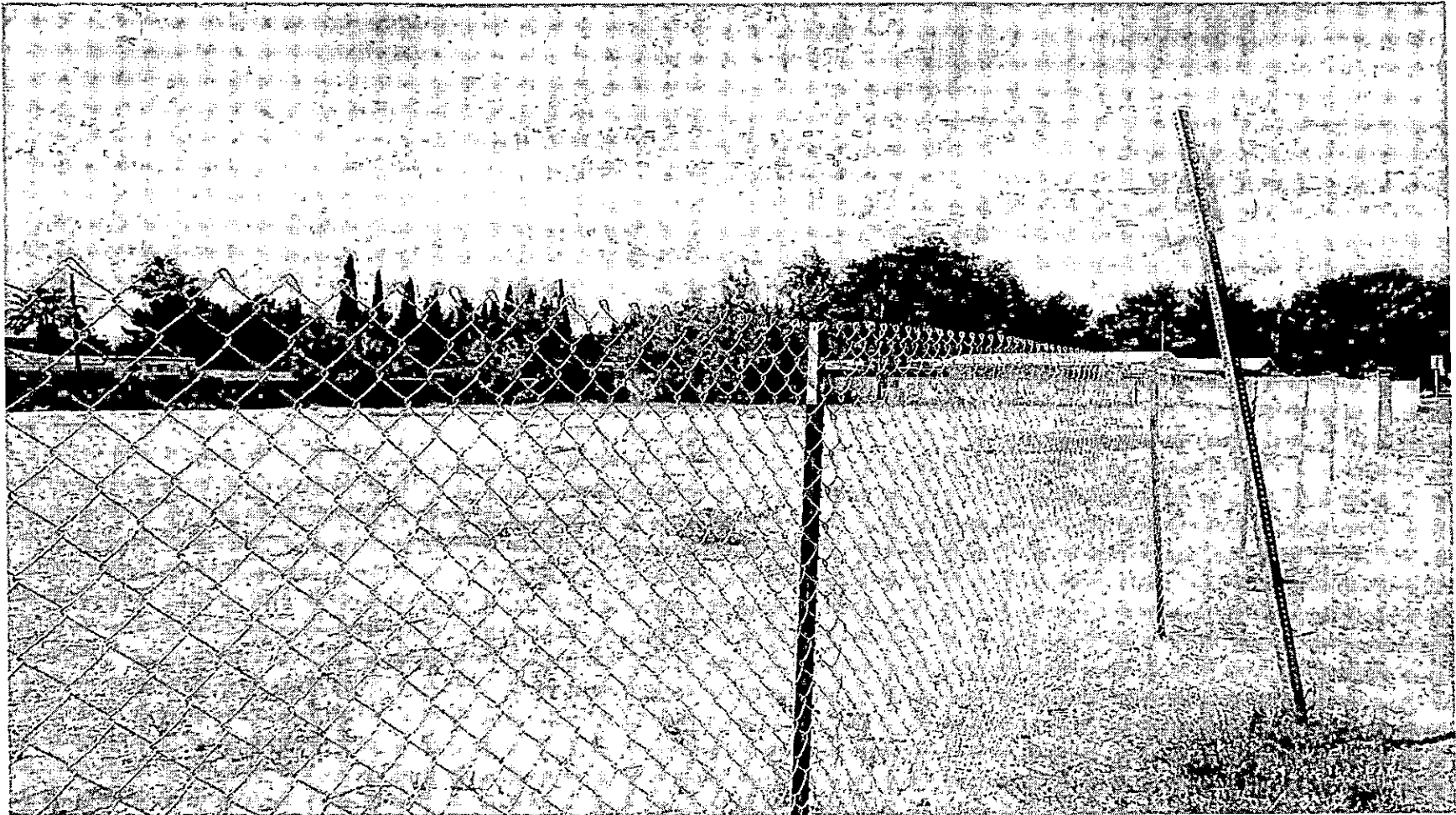
Date: MAR 27, 2007

Project Number

Sheet Number

SDR 20812				
Schifini Family Trust				
600 S. Tonopah				
Proposed 15 thousand square foot church.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	MEDICAL-DENTAL OFFICE BUILDING [1000 SF]	15	36.13	542
AM Peak Hour			2.48	37
PM Peak Hour			3.72	56
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Pinto Lane				
Average Daily Traffic (ADT)	4,587			
PM Peak Hour	367			
(heaviest 60 minutes)				
Tonopah Drive				
Average Daily Traffic (ADT)	3,343			
PM Peak Hour	267			
(heaviest 60 minutes)				
Alta Drive				
Average Daily Traffic (ADT)	24,152			
PM Peak Hour	1932			
(heaviest 60 minutes)				
Rancho Drive				
Average Daily Traffic (ADT)	40,158			
PM Peak Hour	3213			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
Adjacent street ADT				
Capacity				
Pinto Lane	16200			
Tonopah Drive	16200			
Alta Drive	34300			
Rancho Drive	51700			
This project will add approximately 542 trips per day on Pinto, Tonopah,				

Alta and Rancho. This will increase expected volumes by about twelve percent on Pinto, sixteen percent on Tonopah, two percent on Alta and one percent on Rancho. Pinto is at about 28 percent of capacity, Tonopah is at about 21 percent of capacity, Alta is at about 70 percent of capacity and Rancho is at about 78 percent of capacity.			
Based on Peak Hour use, this development will add roughly 56 additional cars into the area; which works out to about one every minute.			
Note that this report assumes all traffic from this development uses all named streets.			



VAR-20816 AND SDR-20812 - APPLICANT: CRAIG AND CRETE DEVELOPERS, LLC - OWNER: SCHIFINI
FAMILY TRUST
600 SOUTH TONOPAH DRIVE
MAY 10, 2007 PLANNING COMMISSION

04/25/07



VAR-20816 AND SDR-20812 - APPLICANT: CRAIG AND CRETE DEVELOPERS, LLC - OWNER: SCHIFINI
FAMILY TRUST
600 SOUTH TONOPAH DRIVE
MAY 10, 2007 PLANNING COMMISSION

04/25/07

March 26, 2007

City of Las Vegas
Planning & Development Department
400 Stewart Avenue
Las Vegas, NV 89101

RE: APN # 139-32-002 – Design Submittal & Waiver Request Justification Letter

To Whom It May Concern:

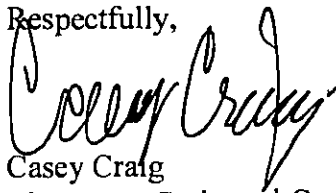
Craig and Crete Developers, LLC has been hired by Schifini Family Trust to work with City of Las Vegas, Planning & Development Department, in order to obtain desired approvals for a General Health Care Office Building. The proposed development is located at 600 South Tonopah Dr., immediately North of University Medical Center. This letter and application is being submitted with the requested material as instructed in our Pre-Application Conference.

The building square footage is 15,000. The parking requirement for the building is 63 spaces. The design team has provided for 69 spaces.

An 8' landscape requirement is standard. To maintain parking stall count and on site traffic flow the Design Team is seeking a waiver to 5' landscape on the West and South sides. The West and South sides of the property are the back of the property and are not notably visible from the street. Further, the West and South sides of the property have existing 6' block privacy walls that separate this development from neighboring properties. Design Team recommends the Planning & Development Department grant the waiver on account of it does not compromise the intent of the landscaping requirement nor does it affect the appearance from adjoining properties because adjoining properties are behind the privacy walls.

Our understanding is this property falls within a master planned re-development district. There are many commercial structures in the immediate vicinity, some directly across the street, which are already being used for or under construction to become General Health Care Office. The project as a whole is consistent with the desired future for the area. For information on style, design and specific placement please see the accompanying elevations, site plan, landscape plan and other supporting documents submitting with this application.

Respectfully,



Casey Craig
Manager – Craig and Crete Developers, LLC

VAR-20816
SDR-20812
05/10/07 PC

RECEIVED

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-20790 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: YOHAN LOWIE - Request for Variance TO ALLOW A PROPOSED BLOCK WALL AND BRONZE IRON FENCE TO A MAXIMUM HEIGHT OF TEN FEET IN THE FRONT YARD AREA WHERE FIVE FEET IS THE MAXIMUM HEIGHT ALLOWED AND TO ALLOW SOLID MATERIAL WHERE THE AREA ABOVE TWO FEET IN HEIGHT IS REQUIRED TO BE OPEN TO PERMIT VISIBILITY on 2.85 acres at 9405 and 9409 Kings Gate Court (APN 138-31-710-004 and 005), RPD-7 (Residential Planned Development - 7 Units per Acre) Zone, Ward 2 (Wolfson).

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

PROTESTS RECEIVED BEFORE:

City Council Mtg.

3

City Council Meeting

APPROVALS RECEIVED BEFORE:

City Council Mtg.

1

City Council Meeting

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Telephone protest by Carl Ross and Maggie Hunter and letters of opposition by Richard Hunter and Lauretta Bayne
6. Submitted at meeting – Letter of support by Carol Jimmerson and V. Dehart and letter of opposition by Jason A. Awad

MOTION:

TRUEDELL – APPROVED subject to conditions – Motion carried with **DUNNAM** abstaining as he represents some of those in opposition (V. Dehart)

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 49 – VAR-20790

MINUTES – Continued:

DOUG RANKIN, Planning and Development Department, explained that the applicant is proposing a wall that does not meet the code standards although an alternative wall design could meet code. Staff recommended denial.

GREG BORGEL, 300 South Fourth Street, appeared on behalf of the applicant. He submitted approval letters from various neighbors. He stated a couple of neighbors had also come to the meeting but left upon viewing the plans for a high-end wrought iron fence with decorative rock. Only one component of the fence, the major entry feature, is higher than the standard height. The photograph presented of the proposed entry feature is from another home in Queensridge, where some owners have been required to obtain a variance and others have not. All the features were built with a permit, as this one would be. MR. BORGEL read into the record the homeowners association letter of approval without further review.

GREG GORGEN, 851 South Rampart, appeared on behalf of Peccole Nevada Corporation, master developer of Queensridge and Queensridge North. They support the proposal for the estate lot. He confirmed that others in opposition have now rescinded their opposition, including JASON AWAD.

TODD FARLOW, 240 North 19th Street, commended MR. BORGEL for conducting the necessary research.

IRWIN MALSMAN appeared on behalf of CARL and ANGIE ROSS, residents adjacent to the property. They withdrew their opposition and fully supported the proposal.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

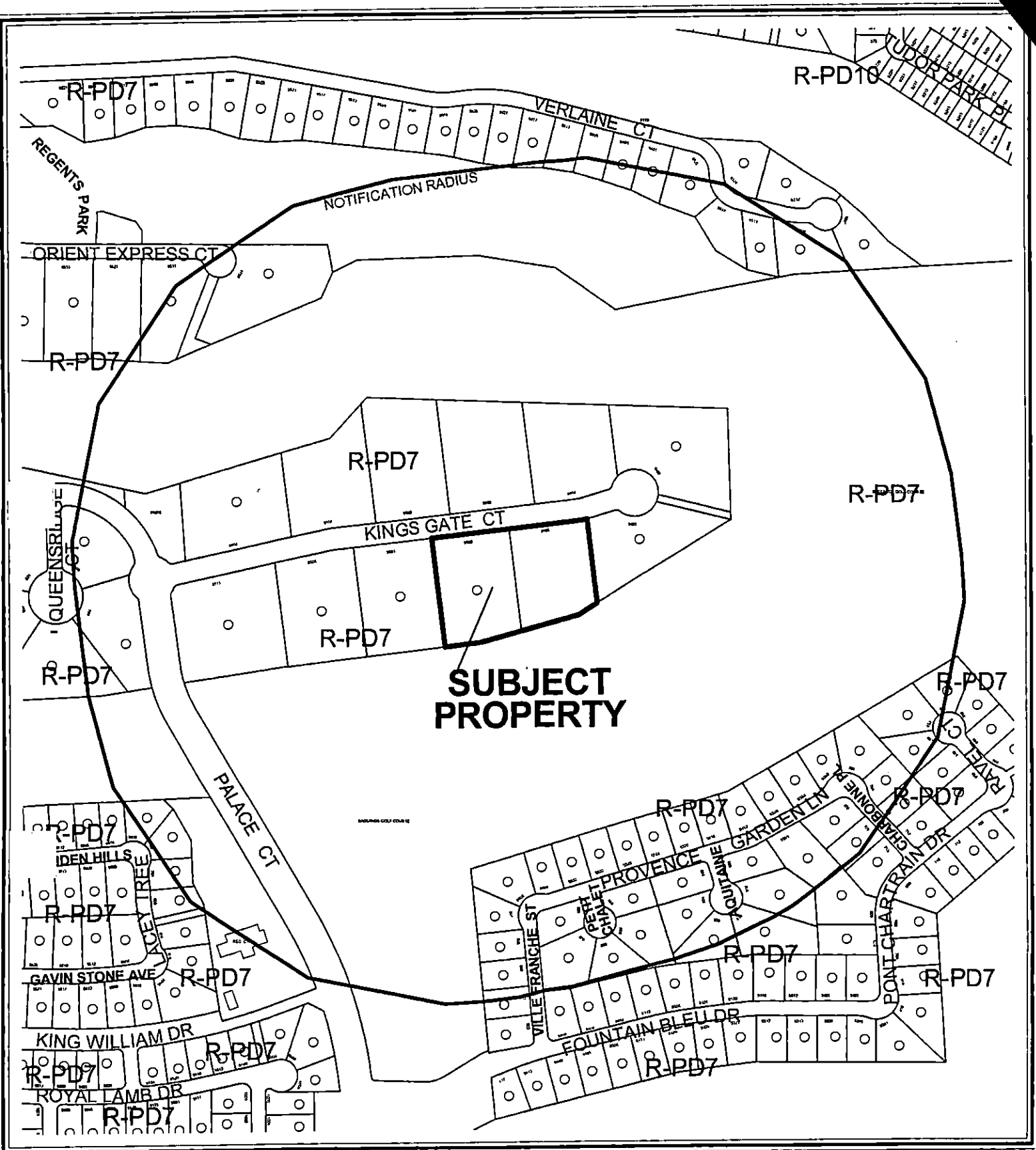
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3-1458

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-17-90) and Site Development Plan Review (Z-17-90 (7)), except as amended herein.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

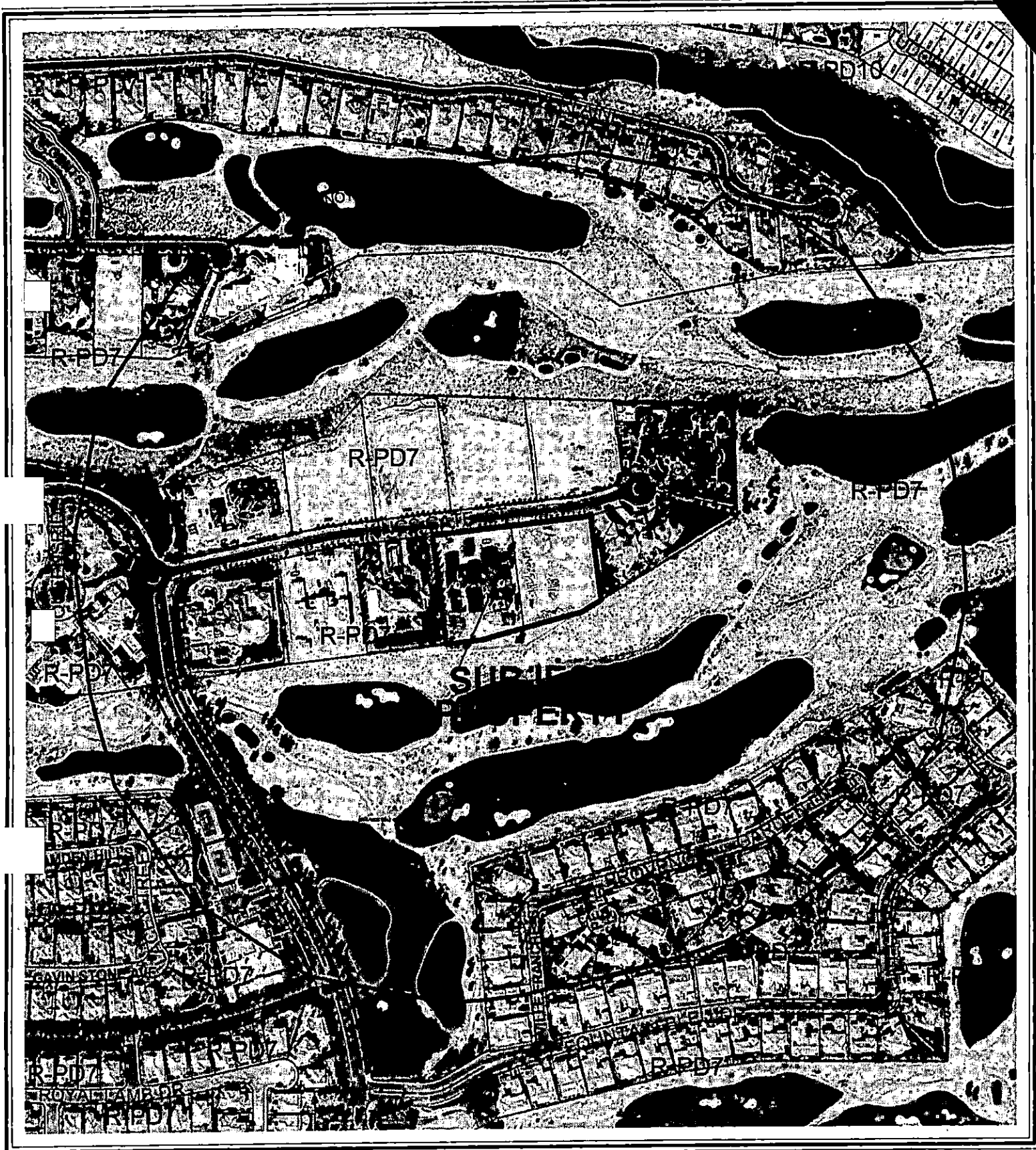


CASE: **VAR-20790**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)



CASE: VAR-20790

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 10, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20790 - APPLICANT/OWNER: YOHAN LOWIE

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (Z-17-90) and Site Development Plan Review (Z-17-90 (7)), except as amended herein.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-20790 - Staff Report Page One
May 10, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request to allow a proposed ten foot high block wall in the front yard area where five feet is the maximum height allowed and to allow a portion of the top three feet to be solid where the top three feet is required to be open. As this is a self-imposed hardship and alternatively, a wall can be built to the standards of Title 19.12 on the subject site, staff recommends denial.

BACKGROUND INFORMATION

Related Relevant City Actions (by P&D, Fire, Bldg., etc.)	
03/08/90	The City Council approved a Rezoning (Z-17-90) for this site from N-U (Non-Urban) to R-PD7 (Residential Planned Development – 7 Units per Acre) as part of a larger request. The Planning Commission and staff recommended approval.
12/14/95	The Planning Commission approved a Plot Plan Request (Z-17-90 (7)) for 44 custom home lots on 51.02 acres including the subject site. Staff recommended approval.
Related Building Permits/Business Licenses	
08/25/02	Building Permits first issued under plan check number R-0069-03 for a Single Family Residence on the subject site. The residence is currently under construction/complete as confirmed by a field check
05/13/04	Building Permits first issued under plan check number M-1981-04 for a Gazebo, a Porte Cochere and a Casita on the subject site.
Pre-Application Meeting	
03/14/07	A pre-application meeting was held to discuss this Variance application, and the applicant was asked to include wall elevations on the site plan.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	
Field Check	
04/17/07	A field check was conducted to verify the subject site in relation to surrounding homes and existing front yard walls.

VAR-20790 - Staff Report Page Two
May 10, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	2.85

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Dwelling (Under Construction)	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development – 7 Units per Acre)
North	Undeveloped	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development – 7 Units per Acre)
South	Golf Course	PR-OS (Parks, Recreation, and Open Space)	R-PD7 (Residential Planned Development – 7 Units per Acre)
East	Single Family Dwelling	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development – 7 Units per Acre)
West	Single Family Dwelling	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development – 7 Units per Acre)

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

Peccole Ranch

The Subject Site is located in the Peccole Ranch Master Planned Community. No special requirements are associated with this designation.

VAR-20790 - Staff Report Page Three
May 10, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

The development standards for this Residential Planned Development were established by the approval of Plot Plan (Z-17-90 (7)) as follow:

Standard	Z-17-90(7)	Provided	Compliance
Min. Lot Size	21,742 SF	124,178 SF	Y
Min. Lot Width	111.82 Feet	234.59 Feet	Y
Min. Setbacks			
• Front	20 Feet	32.5 Feet	Y
• Side	5 Feet	25 Feet	Y
• Rear	15 Feet	75 Feet	Y

Title 19.12 Wall Standards

Wall Standards	Required/Allowed	Provided	Compliance
Wall Height	Five feet with the top three feet open to permit visibility.	Maximum height of ten feet with 53.2% solid CMU wall and 46.8% open to permit visibility.	N*

* Subject of this variance.

ANALYSIS

The project proposes to construct a split-face Galilee stone CMU wall and bronze iron fence in the front yard of a home under construction in a residential planned development. The wall will be as high as 10 feet within the front setback area, where five-feet with the top three vertical feet open to permit visibility, is the maximum permitted height.

The northwest end of the wall is a 2.75-foot wide, eight-foot high CMU pilaster at the northwest corner of the property. The next section of wall is a 30.25-foot length of bronze iron fence, fully open to permit visibility, but at a height of 7.5 feet. A 26-foot CMU segment follows at a height of 7.5 feet, but with three eight foot pilasters, followed by an 18.75 foot wide bronze iron driveway gate. A pedestrian gateway separates the two identical driveway gates, with 3.33 foot wide eight foot pilasters adjacent to each gate, a 4.34 foot wide, 7.5 foot high walls, and a ten-foot high, ten-foot wide CMU gateway with a six-foot wide, eight-foot high bronze gate.

The wall and fence continue to alternate between CMU wall and bronze iron fencing and gates for the entire 410.92 foot front property line. Except for the ten-foot high segment of the central pedestrian gateway, the rest of the wall and fence is 7.5 feet in height with eight foot pilasters.

The proposed wall has a height that far exceeds what is permitted by Title 19. However, a site visit showed that adjacent and nearby properties do have front yard walls and fences and corner side walls and fences up to eight feet in height that would compliment the proposed wall. However, as this is a self imposed hardship, denial of this request is recommended.

RL

VAR-20790 - Staff Report Page Four
May 10, 2007 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to build a wall and fence which exceeds the Title 19.12 maximum height requirement and does not provide for all portions of the wall over two feet in height to be open to permit visibility. Alternatively constructing the front yard wall and fence to only five feet in height with the top three feet open to permit visibility would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

VAR-20790 - Staff Report Page Five
May 10, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 74

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-20790 APN: 138-31-710-004 & 138-31-710-005

Name of Property Owner: Yohan Lowie

Name of Applicant: Yohan Lowie

Name of Representative: Blair Pankratz

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: _____

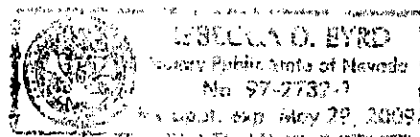
Print Name: Yohan Lowie

Subscribed and sworn before me

This 20th day of April, 2007

Rebecca A. Byrd

Notary Public in and for said County and State





SCALE: 1" = 10'

PROPOSED RESIDENCE
LOT 4, QUEENSRIDGE SOUTH
LOT: 65 744 SF
F.F. ELEV 10.50
PAD ELEV: 09.50

SCALE 1' = 30'



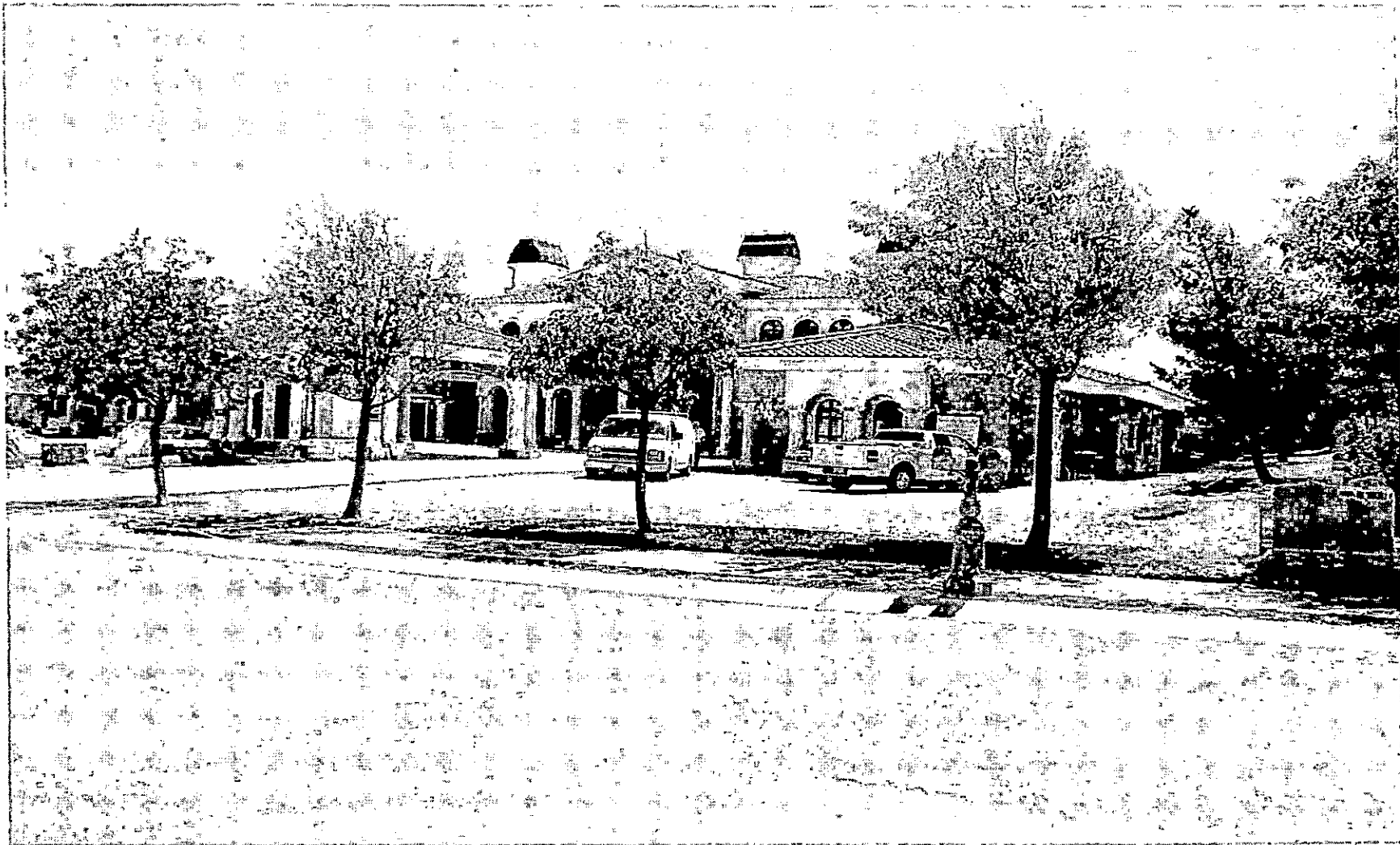
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1.11.15
1.11.16

SCALE: 1/4" = 1'

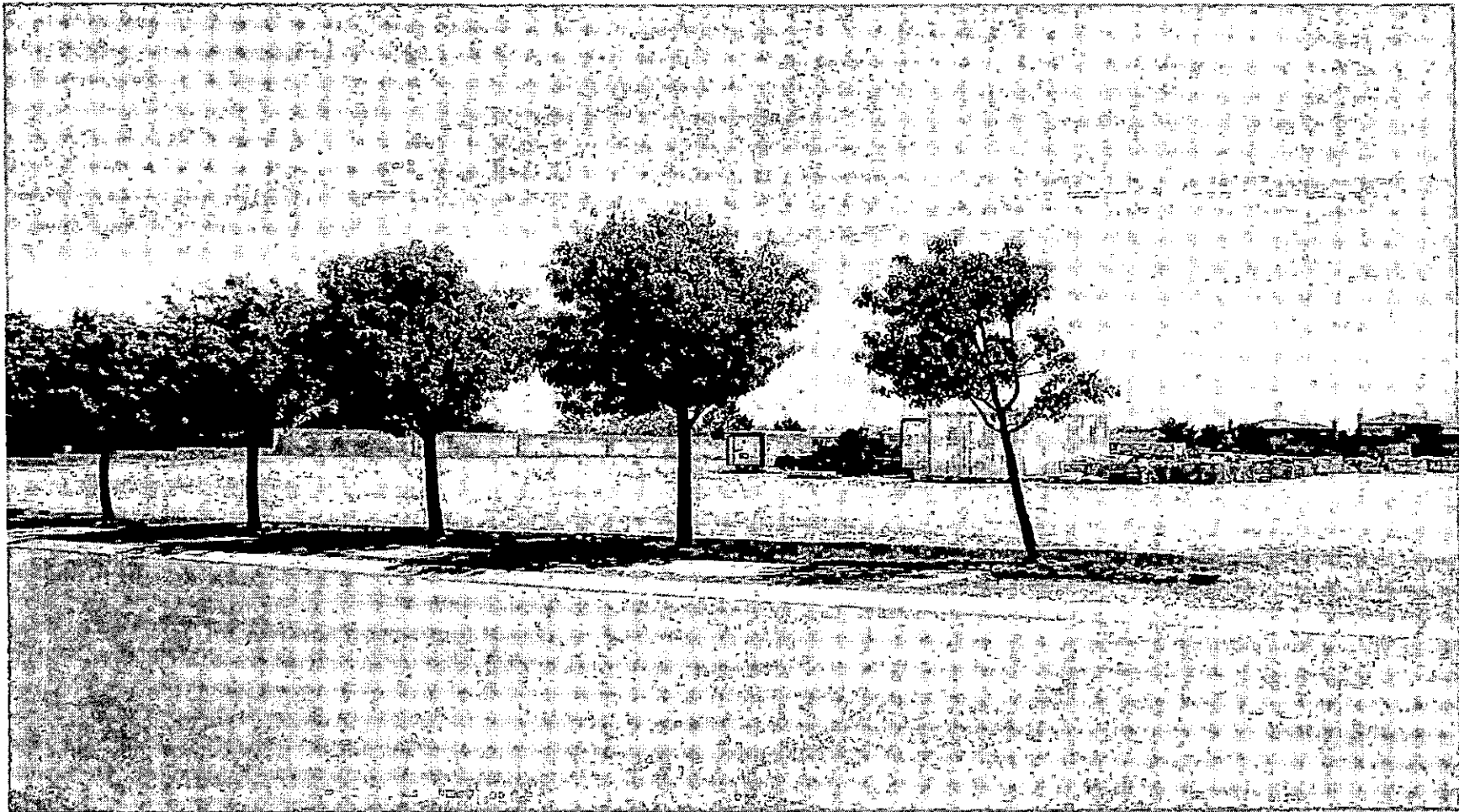
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MARCH 19, 2007

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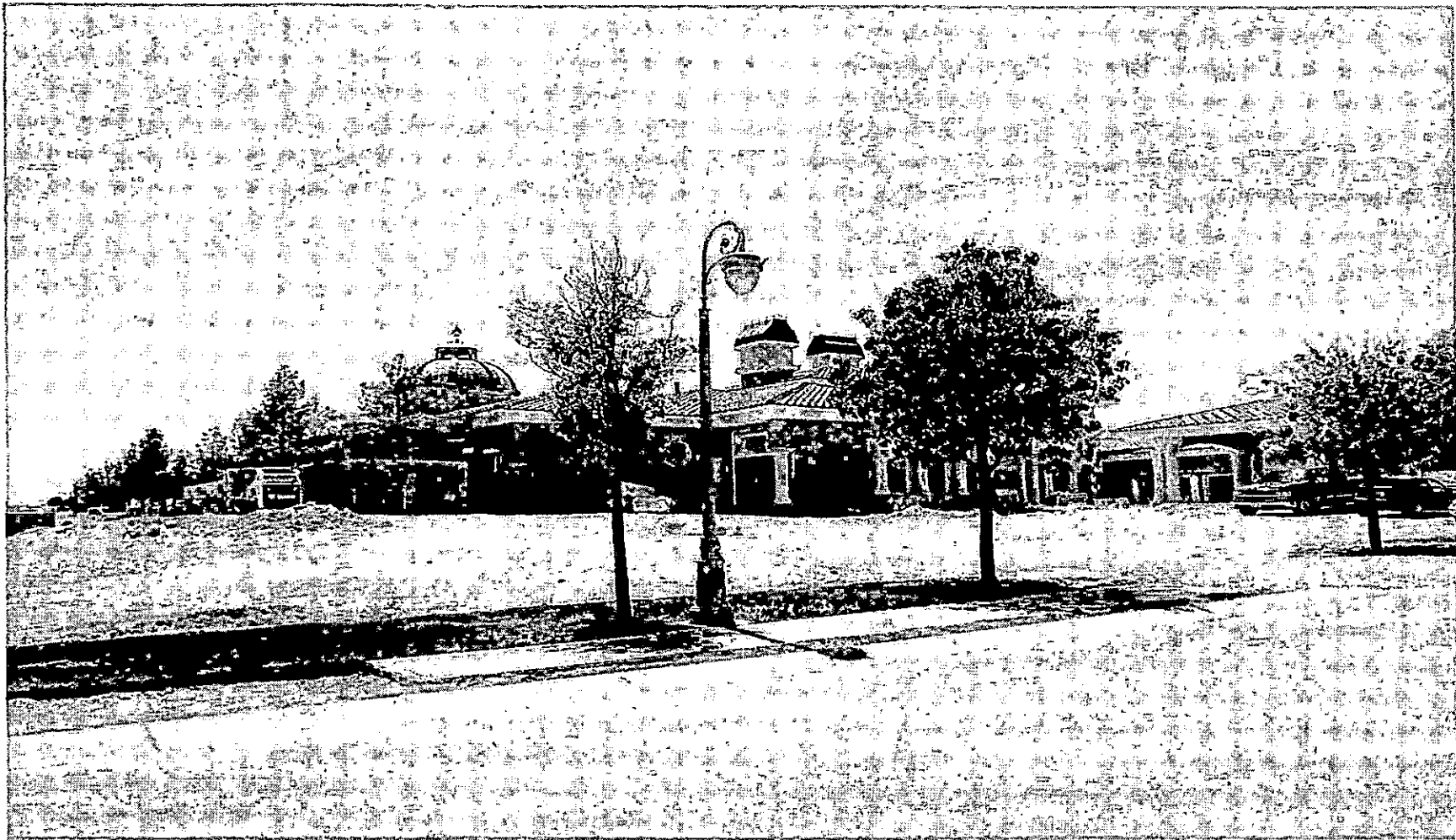
VAR-20790 - APPLICANT/OWNER: YOHAN LOWIE
9405 AND 9409 KINGS GATE COURT
MAY 10, 2007 PLANNING COMMISSION

04/26/07



VAR-20790 - APPLICANT/OWNER: YOHAN LOWIE
9405 AND 9409 KINGS GATE COURT
MAY 10, 2007 PLANNING COMMISSION

04/26/07



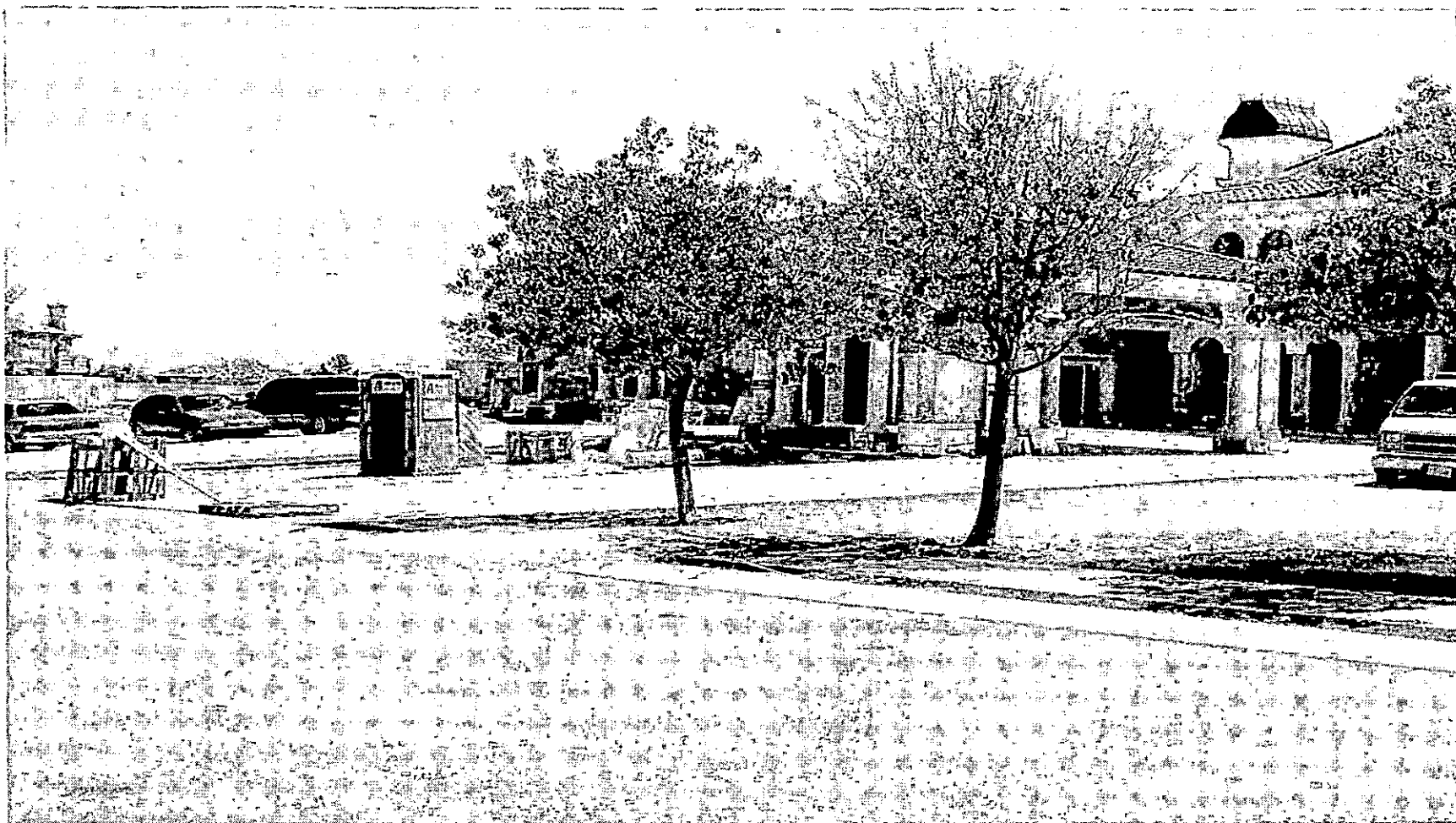
VAR-20790 - APPLICANT/OWNER: YOHAN LOWIE
9405 AND 9409 KINGS GATE COURT
MAY 10, 2007 PLANNING COMMISSION

04/26/07



VAR-20790 - APPLICANT/OWNER: YOHAN LOWIE
9405 AND 9409 KINGS GATE COURT
MAY 10, 2007 PLANNING COMMISSION

04/26/07



VAR-20790 - APPLICANT/OWNER: YOHAN LOWIE
9405 AND 9409 KINGS GATE COURT
MAY 10, 2007 PLANNING COMMISSION

04/26/07

March 27, 2007

Department & Safety
Building Plan Check Services
731 South Fourth Street
Las Vegas, NV 89101

Original PAC #: R-69-03
Project: Lowie Residence
Address: 9409 & 9405 KINGS GATE COURT

Per field conditions and aesthetics that exist with neighboring lots of our client. We are trying to produce a similar look with the front yard walls by extending the height of the CMU and wrought iron wall to 7'-6" tall. We are requesting a variance to Title 19.08 Development Standards, for the front yard wall height requirements. We thank you in advance for your consideration.

PINNACLE ARCHITECTURAL STUDIO, INC.



George Walker
Project Manager

RECEIVED

VAR-20790
05/10/07 PC

Telephone Protest/Approval Log

Meeting Date: 5/10/07

Case Number: VAR. 26790

Date: 5/9/07
Name: Ross, Carl
Address: 9501 Kings Gate Court
Las Vegas 89145
Phone: 702 222-3834
☒ PROTEST ☐ APPROVE

Date: 5/9/07
Name: Hunter, Maggie
Address: 9401 Kings Gate Court
Las Vegas 89145
Phone: (702) 875-4496
☒ PROTEST ☐ APPROVE

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

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

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

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

ITEM # 101 Submitted after final agenda
CASE # VAR. 26790 Date 5/10/07 Item 442P
PC MTG _____

May 10, 2007

City of Las Vegas
Planning Commission
400 Stewart Ave.
Las Vegas, NV

Re: Variance #20790

To Whom It May Concern:

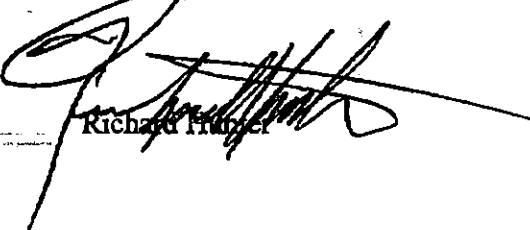
We are opposed to the fence that has been proposed in its present design and submitted to you for a variance. The fence that is designed will tie into the west side of our property where the height of our fence is stepped down to approximately two feet. At the highest point our fence is approximately 5'7". To add on to the height of our fence is unacceptable. The design that has been submitted is very vague as it relates to our west wall. The proposed design would destroy the integrity of our home and would block out the view, not only coming into the property, but also in leaving it.

I believe that if Mr. Lowie wants to build a fence along the entire front of the property, it should follow the guidelines of the setback that is used when building a home or at least 35'. This would allow the new proposed fence to tie in at the highest point of our fence and would not obstruct views either coming or going. Consideration should also be given that there is no consistency in allowing a fence to be built the way that this one is designed. It falls more in line with something like a commercial property in height and design. By following the 35' setback and using a fence that is designed around the existing fences on this street, such as the Fertitta's, Jimmerson's and Varney's, they could landscape the front, as well as the interior, so as to block out other people from seeing inside of their compound.

Mr. Lowie is an extremely intelligent and successful builder. The home he has built is a mansion and consists of solid rock on the exterior. To allow a fence to be built following those materials and color would totally distract from the rest of the neighborhood. This fence should conform in height and style to all of the other fences in this area.

I am more than happy to meet with Mr. Lowie to discuss this matter.

Sincerely,



Richard Hunter

ITEM # 49
CASE # ✓ 20790
PC MTG 5/10/07

P

Dorothy Marsili

From: Nora Lares
Sent: Wednesday, May 09, 2007 12:21 PM
To: Dorothy Marsili
Subject: FW: PROTEST for VAR-20790

From: Laurie Bayne [mailto:tahoe2wailea@gmail.com]
Sent: Wednesday, May 09, 2007 12:14 PM
To: Nora Lares
Subject: PROTEST for VAR-20790

I am sending this email in response to a notice of Public Hearing I received for Variance 20790. My name is Laretta Bayne, 9828 Winter Palace Dr., Las Vegas, NV 89145. I am a homeowner in Queensridge, as well as one of the owners of the Badlands Golf Course, which borders the applicant's back fence. I am **protesting approval** of this variance.

1. Applicant's request is contrary to anything else that has been built in the Queensridge development. Existing fencing style and material has been kept consistent throughout Queensridge, and this request unfairly impacts the neighborhood, as well as the golf course. Line of sight for surrounding neighbors would be diminished as well. Landscaping would address any privacy/screening issues applicant might have.
2. Prior to applying for the Planning Commission variance, applicant should have appeared before the Queensridge Homeowners Architectural Review Committee for pre-approval. Having built several homes in Queensridge, applicant is aware of that procedure.

Thank you for your consideration.
Laretta Bayne

5/9/2007

ITEM # 49
CASE # VAR-20790
PC MTG 5-0-07

f

May'', 2007

Name: Carol Timmerson
Address: 9509 Kings Gate Ct
LV NV 89145
Phone #: 702-371-2702

Planning and Development Dep.
731 South Fourth Street
Las Vegas, NV 89101

RE: 9405 & 9409 Kings Gate Court Variance

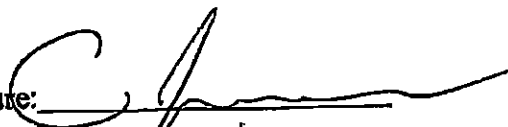
To Whom It May Concern:

As a neighbor to 9405 & 9409 Kings Gate Court, I do not have any objection to the proposed variance that is being requested which asks for;

1. A maximum height of ten feet in the front yard area where five feet is the maximum height allowed
2. To allow solid material where the area above two feet in height is required to be open to permit visibility

If you have any questions I can be contacted at the address and phone number provided above.

Sincerely,

Signature: 

Name: Carol Timmerson

Date: 5/8/07

Submitted at Planning Commission

Date 5/10/07 Item # 49

May 7, 2007

Name: Vickie DeHART
Address: 9408 Kings Gate CT
LV - NV 89145
Phone #: 702-281-7227

Planning and Development Dep.
731 South Fourth Street
Las Vegas, NV 89101

RE: 9405 & 9409 Kings Gate Court Variance

To Whom It May Concern:

As a neighbor to 9405 & 9409 Kings Gate Court, I do not have any objection to the proposed variance that is being requested which asks for;

1. A maximum height of ten feet in the front yard area where five feet is the maximum height allowed
2. To allow solid material where the area above two feet in height is required to be open to permit visibility

If you have any questions I can be contacted at the address and phone number provided above.

Sincerely,

Signature: V DeHart

Name: V DeHART
Date: 5/7/07

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

**RQR-19160 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING -
APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: RICHARD W. ATTISANI -**
Required Two-Year Review of an approved Special Use Permit (U-0155-96) WHICH
ALLOWED A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE ADVERTISING
(BILLBOARD) SIGN at 1217 South Commerce Street (APN 162-03-110-120), C-M
(Commercial/Industrial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 6/20/07

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

PROTESTS RECEIVED BEFORE:

**City Council Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**City Council Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for RQR-5680
5. City Council Approval Letter for U-0155-96(2)
6. City Council Approval Letter for U-155-96
7. City Council Approval Letter for U-155-96(1)

MOTION:

**TROWBRIDGE – DENIED – UNANIMOUS with TRUESDELL abstaining as he has an
interest in a property within the notice area**

To be heard by City Council on 6/20/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 50 – RQR-19160

MINUTES – Continued:

DOUG RANKIN, Planning and Development Department, stated this sign is not in conformance with the Arts District Plan and lacks the required embellishments to make it compatible with the Arts District. He noted the billboard never received its final permit and recommended denial.

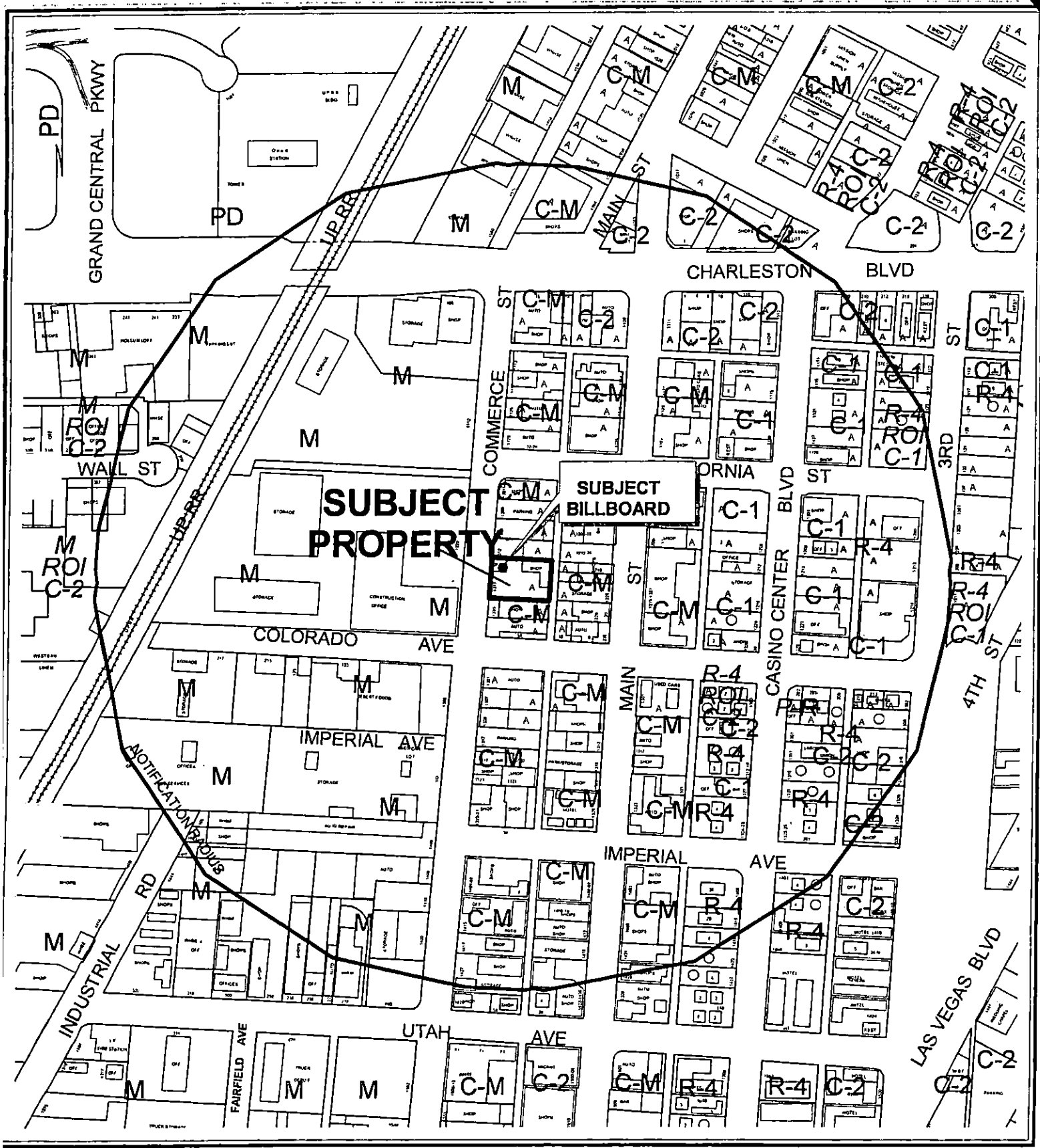
The applicant was not present.

TODD FARLOW, 240 North 19th Street, appeared in support of staff's recommendation of denial.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(10:23 – 10:25)

3-1805

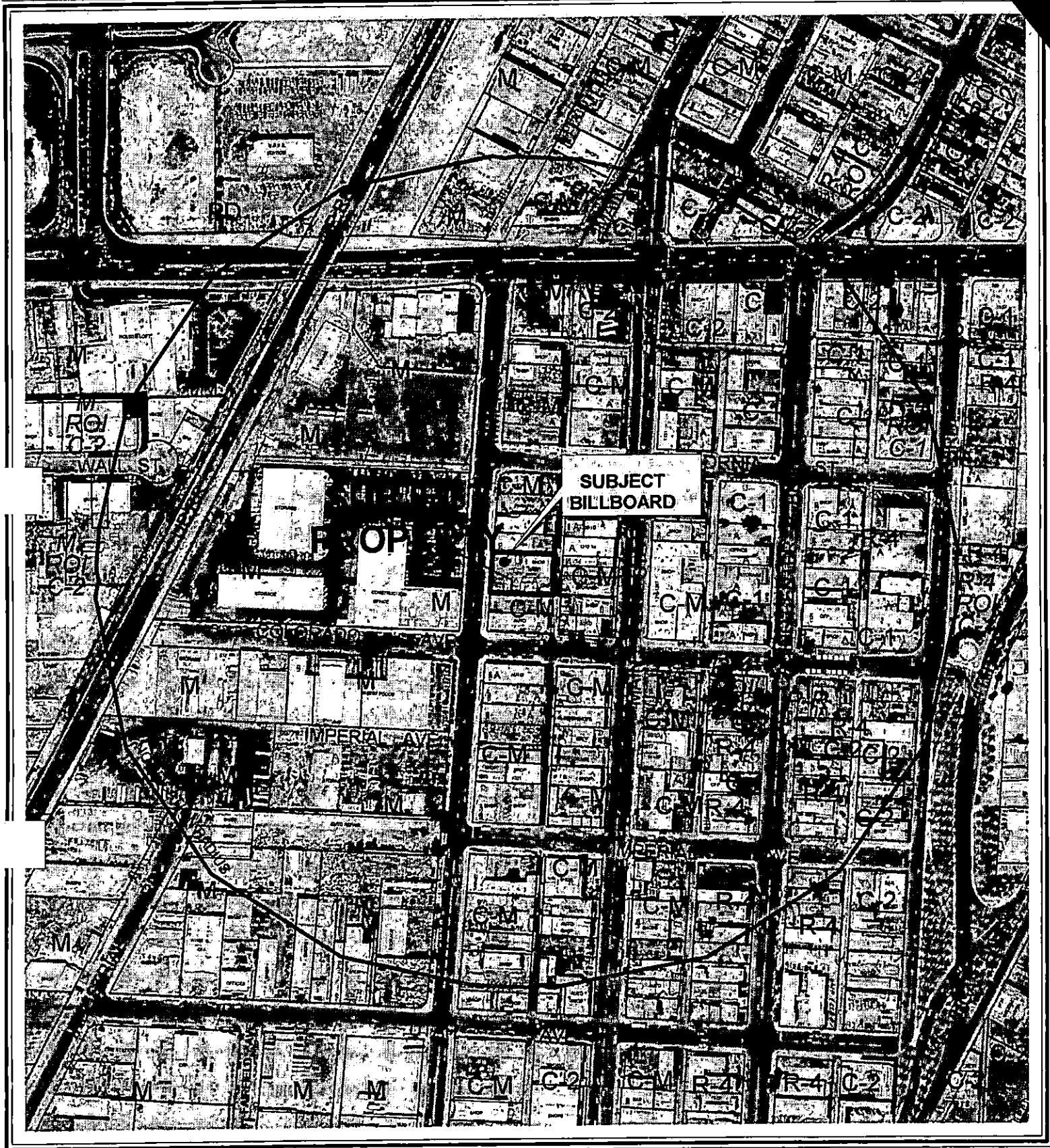


CASE: RQR-19160

RADIUS: 1000 FT

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





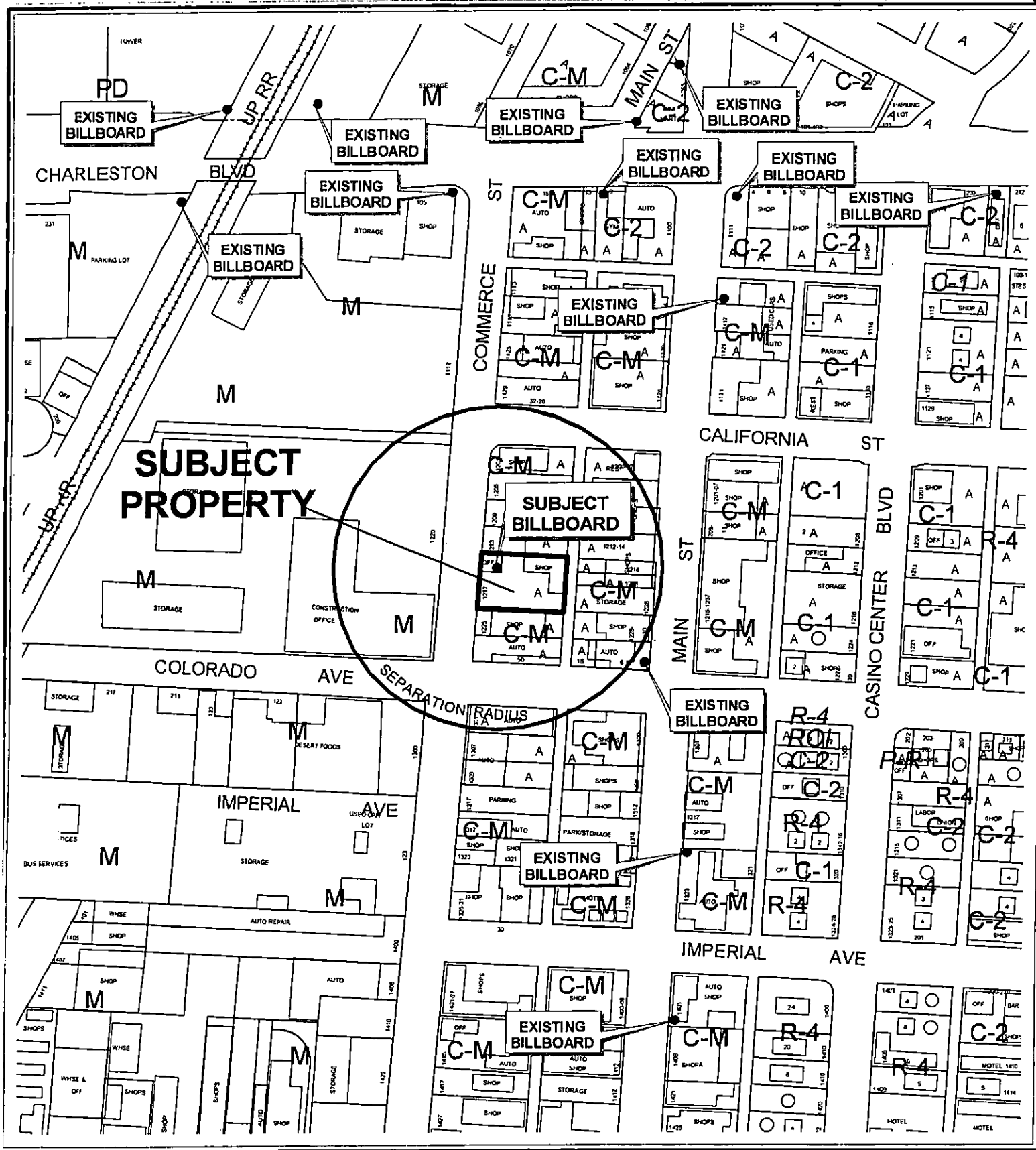
CASE: RQR-19160

RADIUS: 1000 FT

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

0 300 600 Feet





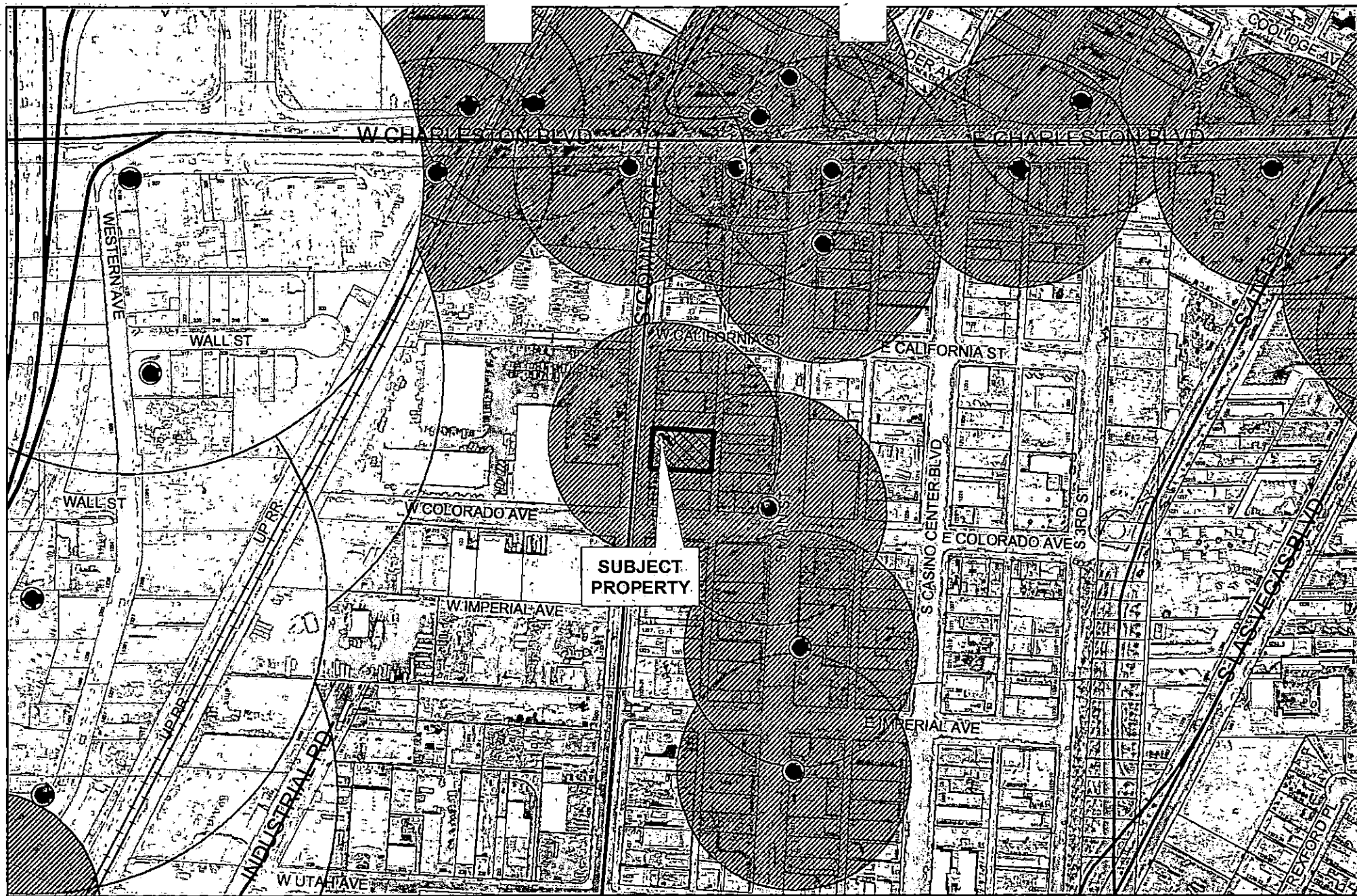
CASE: RQR-19160

SEPARATION RADIUS: 300 FT

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

0 200 400 Feet





RQR-19160

City of Las Vegas Billboard Data

- | | | |
|--|--|---|
|  Subject Parcel |  300 Foot Buffer Around Billboard |  Off Premise Sign Exclusion Area |
|  City of Las Vegas Billboard Location |  750 Foot Buffer Around Freeway Billboard |  Exempt - Off Premise Area Sign Area |
|  Clark County Billboard Location | | |



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MAY 10, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-19160 - APPLICANT: CLEAR CHANNEL OUTDOOR -
OWNER: RICHARD W. ATTISANI**

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

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
6. Before the City Council hearing, the applicant will receive approval of the final inspection from the Building and Safety Department by getting a letter from a registered professional engineer in the State of Nevada.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RQR-19160 - Staff Report Page One
May 10, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a required Two-Year Review of an approved Special Use Permit (U-0155-96) which allowed a 40-foot tall, 12-foot x 24-foot Off-Premise Advertising (Billboard) Sign at 1217 South Commerce Street.

This is the fourth review of the subject off-premise advertising (billboard) sign. The off-premise advertising (billboard) sign is not in compliance with the requirements of the Arts District, which requires that Signage shall reflect the arts-related nature of the district by incorporating artistic details, sculptural elements, three-dimensional features, ornate designs, or other similar expressive elements. This sign is plain and does not contain any artistic enhancements that distinguish it as being in the Arts District. Additionally, the sign is located within the area encompassed by a significant proposed project. The sign is in need of bird deterrent devices and repainting. Conditions of approval have addressed these issues, if approved. Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/24/97	The City Council approved the Special Use Permit (U-0155-96) for the 12-foot by 24-foot off-premise advertising (billboard) sign on this site subject to a five-year review.
09/28/98	The City Council approved a Re-instatement and Extension of Time for the Special Use Permit [U-0155-96(1)] for the 12-foot by 24-foot off-premise advertising sign subject to a two-year review. Planning Commission recommending approval.
11/01/00	The City Council approved the Required Two-Year review for the Special Use Permit [U-0155-96(2)] for the 12-foot by 24-foot off-premise advertising sign subject to a two year review. Planning Commission recommending approval.
01/22/03	The City Council approved the Required Two-Year review (RQR-1102) for the Special Use Permit [U-0155-96(2)] for the 12-foot by 24-foot off-premise advertising sign subject to a two year review. The Planning Commission and Staff recommended approval on December 19, 2002.
03/02/05	The City Council approved a Required Two-Year Review of an approved Special Use Permit (U-0155-96) which allowed a 40-foot tall, 12-foot x 24-foot Off-Premise Advertising (Billboard) Sign subject to a two year review. The Planning Commission and staff recommended approval.

RQR-19160 - Staff Report Page Two
May 10, 2007 - Planning Commission Meeting

Related Building Permits/Business Licenses	
06/05/97	A building permit (#97011530) was issued for the subject sign. Final inspections were not conducted.
Pre-Application Meeting	
A pre-application meeting is not required, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	
Field Check	
04/16/07	A site inspection was conducted. Pictures were taken. It was noted that there were birds perched on the subject sign and that the structure was in need of repainting.

Details of Application Request	
Site Area	
Net Acres	0.37

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Industrial Shops and Offices	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
North	Industrial Shops and Offices	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
South	Industrial Shops and Offices	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
East	Industrial Shops and Offices	C (Commercial)	C-M (Commercial/Industrial)
West	Industrial Shops and Offices	LI/R (Light Industry/Research)	M (Industrial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Downtown Centennial Plan (Arts District)	X		N
Redevelopment Plan Area	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

RQR-19160 - Staff Report Page Three
May 10, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not located within the Exclusionary Zone	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-M (Commercial/Industrial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	288 SF	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened	Y

RQR-19160 - Staff Report Page Four
May 10, 2007 - Planning Commission Meeting

Off-Premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	320 feet to another Off Premise Sign	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	575 feet from "R" zoned property to the east.	Y
Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y

ANALYSIS

This site is located in the Las Vegas Redevelopment Plan area. There are no requirements within this plan that would affect the off-premises advertising (billboard) sign at this location.

Since the original approval of this off-premises advertising (billboard) sign, this area has been designated as being located within the Arts District of the Downtown Centennial Plan. This designation has changed the neighborhood over time. The area seeks to promote festivities such as First Friday and other arts and cultural gatherings. The standards set forth in the Downtown Centennial Plan, Arts District require that: Signage shall reflect the arts-related nature of the district by incorporating artistic details, sculptural elements, three-dimensional features, ornate designs, or other similar expressive elements. This sign is plain and does not contain any artistic enhancements that distinguish it as being in the Arts District. Therefore, this sign is not in compliance with the standards of the Arts District.

It is also noted that this site is located within the boundary for a significant proposed project, which has been submitted to the Planning and Development Department and is scheduled to be heard on the 05/24/07 Planning Commission agenda. The proposed project would require the removal of this off-premises advertising (billboard) sign, if approved. The sign was found to have birds using it as a perch, and the structure was in need of fresh paint. These issues shall be addressed with conditions of approval.

RQR-19160 - Staff Report Page Five
May 10, 2007 - Planning Commission Meeting

FINDINGS

The subject off-premise advertising (billboard) sign is not considered appropriate. There was not a final inspection conducted for the off-premise advertising (billboard) sign; therefore, all city requirements have not been satisfied. Additionally, the off-premise advertising (billboard) sign is located in the Arts District and is not in compliance with the requirements of signage within this District. Denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 137

APPROVALS 0

PROTESTS 0



Case Number: **RQR-19160** APN: 162 03 110 120
Name of Property Owner: RICHARD ATTISANI
Name of Applicant: CLEAR CHANNEL OUTDOOR
Name of Representative: BOB CARTER

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

 Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

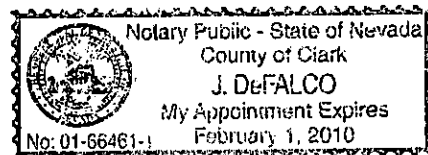
Signature of Property Owner: Richard J. O'Brien

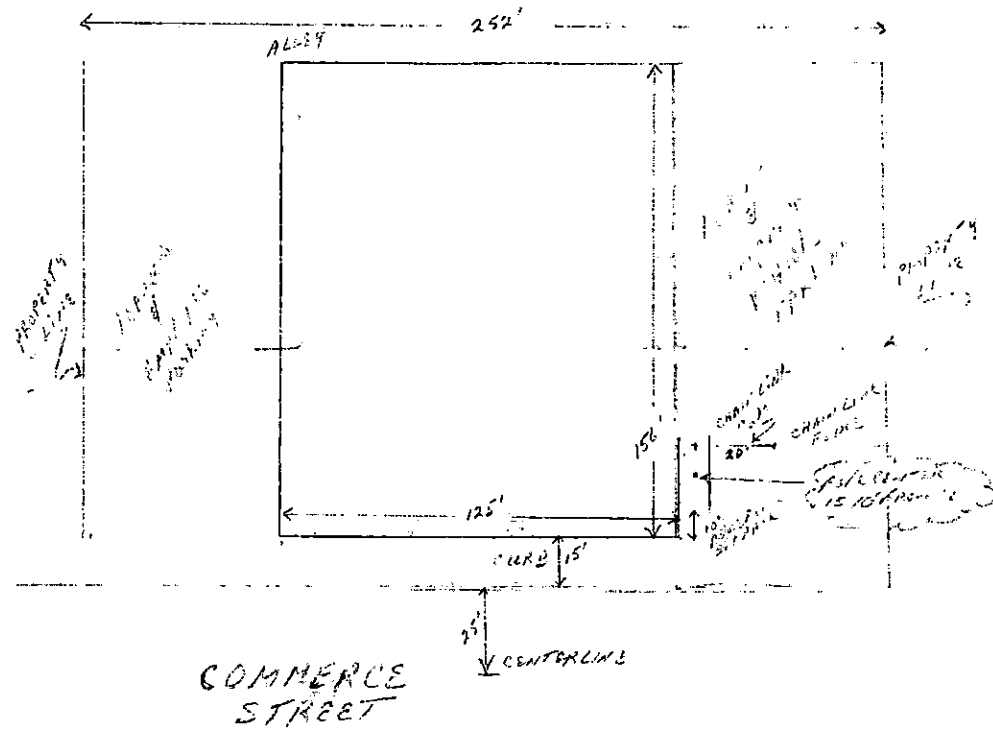
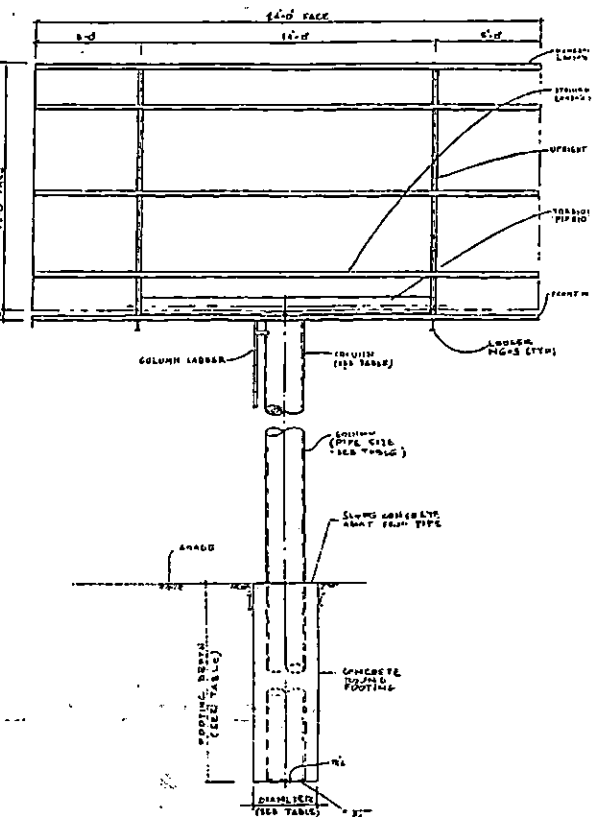
Print Name: RICHARD ATTISALLI

Subscribed and sworn before me

This 13TH day of December 2006

J. De Falco
Notary Public in and for said County and State





RECEIVED
JAN 10 2007

NOTES

1. 1ea 12'x24' Billboard Sign
2. No R-ZONE within 300'
3. No OFF-Permittee Sign within 300'
4. Scale: 1"=30'

SET BACK -
TAKING
SHOW ANY SURROUNDING BILLBOARD
IF TRUCKED ANYWAY SHOW IT.



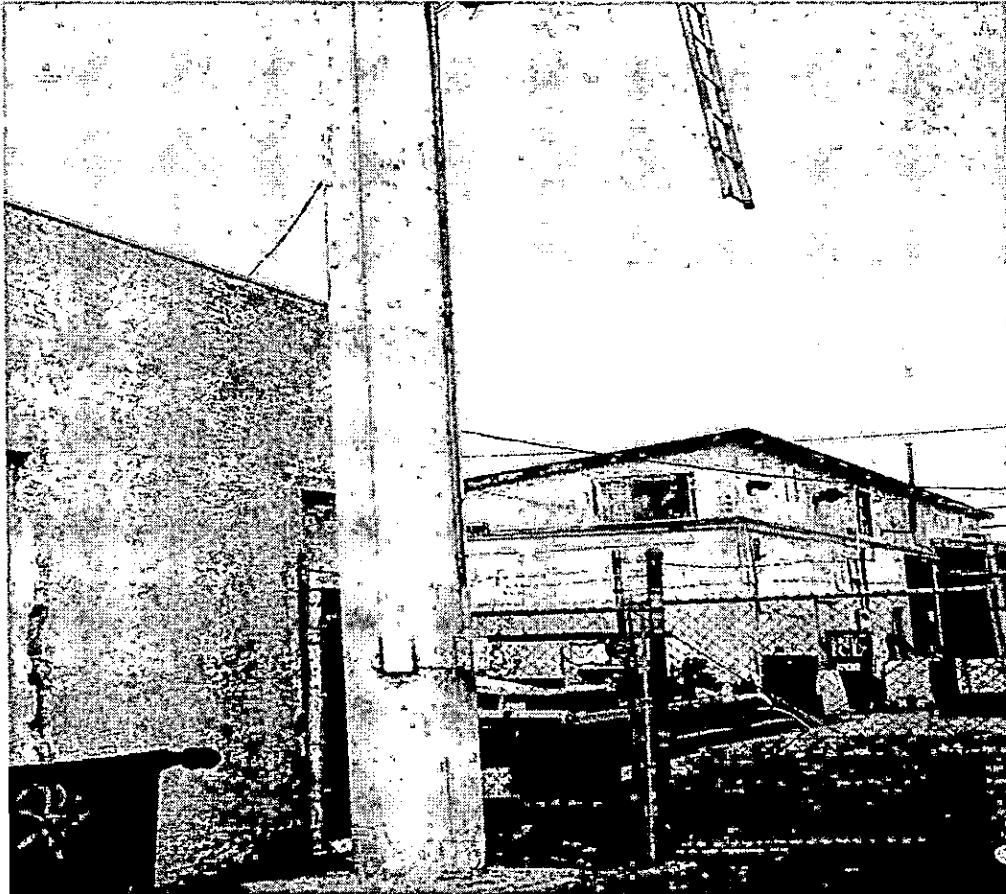
RQR-19160
04/26/07 PC





RQR-19160 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: RICHARD W. ATTISANI
1217 SOUTH COMMERCE STREET
MAY 10, 2007 PLANNING COMMISSION

04/26/07



RQR-19160 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: RICHARD W. ATTISANI
1217 SOUTH COMMERCE STREET
MAY 10, 2007 PLANNING COMMISSION

04/26/07



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY

MICHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

March 3, 2005

Mr. Richard Attisani
1215 South Commerce Street
Las Vegas, Nevada 89102

RE: RQR-5680 - REQUIRED TWO YEAR REVIEW
CITY COUNCIL MEETING OF MARCH 2, 2005

Dear Mr. Attisani:

The City Council at a regular meeting held March 2, 2005 APPROVED the Required Two-Year Review of an approved Special Use Permit (U-0155-96) WHICH ALLOWED A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1217 South Commerce Street (APN 162-03-110-120), C-M (Commercial/Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on March 3, 2005. This approval is subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-1-05

CLV 7009

RQR-19160
04/26/07 PC

Mr. Richard Attisani
RQR-5680 – Page Two
March 3, 2005

4. All City Code requirements and design standards of all City Departments shall be satisfied.

Sincerely,



Ydoleena Yturralde
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

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

Mr. Rod Carter
Clear Channel Outdoor
2880-B Meade Avenue, Suite #350
Las Vegas, Nevada 89102

RQR-19160
04/26/07 PC



November 6, 2000

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
LARRY BROWN
TTE B. McDONALD
VRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

Mr. Richard Attisani
A-1 Office Machine Company
1217 South Commerce Street
Las Vegas, Nevada 89102

RE: U-0155-96(2) - REQUIRED TWO YEAR REVIEW
CITY COUNCIL MEETING OF NOVEMBER 1, 2000

Dear Mr. Attisani:

The City Council at a regular meeting held November 1, 2000 APPROVED the Required Two Year Review on an approved Special Use Permit which allowed a 40 foot high, 12 foot x 24 foot off-premise advertising (billboard) sign at 1217 South Commerce Street (APN: 162-03-110-120), C-M (Commercial/Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on November 2, 2000. This approval is subject to the following:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

Sincerely,

GABRIELA PORTILLO-BRENNER
Deputy City Clerk for
BARBARA JO RONEMUS, CITY CLERK

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

Mr. Rvan Norstrand
Eller Media Company
1211 West Bonanza Road
Las Vegas, Nevada 89106

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

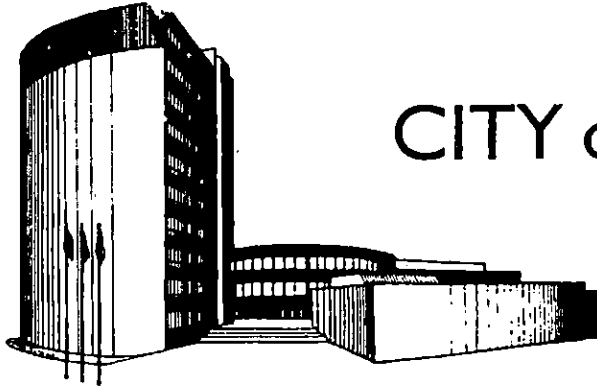
VOICE 702.229.6011
TOD 702.386.9108
www.ci.las-vegas.nv.us

RQR-19160
04/26/07 PC

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. McDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

March 5, 1997

Mr. Richard Attisani
1215 South Commerce Street
Las Vegas, Nevada 89102

RE: U-155-96 - SPECIAL USE PERMIT

Dear Mr. Attisani:

The City Council at a regular meeting held February 24, 1997 APPROVED the request a Special Use Permit on property located at 1217 South Commerce Street to allow a new 40 foot high, 12 foot x 24 foot off-premise advertising (billboard) sign to replace an existing 40 foot high, 12 foot x 24 foot non-conforming off-premise advertising (billboard) sign, C-M (Commercial Industrial) Zone, subject to:

1. The Board shall hold a public hearing to review this use in five years and at that time may require the sign to be removed.
2. The applicant shall obtain an off-premise sign certificate from the Planning and Development Department.
3. City Code requirements and design standards of all City departments must be satisfied.

An approved Variance or Special Use Permit must be exercised within one year or it becomes null and void, unless a request for an Extension of Time is duly filed with the Planning and Development Department for consideration and approval by the appropriate board.

Sincerely,

BARBARA JO RONEMUS
City Clerk

/cmp

cc: Planning and Development Dept.
Dept. Of Public Works
Dept. Of Fire Services
Land Development Services

Donrey Outdoor Advertising
1211 West Bonanza Road
Las Vegas, Nevada 89106

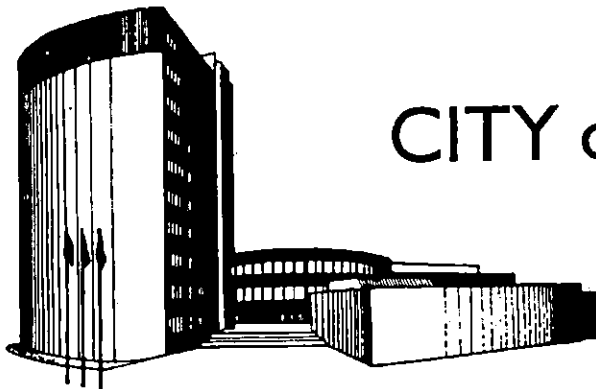
RQR-19160
04/26/07 PC



MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. McDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
VIRGINIA VALENTINE



CITY of LAS VEGAS

October 5, 1998

Mr. Richard Attisani
A-1 Office Machine Company
1217 South Commerce Street
Las Vegas, Nevada 89102

RE: U-155-96(1) - EXTENSION OF TIME

Dear Mr. Attisani:

The City Council at a regular meeting held September 28, 1998 APPROVED the request for a Reinstatement and Extension of Time on an approved Special Use Permit on property located at 1217 South Commerce Street which allowed a 40 foot high, 12foot x 24 foot off-premise advertising (billboard) sign, C-M (Commercial Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 29, 1998. This approval is subject to:

1. The approval shall be for a period of two (2) years, after which time the off-premise advertising (billboard) sign shall be removed if prohibited by the revised sign regulations.
2. Amended site and elevation plans, depicting conformance with Title 19A, shall be submitted for review and approval by the Planning and Development Department prior to the issuance of any permits.
3. All City Code requirements and design standards of all City departments must be satisfied.

Sincerely,

BARBARA JO RONEMUS
City Clerk

/ac

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

Ms. Rita Charleboix
Donrey Outdoor Advertising
1211 West Bonanza Road
Las Vegas, Nevada 89104

RQR-19160
04/26/07 PC



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

RQR-19473 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: RED ROCK PLAZA, LLC - Required Two Year Review of an approved Special Use Permit (U-0136-90) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 5183 West Charleston Boulevard (APN 163-01-515-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 6/20/07

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

PROTESTS RECEIVED BEFORE:

City Council Mtg.

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

City Council Mtg.

City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for RQR-5682
6. City Council Approval Letter for RQR-1229

MOTION:

TRUESDELL – ABEYANCE to 5/24/2007 – UNANIMOUS

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated the subject sign is not in compliance with Condition 1 from the previous review, RQR-5682, which required that the

PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 51 – RQR-19473

MINUTES – Continued:

billboard be demolished prior to a Certificate of Occupancy being issued for the commercial project on this site. He noted businesses have opened at the center and the billboard has remained. He recommended denial.

The applicant was not present.

TODD FARLOW, 240 North 19th Street, appeared in opposition.

Since the removal of the billboard was a requirement of the related site development review, COMMISSIONER TRUESDELL suggested a motion for denial and requested that staff have Code Enforcement begin proceedings regarding this sign.

CHAIRMAN DAVENPORT asked MARGO WHEELER, Director of Planning and Development Department, for clarification due to his understanding that Condition 1 had been removed at the City Council hearing. MS. WHEELER responded that this case needed further verification because she shared CHAIRMAN DAVENPORT'S recollection.

COMMISSIONER EVANS expressed concern with the applicant's lack of attendance and wondered if the applicant had opted to accept a denial recommendation in an effort to bypass the Planning Commission and move forward to City Council, noting the Commissioners would be abdicating their responsibilities if that were the case.

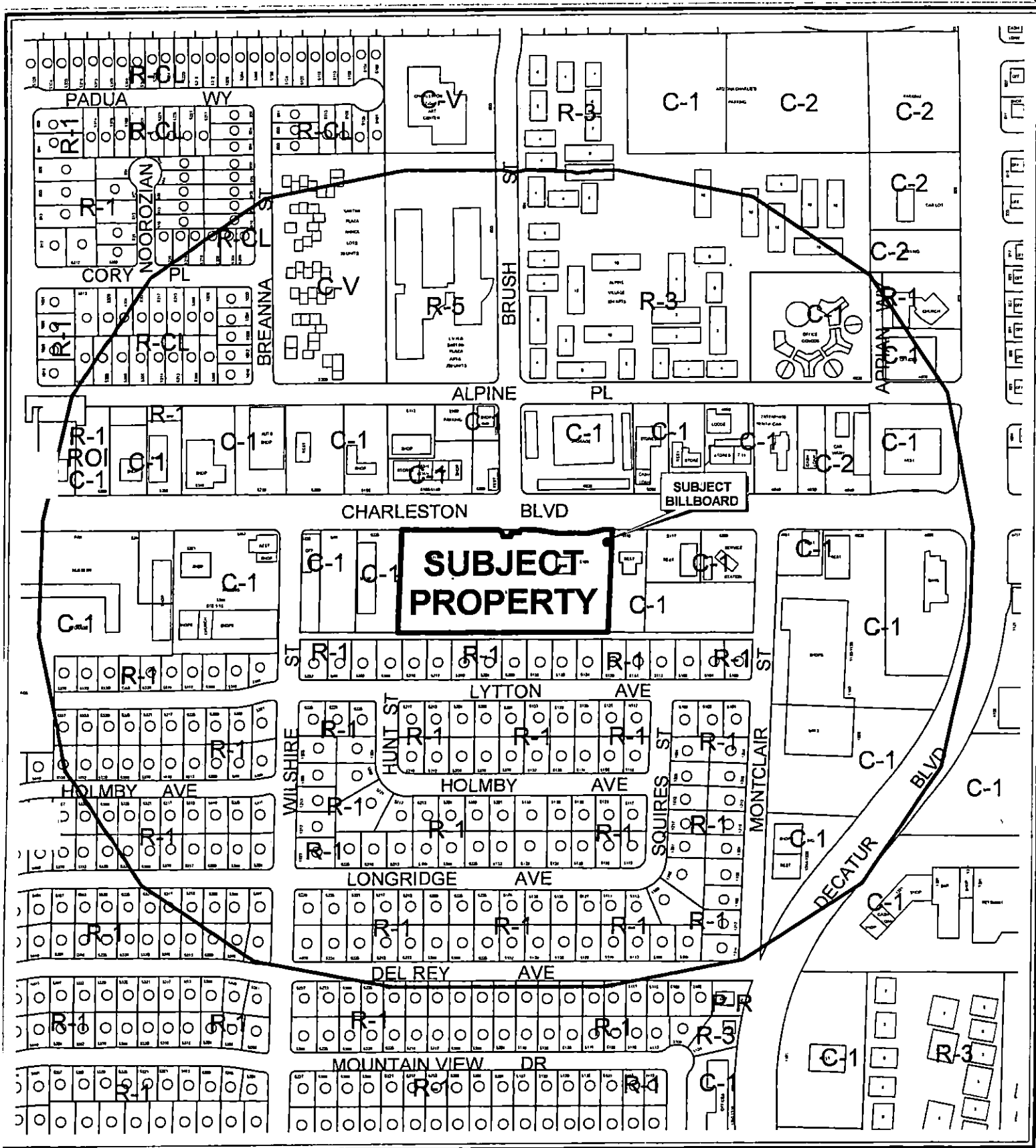
DEPUTY CITY ATTORNEY JAMES LEWIS suggested that the Commissioners could contact the applicant's legal counsel and COMMISSIONER EVANS retorted that it was not the Commissioners' responsibility to make contact with the applicant. DEPUTY CITY ATTORNEY LEWIS explained that the only way to ascertain the position of the applicant was to question him or his counsel.

In response to COMMISSIONER STEINMAN'S request for more information, MR. RANKIN pointed out staff had relied on the City Council Approval Letter for RQR-5682 which contained the condition requiring the removal of the sign and he read the condition aloud. He assured the Commissioners that staff would confirm that the condition had not been deleted. MS. WHEELER agreed that more information was needed and suggested the item be held for two weeks.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(10:25 – 10:30)

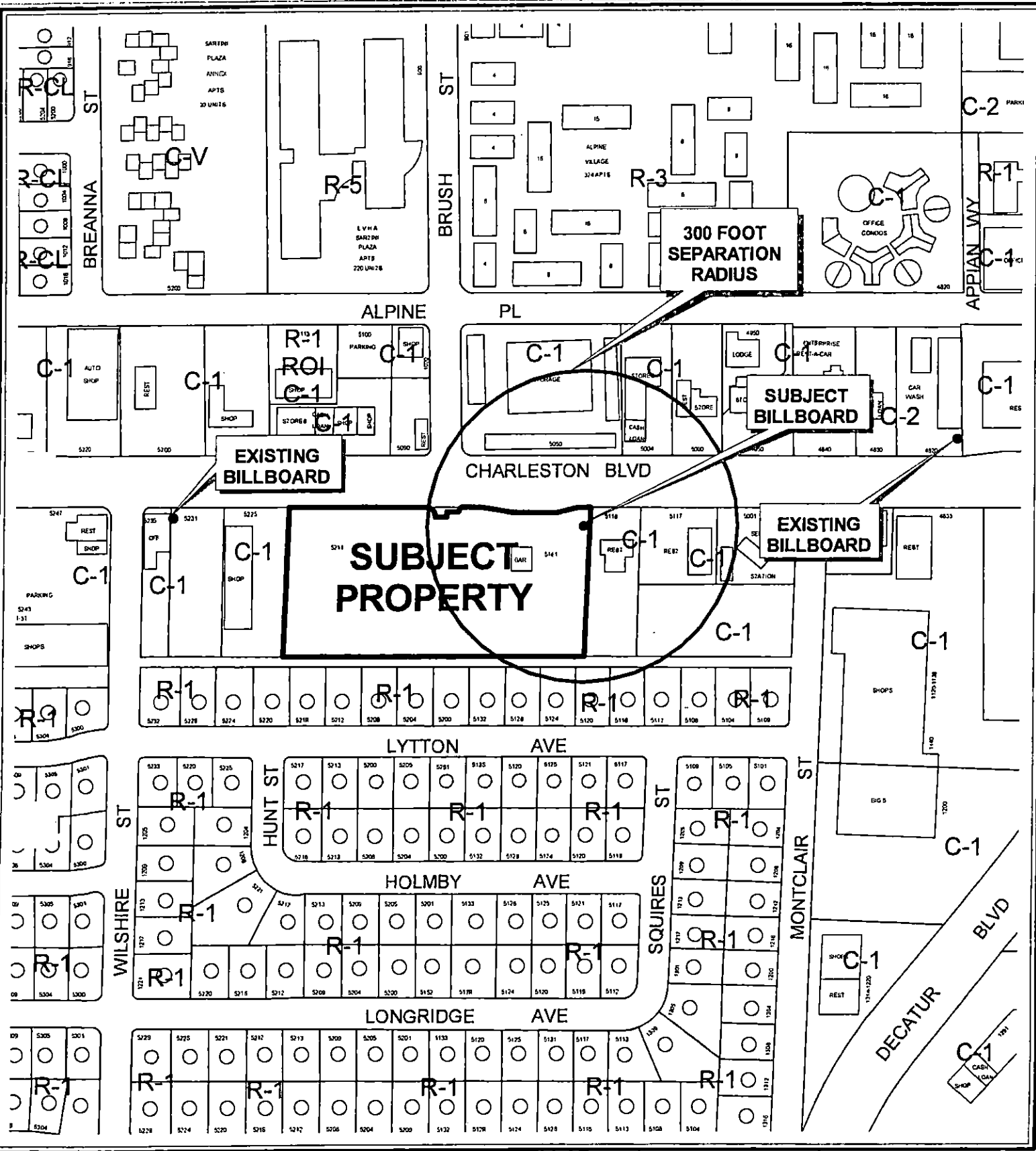
3-1885



CASE: RQR-19473

RADIUS: 1000 FT

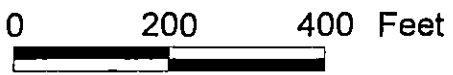
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

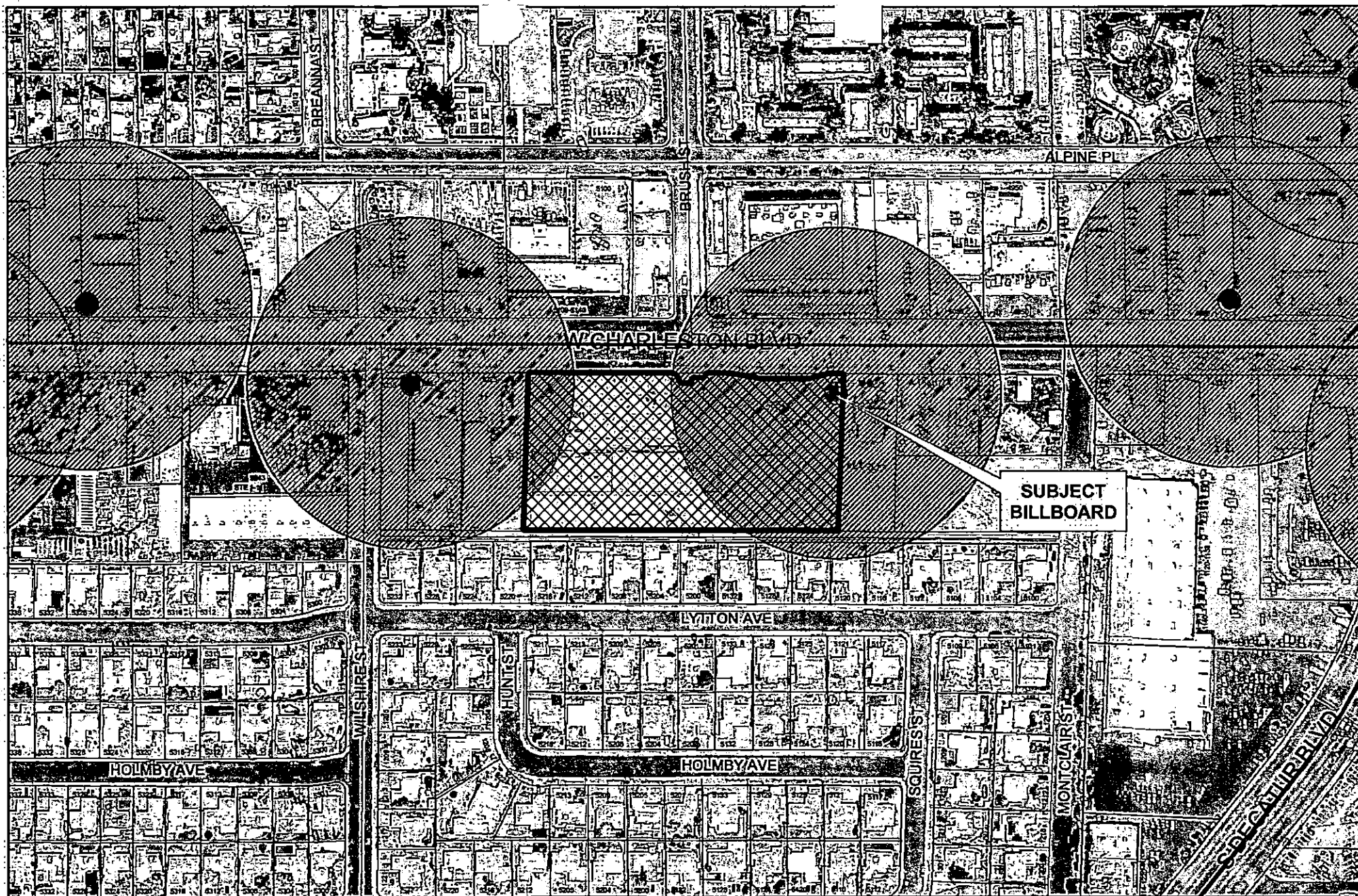


CASE: RQR-19473

SEPARATION RADIUS: 300 FT

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





RQR-19473

City of Las Vegas Billboard Data

- | | | |
|--|--|---|
|  Subject Parcel |  300 Foot Buffer Around Billboard |  Off Premise Sign Exclusion Area |
|  City of Las Vegas Billboard Location |  750 Foot Buffer Around Freeway Billboard |  Exempt - Off Premise Area Sign Area |
|  Clark County Billboard Location | | |



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MAY 10, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-19473 - APPLICANT: CLEAR CHANNEL OUTDOOR -
OWNER: RED ROCK PLAZA, LLC**

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

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. Only one advertising sign is permitted per sign face.
5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RQR-19473 - Staff Report Page One
May 10, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a required Two Year Review of an approved Special Use Permit (U-0136-90) which allowed a 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 5183 West Charleston Boulevard.

This is the fifth review of the subject sign. The sign is not in compliance with Condition Number One from the previous review (RQR-5682). This condition required that the billboard be demolished prior to a Certificate of Occupancy being issued for the approved commercial project on this site (SDR-5556). There are now businesses open within this center and the billboard remains up at the present time. Additionally, the sign does not meet the separation distance requirements from "R" zoned property and is not in compliance with Title 19.14. There are two advertisements on a single sign face (west). Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related/Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/19/90	The City Council approved a request for a Special Use Permit (U-0136-90) for a proposed 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a five-year review. The Planning Commission and staff recommended approval.
10/18/95	The City Council approved a Five-Year Review [U-0136-90(1)] of an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a five-year review. The Planning Commission and staff recommended approval.
12/06/00	The City Council approved a Five-Year Review [U-0136-90(2)] of an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a two-year review. The Planning Commission and staff recommended approval.
01/22/03	The City Council approved a Two-Year Review (RQR-1229) of an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a two-year review. The Planning Commission and staff recommended approval.
03/02/05	The City Council approved an appeal of the Planning Commission's denial recommendation for a Required Two-Year Review (RQR-5682) of an approved Special Use Permit which allowed a 40-foot tall, 14-foot x 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard. Staff recommended denial.

NG

RQR-19473 - Staff Report Page Two
May 10, 2007 - Planning Commission Meeting

Related Building Permits/Business Licenses	
09/20/90	A building permit (#90083347) was issued for the subject sign. A final inspection was completed on 11/27/90.
01/28/91	A building permit (#91095545) was issued for illumination on the subject sign. A final inspection was completed on 02/07/91.
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.	
Field Check	
04/16/07	A field inspection was conducted. Pictures were taken. It was noted that there are two signs on the western face, that due to the new commercial building on the site the western face is now obstructed, and that the structure is in need of repainting.

Details of Application Request	
Site Area	
Net Acres	3.74

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center (under construction)	SC (Service Commercial)	C-1 (Limited Commercial)
North	Mini Storage	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Retail Shops	SC (Service Commercial)	C-1 (Limited Commercial)

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

RQR-19473 - Staff Report Page Three
May 10, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not located within the Exclusionary Zone	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	672 SF	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	740 feet to another Off Premise Sign	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	270 feet from "R" zoned property to the east.	N

RQR-19473 - Staff Report Page Four
May 10, 2007 - Planning Commission Meeting

Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y
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ANALYSIS

This is the fifth review of the subject sign. The primary issue is that the sign is not in compliance with Condition Number One from RQR-5682. This condition stated that:

1. The billboard shall be demolished prior to the issuance of the Certificate of Occupancy for new construction permitted by the Site Development Plan Review (SDR-5556).

There are now active businesses within this shopping center and the subject sign is still on this location. The drive-through of the restaurant, which is now open, passes directly beneath the subject sign. The building obstructs the view of the sign's western face. The sign is not considered compatible with the subject property.

It is further noted that the sign does not meet Title 19.14 requirements for separation from an "R" zoned property. Title 19.14 requires a minimum separation of 300 feet from a property with an "R" zone. The subject sign is located 270 feet from property that is zoned R-1 (Single Family Residential). Additionally, there are two signs on the western face, which is not permitted. The sign is not in compliance with the requirements of Title 19.14. Denial of this request is recommended.

FINDINGS

The subject off-premise advertising (billboard) sign is not considered appropriate. The sign is not in compliance with the conditions of approval from the previous review (RQR-5682). Additionally, the sign contains two advertisements on a single sign face, and due to the new construction on the subject property is obstructed from view. Denial of this request is recommended.

RQR-19473 - Staff Report Page Five
May 10, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 262

APPROVALS 0

PROTESTS 0



Case Number: **RQR-19473** APN: 163 01 515 001

CHARLESTON BLVD.

20' front lawn 20'0"



VIRGINITY ST.

RECEIVED
JAN 23 2007

RQR-19473
04/26/07 PC

DONREY

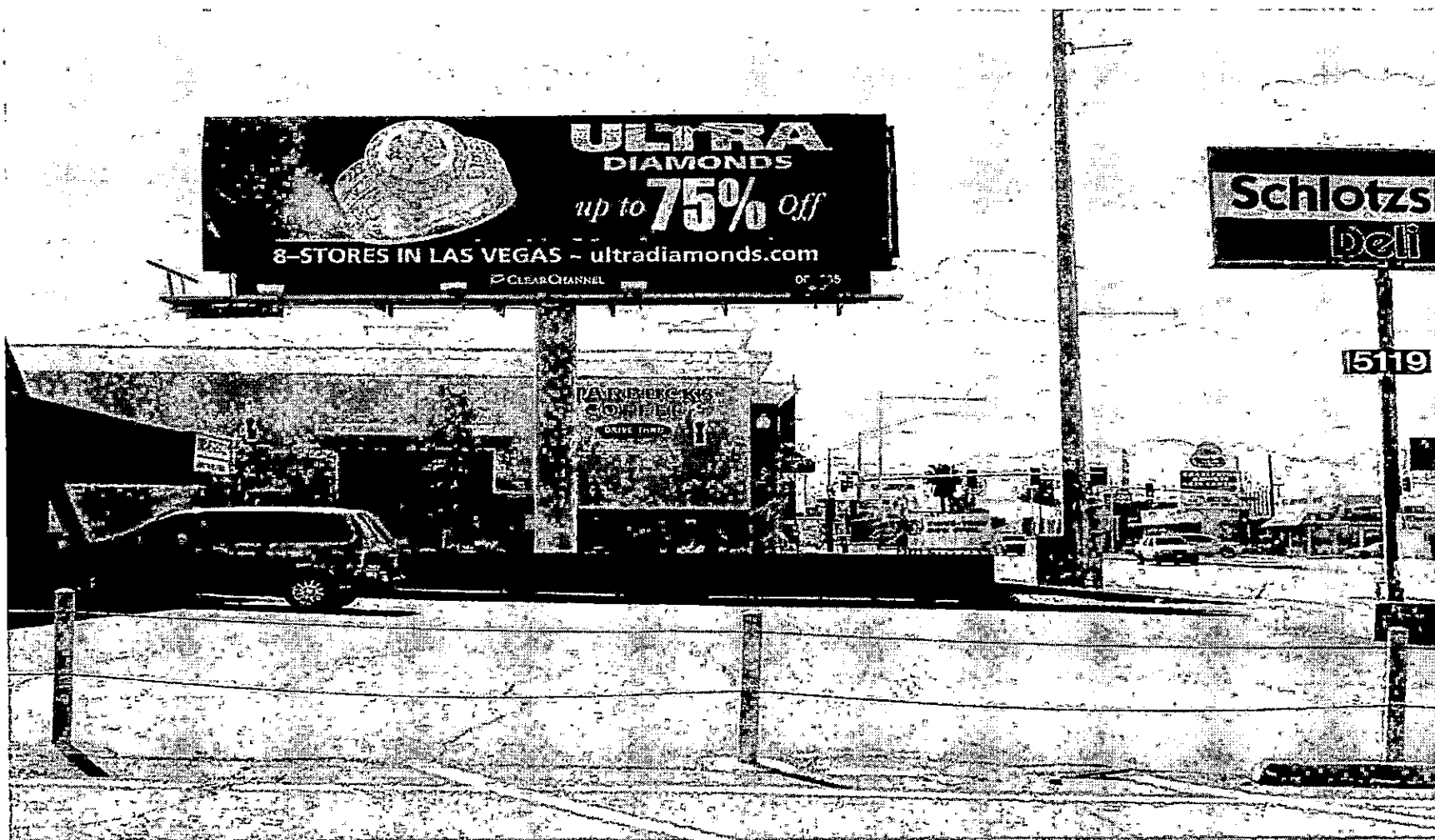
SCALE: 1/8" = 1'-0"
DATE: 7-9-90
DRAWING NUMBER: 1
SYNOPSIS: 601

1211 West Bonanza Road Drawn By: Michael P. Carran Photo



RQR-19473 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: RED ROCK PLAZA, LLC
5183 WEST CHARLESTON BOULEVARD
MAY 10, 2007 PLANNING COMMISSION

04/26/07



RQR-19473 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: RED ROCK PLAZA, LLC
5183 WEST CHARLESTON BOULEVARD
MAY 10, 2007 PLANNING COMMISSION

04/26/07



RQR-19473 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: RED ROCK PLAZA, LLC
5183 WEST CHARLESTON BOULEVARD
MAY 10, 2007 PLANNING COMMISSION

04/26/07



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY

MICHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

April 15, 2005

Mr. Bill Vierra
Syufy Enterprises
150 Pelican Way
San Rafael, California 94901

RE: RQR-5682 - REQUIRED TWO YEAR REVIEW
CITY COUNCIL MEETING OF MARCH 2, 2005

Dear Mr. Vierra:

The City Council at a regular meeting held March 2, 2005 considered the Appeal filed by the Applicant from the Denial by the Planning Commission of a Required Two-Year Review of an approved Special Use Permit (U-0136-90) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 5183 West Charleston Boulevard (APN 163-01-502-008), C-1 (Limited Commercial) Zone.

The City Council granted the Appeal; thereby APPROVING the Required Two-Year Review. The Notice of Final Action was filed with the Las Vegas City Clerk on March 3, 2005. This approval is subject to:

Planning and Development

1. The billboard shall be demolished prior to the issuance of the Certificate of Occupancy for new construction permitted by the Site Development Plan Review SDR-5556.
2. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
3. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-1-05
CLV 7009

RQR-19473
04/26/07 PC

Mr. Bill Vierra
RQR-5682 – Page Two
April 15, 2005

4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

Sincerely,



Yvonne Yturralde
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk



M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Rod Carter
Clear Channel Outdoor
2880-B Meade Avenue, Suite #350
Las Vegas, Nevada 89102

RQR-19473
04/26/07 PC



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
MICHAEL J. McDONALD
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
DOUGLAS A. SELBY

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

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

January 23, 2003

Ms. Elaine Tufo
Syufy Enterprises
150 Pelican Way
San Rafael, California 94901

RE: RQR-1229 - REQUIRED TWO YEAR REVIEW
CITY COUNCIL MEETING OF JANUARY 22, 2003

Dear Ms. Tufo:

The City Council at a regular meeting held January 22, 2003 APPROVED the Required Two Year Review on an approved Special Use Permit (U-0136-90) WHICH ALLOWED A 40 FOOT TALL, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 5183 West Charleston Boulevard (APN: 163-01-502-008), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on January 23, 2003. This approval is subject to:

Planning and Development

1. The applicant is to submit a map showing all billboards owned by the applicant/owner within the City and include the GPS coordinates of each billboard within 30 days of final approval by City Council.
2. All of the supporting structure shall be repainted by April 30, 2003 as required by the Planning and Development Department. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

RQR-19473
04/26/07 PC

Ms. Elaine Tufo
RQR-1229 – Page Two
January 23, 2003

5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
6. The applicant shall be responsible for installing bird deterrent devices by April 30, 2003.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

Sincerely,



Doreen Araujo
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

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

Ms. Misty Baier
Clear Channel Outdoor
1211 West Bonanza Drive
Las Vegas, Nevada 89106

RQR-19473
04/26/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-20741 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NOVA FINANCIAL - OWNER: REZA SALIMIAN - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF 20 FEET FROM A RESIDENTIAL USE WHERE A MINIMUM OF 200 FEET IS REQUIRED AND A DISTANCE SEPARATION OF 688 FEET FROM AN EXISTING FINANCIAL INSTITUTION, SPECIFIED WHERE A MINIMUM OF 1,000 FEET IS REQUIRED at 2006 East Charleston Boulevard (APN 162-02-512-008), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 6/20/07

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

PROTESTS RECEIVED BEFORE:

City Council Mtg.

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

City Council Mtg.

City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – DENIED – Motion carried with DAVENPORT, GOYNES and STEINMAN voting NO

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 52 – SUP-20741

MINUTES – Continued:

DOUG RANKIN, Planning and Development Department, stated the requested waivers could not be supported by staff and recommended denial.

ATTORNEY TONY CELESTE, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and explained the applicant was trying to relocate his business due to his inability to renew his lease at his current location. He acknowledged that the area already hosting other financial institutions, but pointed out this application would not add other financial institution as the applicant was merely relocating. He respectfully requested approval.

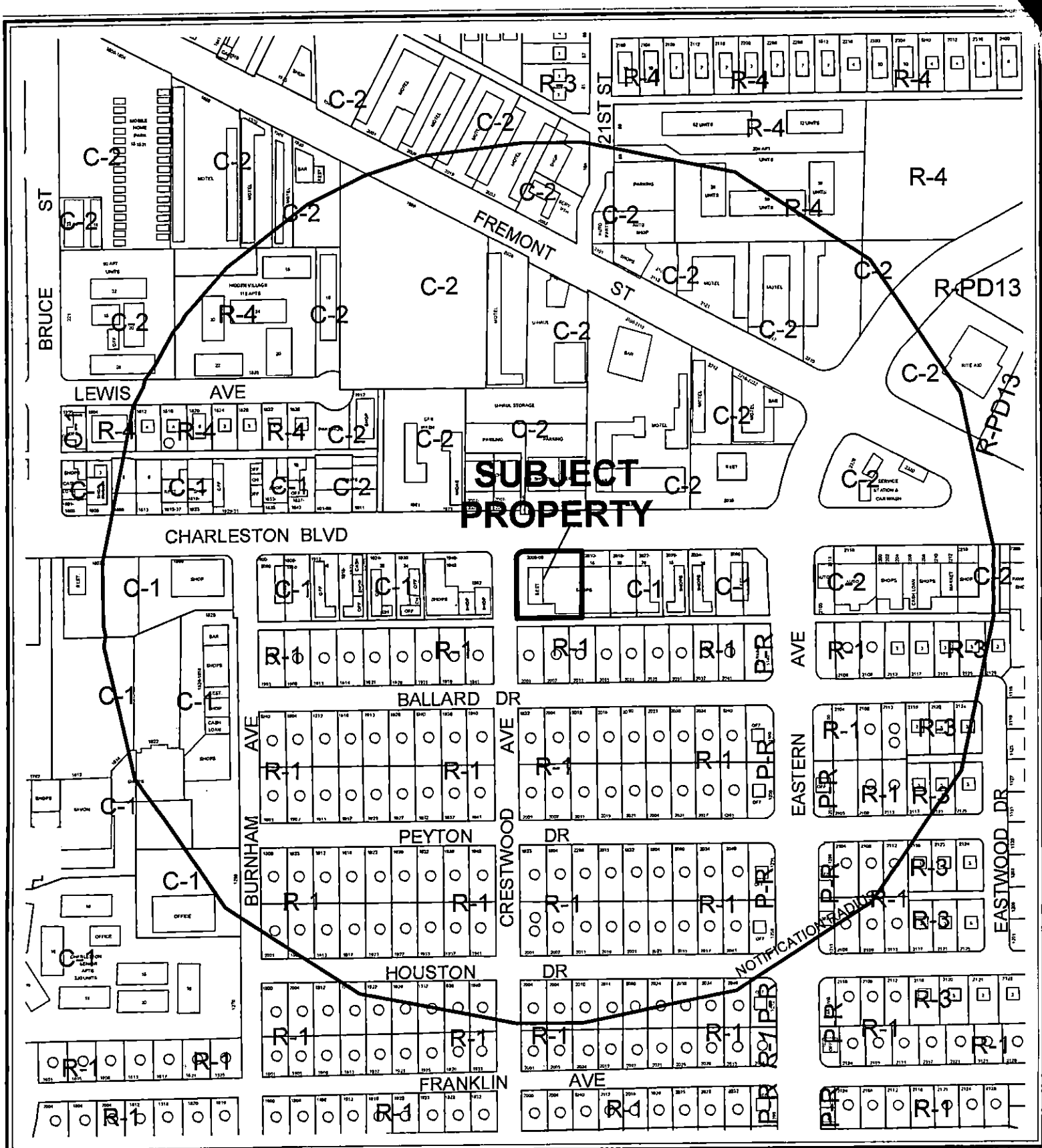
TODD FARLOW, 240 North 19th Street, asked if there was a rule prohibiting financial institutions from accepting repossessed cars at their locations and CHAIRMAN DAVENPORT stated auto loan businesses usually had a condition prohibiting the storage of repossessed cars at their locations.

COMMISSIONER EVANS respectfully disagreed with ATTORNEY CELESTE and noted this area appeared to be saturated with financial institutions. He pointed out the Code was designed to prevent a proliferation of uses in any one neighborhood and stated he would not support this application.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(10:30 – 10:35)

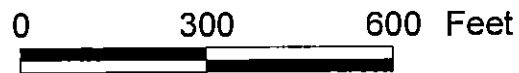
3-2112



CASE: **SUP-20741**

RADIUS: 1000 FT

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





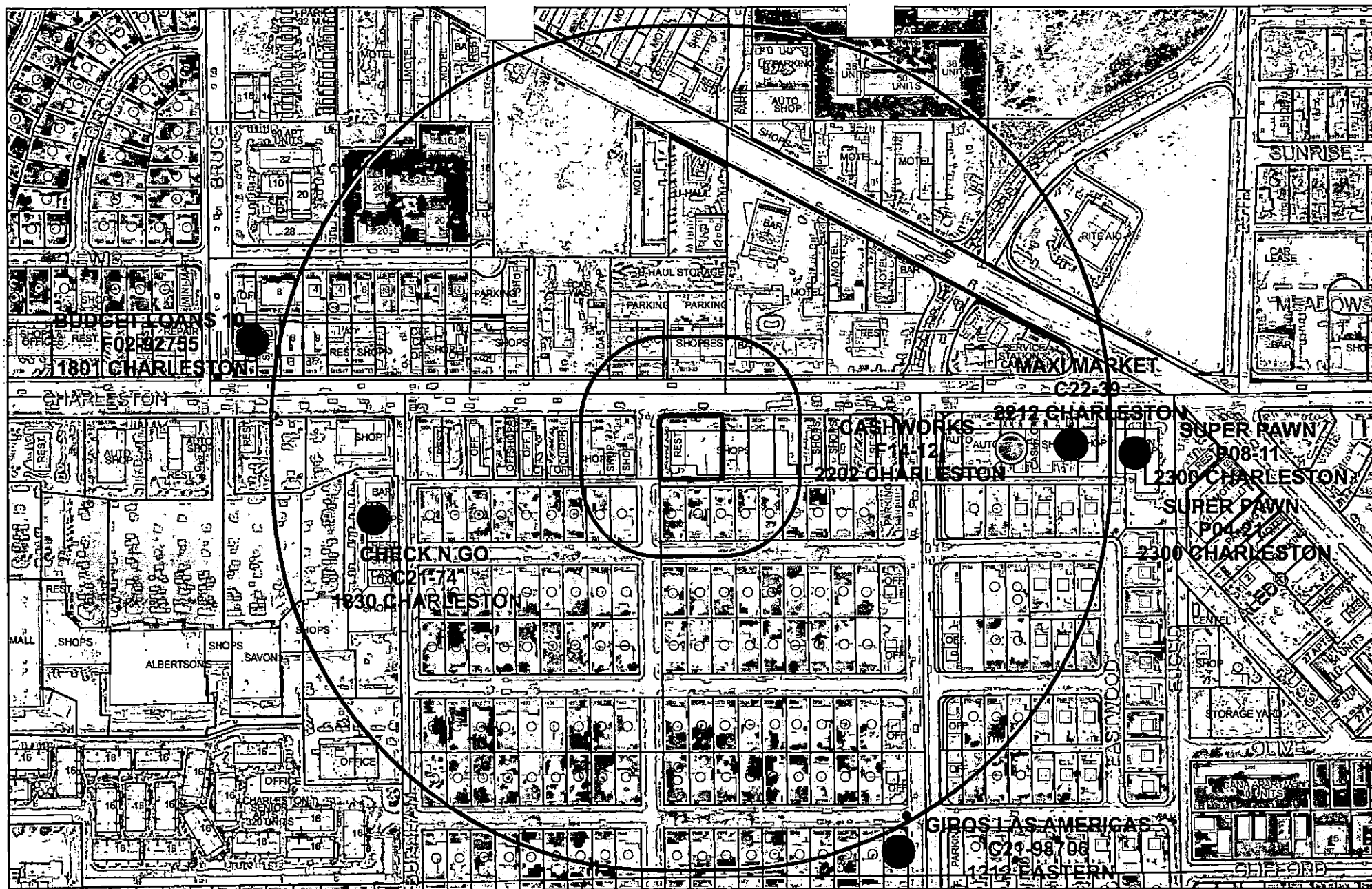
0 300 600 Feet

CASE: SUP-20741

RADIUS: 1000 FT

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





SUP-20741

Financial Institution

Financial Business Locations



Financial Institution, Specified



Pawnshops



Automobile Title Loan



Subject Property



Residential Property



Buffer

0 205 410 820 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 10, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-20741 - APPLICANT: NOVA FINANCIAL - OWNER:
REZA SALIMIAN

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-20741 - Staff Report Page One
May 10, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a proposed financial institution, specified with waivers to allow a distance separation of 20 feet from a residential use where a minimum of 200 feet is required and a distance separation of 688 feet from an existing financial institution, specified where a minimum of 1,000 feet is required at 2006 East Charleston Boulevard.

The proposed Special Use is for an existing business that the applicant wishes to relocate from 721 East Charleston Boulevard. As the proposed site fails to meet the distance separation requirements, and fails to meet the distance separation requirement from a residential use by a greater margin than at the existing site, staff recommends denial of this application.

BACKGROUND INFORMATION

Related Relevant City Actions by R&D, Fire, Bldg., etc.	
05/21/58	The Board of City Commissioners approved a Rezoning (Z-46-56) from R-4 to C-1 on the subject site as part of a larger request.
Related Building Permits/Business Licenses	
10/11/01	Business License Number C-21-224-69036 issued to Nova Financial for a Check Cashing Service at 721 East Charleston Boulevard. This application intends to relocate this business to 2006 East Charleston Boulevard.
03/03/104	Business License Number P06-00815B-115120 issued to Noemy Photography and Video for a Photography Business at 2006 East Charleston Boulevard. This business is no longer operating on the subject site.
Pre-Application Meeting	
03/15/07	A pre-application meeting was held and the applicant was requested to submit a site plan showing adequate parking, a floor plan clearly depicting gross floor area, and waivers for distance separation requirements.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	
Field Check	
04/05/07	A field check was conducted to assess conditions at the subject site. The subject site was constructed in 1958, and parking aisle widths are narrow by current standards.

SUP-20741 - Staff Report Page Two
May 10, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	0.60

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning	
Subject Property	Retail	C (Commercial)	C-1 (Limited Commercial)	
North	Retail	MXU (Mixed-Use)	C-2 (General Commercial)	
South	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)	
East	Retail	C (Commercial)	C-1 (Limited Commercial)	
West	Retail	C (Commercial)	C-1 (Limited Commercial)	
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			X	NA
Trails			X	NA
Rural Preservation Overlay District			X	NA
Development Impact Notification Assessment			X	NA
Project of Regional Significance			X	NA

Downtown Redevelopment Area

The subject site is located within the Downtown Redevelopment Area of the Southeast General Plan. To stimulate revitalization of the City's historic, urban core, several special overlay districts have been adopted which contain unique standards for redevelopment. Redevelopment efforts in this area are not limited to just physical improvements such as streetscape, water fountains, and the promotion of new private-sector construction but also include evaluation of existing and proposed uses to ensure these do not preclude, prevent, detract from or conflict with redevelopment efforts or with each other.

SUP-20741 - Staff Report Page Three
May 10, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Restaurant							
Seating Area	1083 SF	1:50 SF	22				
Remainder	2,167 SF	1:200 SF	11				
Office	1,600	1:300 SF	6				
Retail	3,740	1:250 SF	15				
SubTotal			49	3	37	1	Y*
TOTAL (including handicap)			52		38		

*The existing retail center is deficient in parking by the current code standards. Title 19.10.010(C) defines such developments as parking impaired. Records from the Clark County Assessor's office show that the existing building was constructed in 1958, prior to the standards contained in the current zoning code. Building permits and certificates of occupancy may be issued for parking impaired developments given that, as in this case, the redevelopment does not increase the building area or result in a change of use which requires an increased number required parking spaces. The proposed use can be included within the existing building without a negative impact.

Waivers		
Request	Requirement	Staff Recommendation
Allow a Financial Institution, Specified to be 20 feet from an existing Residential Use.	200 Foot distance separation requirement	Denial
Allow a Financial Institution, Specified to be 660 feet from an existing Financial Institution, Specified at 1830 E. Charleston.	1,000 Foot distance separation requirement	Denial

Comparative Distance Separations		
Requirement	Existing Location 721 E. Charleston	Proposed Location 2006 E. Charleston
200 Foot distance separation requirement from a parcel zoned for	100 Feet from R-4 zone at 800 E. Charleston Boulevard	20 Feet from R-1 zone at 2001 to 2011 Ballard Dr.
1,000 Foot distance separation requirement an existing Financial Institution, Specified	100 Feet from an existing Financial Institution, Specified at 700 E. Charleston Boulevard.	660 Feet from an existing Financial Institution, Specified at 1800 E. Charleston Boulevard.

SUP-20741 - Staff Report Page Four
May 10, 2007 - Planning Commission Meeting

ANALYSIS

- **General**

This application is for a Special Use Permit to relocate an existing Financial Institution Specified from 721 East Charleston Boulevard to 2006 East Charleston Boulevard. The existing location is located 100 feet from an R-4 zone (the location of an existing office use) where a 200-foot distance separation is required, and 100 feet from an existing Financial Institution, Specified where a 1,000-foot distance separation is required. The new location is only 20 feet from an R-1 zone, and 660 feet from existing Financial Institution, Specified where distance separations of 200 feet and 1,000 feet, respectively, are required.

- **Zoning**

The subject site is currently zoned C-1 (Limited Commercial). The Financial Institution, Specified use is permitted in C-1 (Limited Commercial) with the approval of a Special Use Permit. This application, if approved, will satisfy this requirement.

- **Use**

A Financial Institution, Specified is defined by Title 19 as a business whose primary function is to lend money; cash checks or other negotiable instruments for a fee, service charge or other consideration; or provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. A Financial Institution, Specified may not provide the services of Auto Pawn or Pawn Shop establishments which are considered more intensive uses. The Financial Institution, Specified use requires that the building, or portion thereof, dedicated to the use shall be a minimum of 1,500 square feet. The subject suite is 1,511 square feet and therefore meets this requirement. The applicant requested a Waiver for this requirement, but it is not necessary.

- **Conditions**

Title 19.04.050 lists the following conditions for the Financial Institution, Specified use, adopted by City Council April 21, 2004:

1. The use shall comply with all applicable requirements of Title 6.
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be hamonious and compatible with the surrounding area.
3. No temporary signs (as described in Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

SUP-20741 - Staff Report Page Five
May 10, 2007 - Planning Commission Meeting

4. Window signs shall not:
 - a. Cover more than twenty percent (20%) of the area of all exterior windows;
 - b. Include flashing lights or neon lighting; or
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to lines of fee interest parcels and not leasehold parcels.

The proposed Financial Institution, Specified fails to meet condition #7 as it is located only 20 feet from a residential lot where a 200-foot distance separation is required, and 688 feet from an existing Financial Institution, Specified where a 1,000-foot distance separation is required. A waiver from each of these conditions would be required as a condition of approval for this request. As this proposed Financial Institution, Specified cannot be approved without a waiver to the distance separation requirement; staff recommends denial of this application. The proposed use does meet the requirement of Condition 6, and while the applicant requested a waiver, the proposed use will take place in a 1,511 square foot suite, and such a waiver is not required.

FINDINGS

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

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

The proposed land use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, as it is located only 20 feet from existing residential development where a 200 foot distance separation is required.

SUP-20741 - Staff Report Page Six
May 10, 2007 - Planning Commission Meeting

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

As it fails to meet the minimum standards for the type and intensity of the proposed Financial Institution, Specified use, the subject site is not physically suitable.

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.”**

Charleston Boulevard is a 100-foot Primary Arterial as per the Master Plan of Streets and Highways and is adequate to meet the needs of the proposed use.

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

Approval of the Special Use Permit at the subject site will be inconsistent with the public welfare and overall objectives of the General Plan in its failure to provide for adequate distance separation standards.

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

The proposed use fails to meet the distance separation requirements from residential uses and existing Financial Institutions, Specified per Title 19.04. Therefore, staff recommends denial.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 200

APPROVALS 0

PROTESTS 0

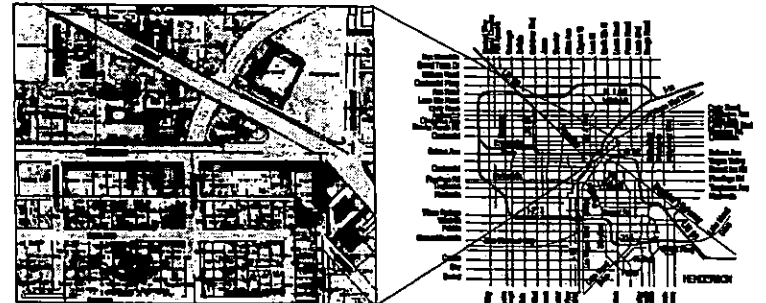


Case Number: **SUP-20741** APN: 162-02-512-008

Name of Applicant: Nova Financial

Yes ~~X~~ No

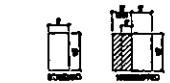
14473.1



Vicinity Map SCALE: N/A

SITE DATA

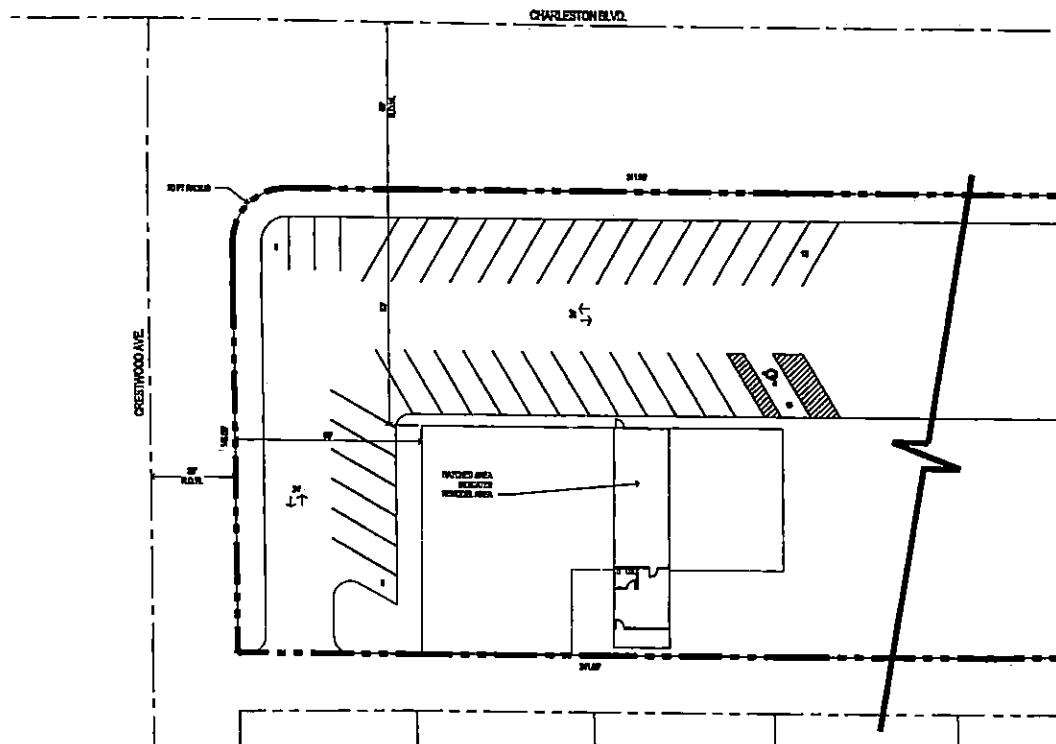
Project Name	2006 Charleston
Project Number	05-10-07
Client	FRONTLINE group
Architect	moser architecture studio
Project Location	2006 Charleston, Las Vegas, NV
Project Type	Commercial
Project Status	Conceptual
Project Date	05/10/07
Project Size	1.17
Project Cost	\$1.17



2 TYP. PARKING SPACES SCALE: N/A



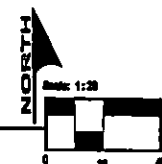
3 FIRE TRUCK TURNING SCALE: N/A



1 SITE PLAN SCALE: 1"=20'

2006 Charleston
Las Vegas, NV

SUP-20741
05/10/07 PC

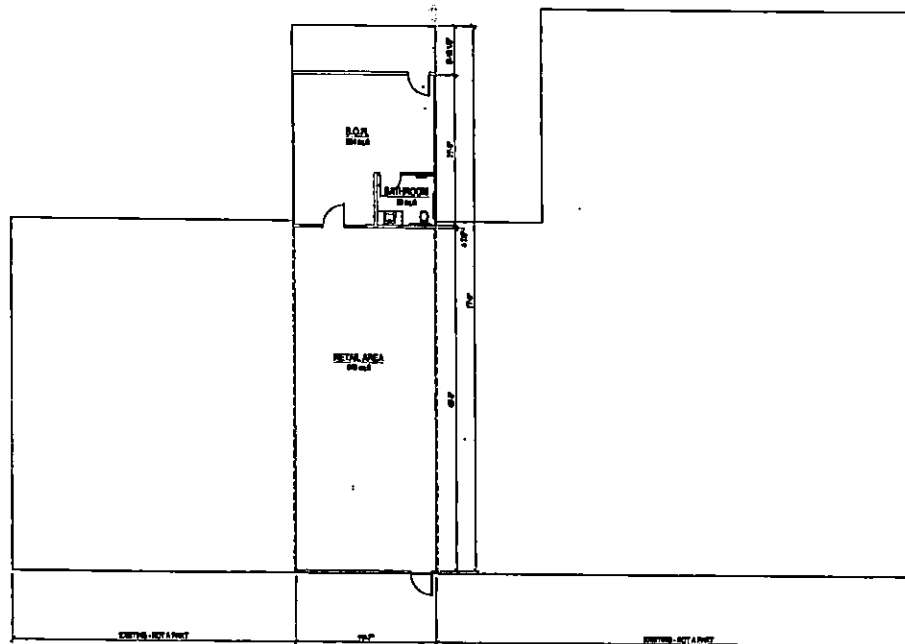


FRONTLINE group

moser architecture studio

RECEIVED

Conceptual Site Plan: Sheet Title
05/10/07: Project Number
05-10-07: Date



① FLOOR PLAN
SCALE: 1/8" = 1'-0"

2006 Charleston
Las Vegas, NV

SUP-20741
05/10/07 PC



FRONTLINE group

Conceptual Floor Plan : Sheet Title
BMT-0001 : Project Number
05-14-07 : Date

MOSE architecture studio

RECEIVED



SUP-20741 - APPLICANT: NOVA FINANCIAL - OWNER: REZA SALIMIAN
2006 EAST CHARLESTON BOULEVARD
MAY 10, 2007 PLANNING COMMISSION

04/25/07



SUP-20741 - APPLICANT: NOVA FINANCIAL - OWNER: REZA SALIMIAN
2006 EAST CHARLESTON BOULEVARD
MAY 10, 2007 PLANNING COMMISSION

04/25/07

**KUMMER
KAEMPFER**

**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kkbrf.com
702.693.4215

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.782.7000
Fax: 702.798.7181

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

SUMMERLIN OFFICE
3426 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89129
Tel: 702.693.4280
Fax: 702.939.8457

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

April 16, 2007

VIA HAND DELIVERY

CITY OF LAS VEGAS
PLANNING & DEVELOPMENT DEPARTMENT
731 So. Fourth Street
Las Vegas, NV 89101

**Re: Revised Justification Letter – Craig Parr
Special Use Permit for Financial Institution; Variance
2008 E. Charleston Boulevard, Suite 2006
APN: 162-02-512-008**

To Whom It May Concern:

Please be advised that our office represents Craig Parr (the "Applicant") with respect to the above referenced land use application. This letter serves as justification for a financial institution generally located at the southeast corner of Charleston Boulevard and Crestwood Avenue (2008 E. Charleston Boulevard, Suite 2006), more particularly known as APN: 162-02-512-008 (the "Site"). The Applicant is requesting a special use permit to operate a financial institution.

The financial institution is relocating locations from its 721 E. Charleston Boulevard location to the 2008 E. Charleston location. The Applicant is relocating its business due to the expansion of the Lied Legal Center.

The Site's general plan is Commercial. The Site is currently zoned C-1. A financial institution is an appropriate use in a C-1 zoned district in conjunction with a special use permit.

The square of footage of the proposed financial institution will be less than the minimum 1600 square foot. The proposed financial institution will be placed in existing suite, which is less than 1600 square foot, and therefore the request to deviate from the minimum square footage requirement.

Also, generally, a financial institution use may not be located closer than 200 feet from a residential use and 1000 feet from another financial institution use. In this case, the proposed financial institution is located within 200 feet of residential and 1000 feet of another financial institution.

RECEIVED

APR 18 2007

REVISED

**SUP-20741
05/10/07 PC**

14473.1



However, a precedent has been set along this portion of Charleston Boulevard wherein financial institutions do not meet these separation requirements. For example, there are two financial institutions located east of Eastern Avenue and south of Charleston Boulevard. Not only are these two financial institutions within 1000 feet of each other, but these financial institutions are also within 200 feet of residential. Therefore, the Applicant's request to place a financial institution at this Site is reasonable and justifiable.

Thank you for your consideration of our request and should you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

A handwritten signature in black ink, appearing to read "Anthony J. Celeste", written over a horizontal line.

Anthony J. Celeste

AJC/dmf

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-20814 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASHBACK - OWNER: WCA ENTERPRISES, LLC. - Request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN WITH A WAIVER TO ALLOW NO DISTANCE SEPARATION FROM RESIDENTIAL PROPERTY WHERE 200 FEET IS REQUIRED AND A WAIVER TO ALLOW A 1,288 SQUARE FOOT ESTABLISHMENT WHERE 1,500 IS THE MINIMUM SQUARE FOOTAGE REQUIRED on property located on the southwest corner of Durango Drive and Ackerman Avenue, (APN 125-08-806-003) C-1 (Limited Commercial) Zone, Ward 6 (Ross).

IF APPROVED: C.C.: 6/20/07

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

PROTESTS RECEIVED BEFORE:

City Council Mtg.

2

City Council Meeting

APPROVALS RECEIVED BEFORE:

City Council Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location Aerial, and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Letters of opposition by Bruce Hamilton and Diraffaele Family

MOTION:

DUNNAM – DENIED – UNANIMOUS with TRUESEDELL abstaining as he negotiated an interest in a property within the notice area

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 53 – SUP-20814

MINUTES – Continued:

DOUG RANKIN, Planning and Development Department, stated the requested waivers could not be supported by staff and recommended denial. MR. RANKIN informed CHAIRMAN DAVENPORT that a requirement of the Special Use Permit prohibited the parking of repossessed cars.

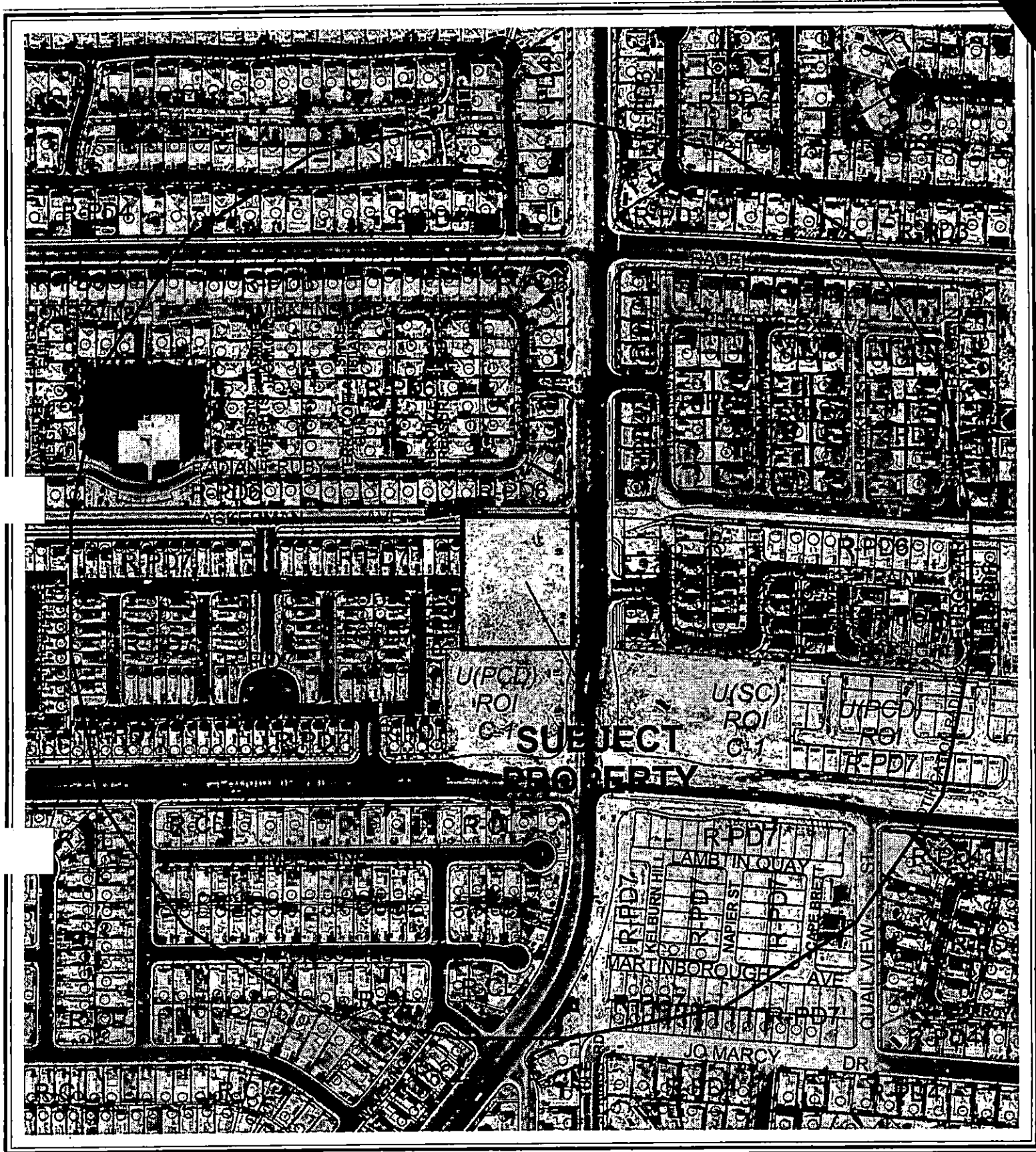
SANDRA MONTGOMERY, 8610 South Eastern Avenue, appeared on behalf of the applicant and requested approval.

COMMISSIONER DUNNAM stated his opposition, echoing COMMISSIONER EVAN'S sentiments on Item 52.

CHAIRMAN DAVENPORT declared the Public Hearing closed.
(10:35 – 10:37)

3-2327

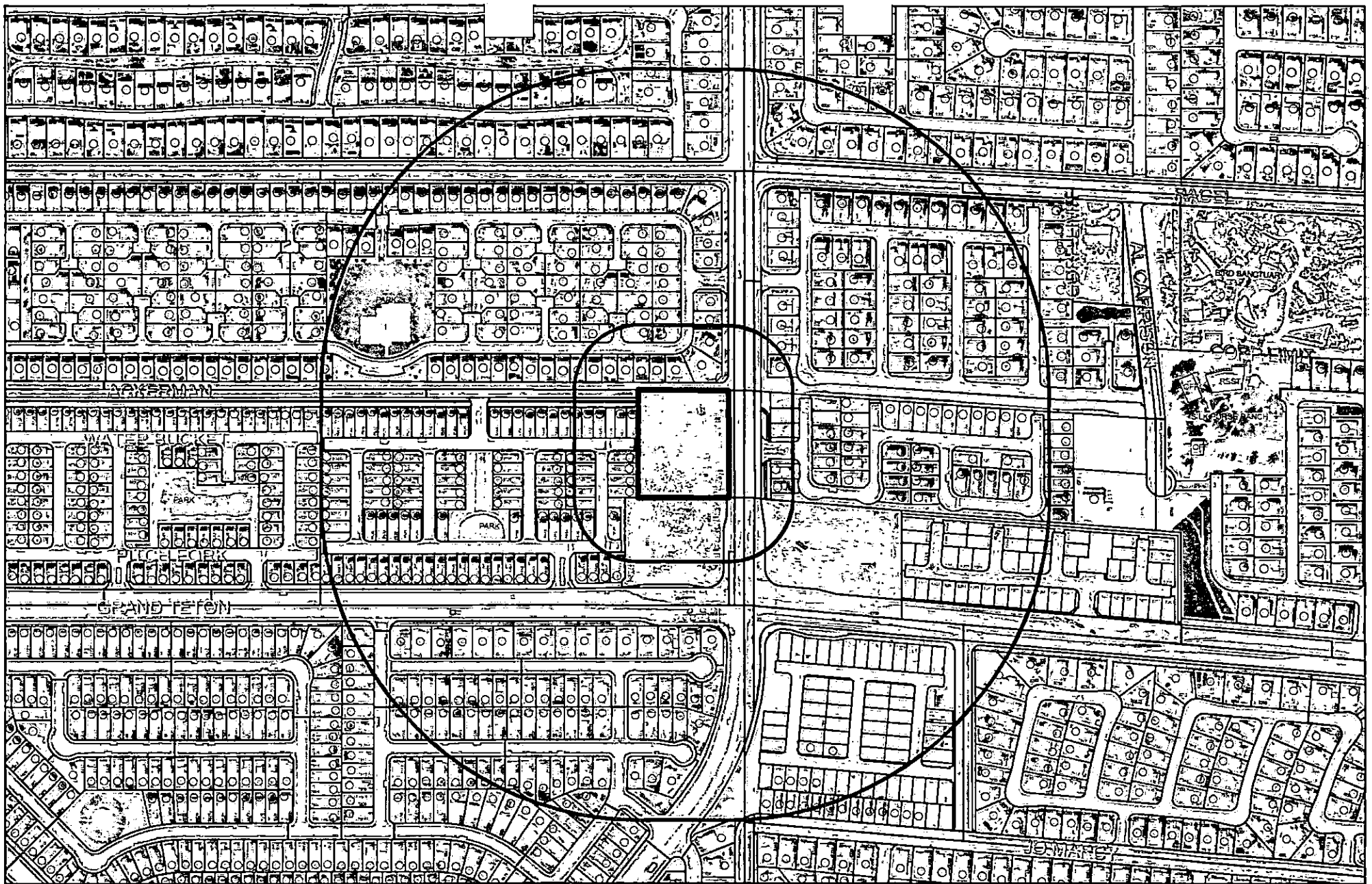




CASE: SUP-20814

RADIUS: 1000 FT

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



SUP-20814

Financial Institution

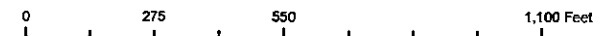
Financial Business Locations

-  Financial Institution, Specified
-  Pawnshops
-  Automobile Title Loan

-  Subject Property
-  Residential Property



Buffer



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 10, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-20814 - APPLICANT: CASHBACK - OWNER: WCA ENTERPRISES, LLC.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, 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.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-20814 - Staff Report Page One
May 10, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for a proposed Auto Title Loan with a Waiver to allow no distance separation from residential property where 200 feet is required and a Waiver to allow a 1,288 square foot establishment where 1,500 is the minimum square footage required on a 2.12 acre site located on the southwest corner of Durango Drive and Ackerman Avenue.

The project site directly abuts a planned community residential district to the west. The project will not comply with the distance separation requirements of Title 19.04 which focuses on protecting residential uses. Staff recommendation is for denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Blug., etc.</i>	
04/05/2006	The City Council approved a Site Development Plan Review (SDR-10071) for a proposed 13,722 square-foot commercial development on 2.12 acres at the southwest corner of Ackerman Avenue and Durango Drive. The Planning Commission and staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
NA	
<i>Pre-Application Meeting</i>	
02/27/2007	A Pre-Application Meeting was held where Planning staff advised the applicant of the residential distance separation requirements of Title 19.04.
<i>Neighborhood Meeting</i>	
NA	
<i>Field Check</i>	
04/10/2007	A site visit was conducted by Planning staff and the site is a vacant and undeveloped dirt lot.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.12 acres

SUP-20814 - Staff Report Page Two
May 10, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant - Undeveloped	PCD (Planned Community Development)	C-1 (Limited Commercial)
North	Single family Residential	PCD (Planned Community Development)	R-PD6 (Residential Planned Development 6 units per acre)
South	Commercial/Retail	PCD (Planned Community Development)	U (PCD) [Undeveloped(Planned Community Development)]
East	Single family Residential	PCD (Planned Community Development)	
West	Single family Residential	PCD (Planned Community Development)	

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

SPECIAL USE CONDITION REQUIREMENTS:

Pursuant to Title 19.04, the following Auto Title Loan - Special Use Standards apply:

Minimum Square Footage	Required/Allowed	Provided	Compliance
Auto Title Loan	1,500 square feet	1,288 square feet	N
Distance Separation	Required/Allowed	Provided	Compliance
Residential District	200 feet	0 feet	N

SUP-20814 - Staff Report Page Three
May 10, 2007 - Planning Commission Meeting

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

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Auto Title Loan	1,288	1 space for every 250 square feet of gross floor area	5	1	5	1	Y
SubTotal			5		5		
TOTAL			5		5		Y
Loading Spaces							
Percent Deviation							

Waivers		
Request	Requirement	Staff Recommendation
Residential District - Separation	200 feet	DENY
Square Footage	1,500 square feet	DENY

ANALYSIS

The proposed Auto Title Loan establishment will be located on a site surrounded by residential uses to the west, north, and east; and commercial to the south. Title 19.04 Special Use Conditions requires this type of use to be located no less than 200 feet from any property zoned or used for residential purposes. Furthermore, the project will not meet the minimum square footage requirement which is 1,500 square feet and the project is for a 1,288 square foot establishment. The applicant is requesting Waivers of these two regulations. Because the proposed distance separation from protected residential uses does not conform to the special use conditions staff does not recommend approval of the requested use permit and associated Waiver.

SUP-20814 - Staff Report Page Four
May 10, 2007 - Planning Commission Meeting

FINDINGS

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

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

The proposal will result in a use that is inconsistent with the General Plan and will not be compatible with neighboring residential uses. Title 19.04 restricts Auto Title Loan establishments from locating within 200 feet of residential zoned property and property developed with residential uses.

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

The project site does not possess any physical features that would limit development of the property with the proposed use.

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

Vehicular access to the project site will be made via driveway access along Durango Drive and the proposed use will not result in substantial traffic generation.

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 project does not address the Goals, Objectives, Policies and Programs for the Centennial Hills Sector Land Use Plan in that Objective B and Program B1.2 of the sector plan are focused on implementing development that (1) "Achieves a compatible balance of land uses that are standard throughout the Sector by providing appropriate and compatible locations for all land use categories", and (2) ensures "Existing residential development shall be protected with adjacency buffers which promote compatibility". As proposed, the project site fails to provide the required distance separation from residential and is therefore considered incompatible with the neighboring community.

SUP-20814 - Staff Report Page Five
May 10, 2007 - Planning Commission Meeting

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

The proposed Auto Title Loan establishment is subject to the 200 foot distance separation (from residential) of Title 19.04 - Special Use Requirements. The location as proposed does not comply with the distance separation requirements as the project parcel is located directly east of a planned community development with a zero foot separation from single family residential.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 442

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST****SUP-20814**

Case Number: _____

APN: 125-08-806-003

Name of Property Owner: _____

WCA Enterprise LLC

Name of Applicant: _____

Cashback

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

_____ Yes

_____ X No

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

City Official: _____

Partner(s): _____

APN: _____

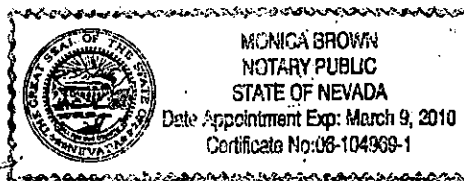
Signature of Property Owner: _____

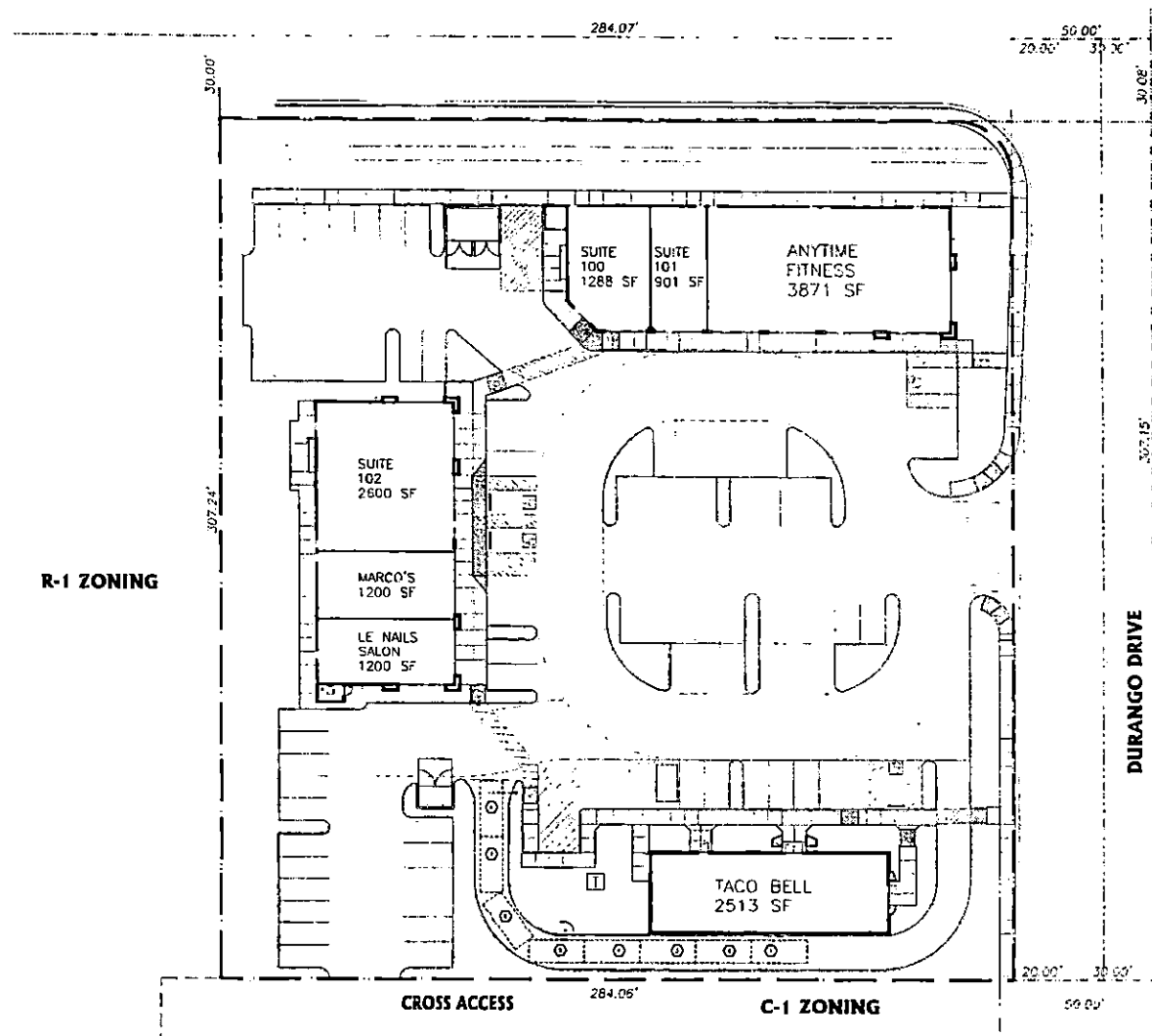
Print Name: William C. Aitken Jr.

Subscribed and sworn before me

This 24th day of March, 2007Monica Brown

Notary Public in and for said County and State





Jeff
Looker
Architect

2070 E. SOUTHERN AVE.
TEMPE, ARIZONA 85282
PHONE: (480) 730-1976
FAX: (480) 958-1571

DURANGO AND GRAND TETON
COMMERCIAL CENTER

FOR: MIRA ASSOCIATES
ATTN: BOB AND SUE CATER BOULVARD
NORTH LAS VEGAS, NEVADA



LEASING PLAN

SCALE: 1" = 30'-0"

SUP-20814
05/10/07 PC

MAR 26 2007

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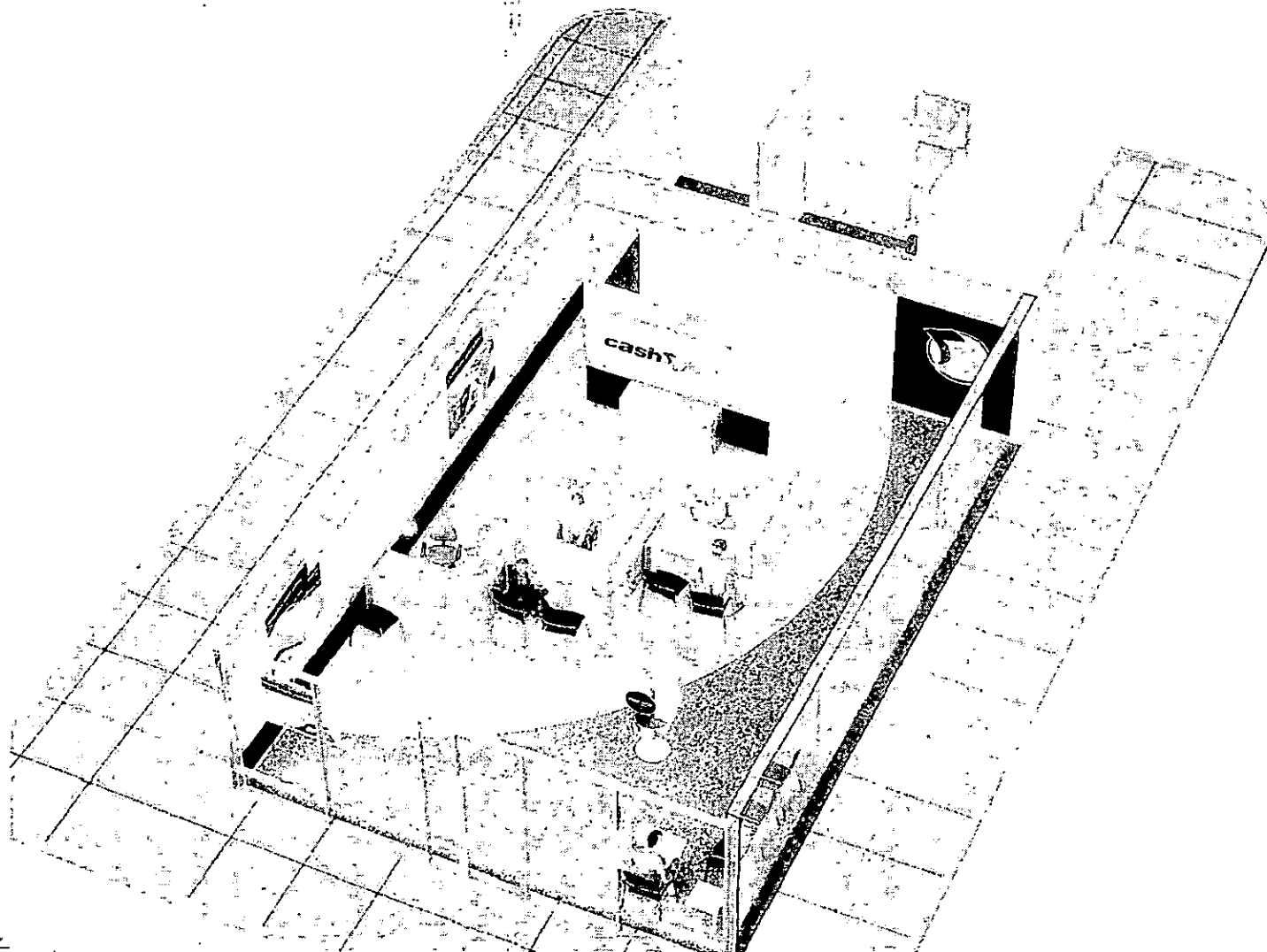


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A VANDERBILT GROUP COMPANY

Prepared by: Grafico Inc.
6 Landmark Square, 4th Floor, Stamford, CT 06901
Ph: 203-358-9595 / www.graficoinc.com

CashBack

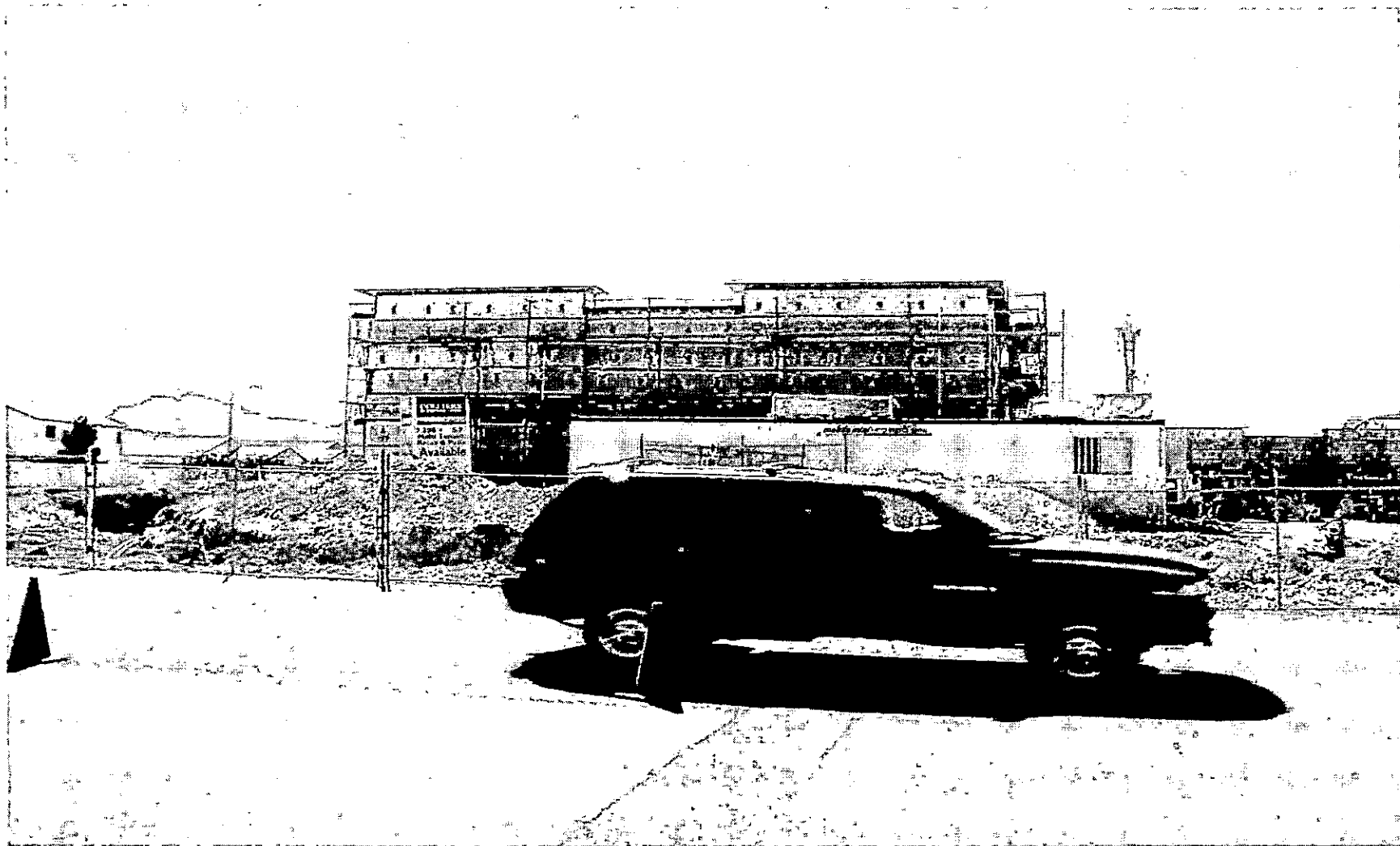
3D Rendering - Flagship Model B

March 24, 2006
Version 1.0

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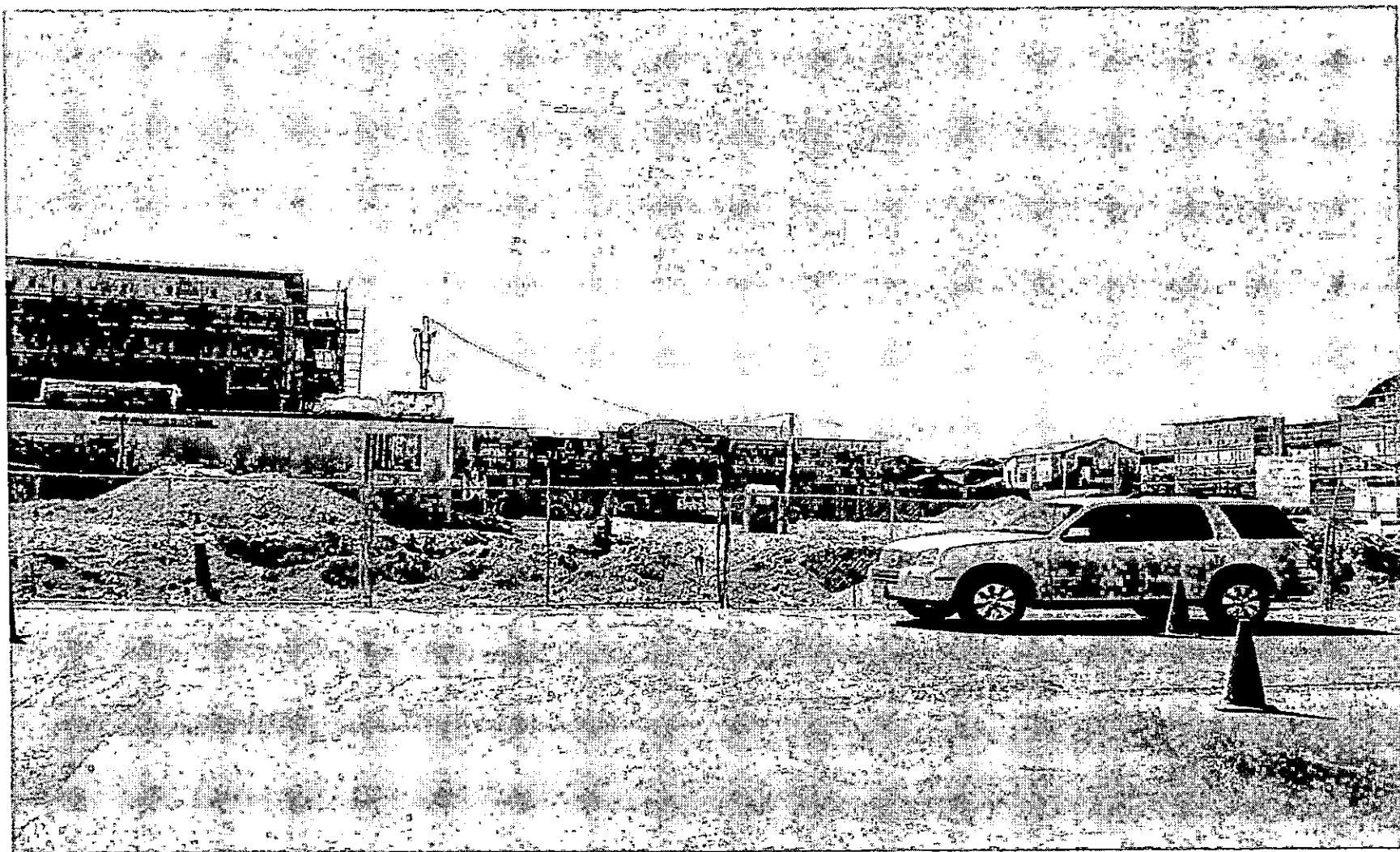
SUP-20814
05/10/07 PC

MAR 28 2007



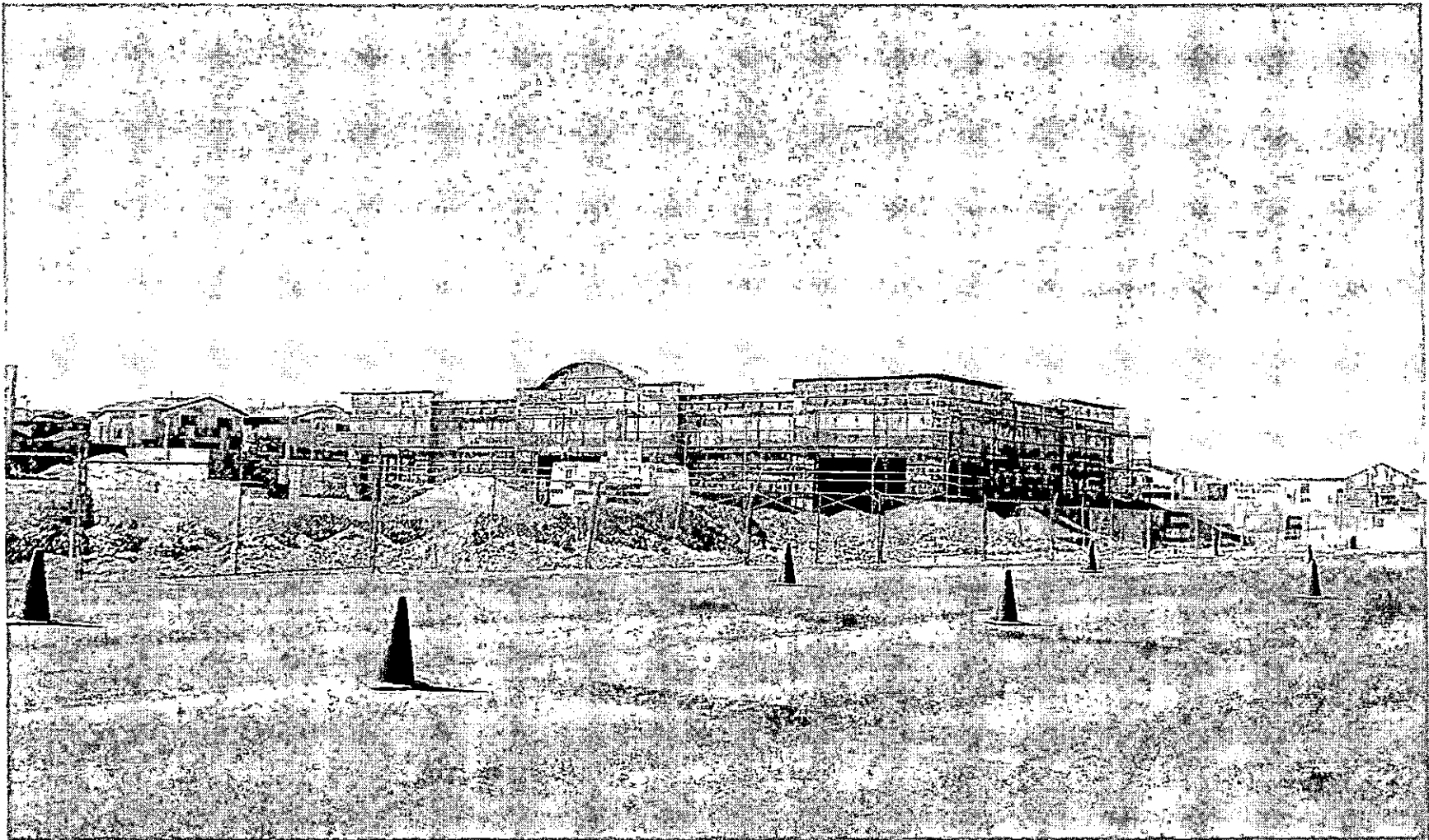
SUP-20814 - APPLICANT: CASHBACK - OWNER: WCA ENTERPRISES, LLC.
SOUTHWEST CORNER OF DURANGO DRIVE AND ACKERMAN AVENUE
MAY 10, 2007 PLANNING COMMISSION

04/24/07



SUP-20814 - APPLICANT: CASHBACK - OWNER: WCA ENTERPRISES, LLC.
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MAY 10, 2007 PLANNING COMMISSION

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04/24/07



Land Use Consultants

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

February 16, 2007

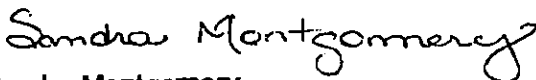
City of Las Vegas Planning &
Development 739 South Fourth Street
Las Vegas, NV. 89101

APN: 125-08-806-003

Dear Sir or Madam:

Please accept this letter as our request for a use permit for a financial institution, located on the west side of the street just north of the parcel at the intersection of Durango and Grand Teton. My client would like to start an auto title loan payday loan, check cashing business. The potential site meets all the separation requirements from other similar businesses. We are asking for a waiver for the distance separation from residential; 0 ft and 200 is required. There is more than adequate parking within the shopping center, however, additional parking is not needed for the auto title loan business. They never take possession of the cars because they feel the owner then wouldn't be able to work and wouldn't be able to pay them back. This use will be a welcome addition to the area. Thank you for your consideration in this matter. Please contact me with any questions regarding this matter.

Sincerely,



Sandra Montgomery
Associate Planner
Greater Nevada Planning, Inc.
ph.# 312-2435

Planning Commission Meeting 05/10/07

SUP-20814 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASHBACK - OWNER: WCA ENTERPRISES, LLC. - Request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN WITH A WAIVER TO ALLOW NO DISTANCE SEPARATION FROM RESIDENTIAL PROPERTY WHERE 200 FEET IS REQUIRED AND A WAIVER TO ALLOW A 1,288 SQUARE FOOT ESTABLISHMENT WHERE 1,500 IS THE MINIMUM SQUARE FOOTAGE REQUIRED on property located on the southwest corner of Durango Drive and Ackerman Avenue. (APN 125-08-806-003) C-1 (Limited Commercial) Zone, Ward 6 (Ross).

OBJECTION

The arrival of this sort of establishment is pretty much a knife in the heart of an otherwise fairly upscale residential area. While the business may have some difficulty attracting a clientele at this location, its very presence is demoralizing to those who live here, and sends a signal that the neighborhood is embarking on a trend toward more inhabitants who lack adequate resources and are weak in financial discipline and devoid of common sense (One must be at the end of one's rope, without options, or an idiot to take out these loans. Typically, for the same reasons one needs such a loan, one is also unable to repay it. Then we have repo agents prowling our streets in the middle of the night, trying to spirit away the cars of the people who took out the loans.) A payday check-cashing service will be next. I doubt that there is a zoning or planning criterion which serves to prohibit such placement entirely, but **to the degree that there are separation distance and interior square footage requirements, these must be observed scrupulously.**

Under no circumstance should this use receive any variances or special permissions at this location whatever.

(Neither, by the way, should the off sale/convenience store/gas station/car wash trying to locate in what we were promised would be a parking lot with subdued lighting across the street. The synergy between these two kinds of businesses would act as a sort of IED as against resale values in the area.)

Bruce Hamilton
President
Tule Springs Community Association
8524 Maggie
89143

Submitted after final agenda

Date 5/10/07 Item #53

ITEM # SUP 20814
CASE # 53
PC MTG 5-10-07

5-1-07

PLANNING SUPERVISOR

Rec the notice about Sup-20814
for Permit on auto loan waiver.

I am not in favor of this
Business at this location.

PLEASE NO STORES, GAS STATION ETC
NO RETAIL AT ALL

2. DR, OFFICE, LAWYER'S TYPE IS OK.

THANK

S. Loffel.

12517528015 Case: SUP-20814
DIRAFFAELE FAMILY SELF-DEC TR
1009 E OAK AVE
LA GRANGE PARK IL 60526-5728

CITY OF LAS VEGAS
400 STEWART AVE
LAS VEGAS, NV 89101-2913

ITEM # 53
CASE # SUP-20814
PC MTG 5-10-07

P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-20650 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: DAVID CHARLES F & PENNYE R FAMILY TRUST - Request for a Site Development Plan Review FOR A 2,160 SQUARE-FOOT COMMERCIAL BUILDING WITH A WAIVER TO ALLOW A 10 FOOT WIDE LANDSCAPE BUFFER ALONG THE NORTH PROPERTY LINE WHERE A 15 FOOT WIDE LANDSCAPE BUFFER IS REQUIRED on 0.30 acres located at 3030 Builders Avenue (APN 139-36-810-007), M (Industrial) Zone, Ward 3 (Reese).

C.C.: 6/20/07

PROTESTS RECEIVED BEFORE:

**City Council Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**City Council Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 6/20/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, explained the buffer requirement conflicts with the setback requirement within the Industrial Zoning area. In this case, the

PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 54 – SDR-20650

MINUTES – Continued:

applicant is meeting the setback requirement but is unable to meet the buffer requirement. He recommended approval and stated a text amendment would be presented to the Commissioners to correct the conflict.

The applicant was not present.

CHAIRMAN DAVENPORT declared the Public Hearing closed.
(10:37 – 10:39)
3-2408

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0066-64) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 3/20/07, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow a 10-foot wide landscape buffer where a 15-foot wide landscape buffer is required.
5. Any portion of the site to be used for vehicle access and parking is required to be paved
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.

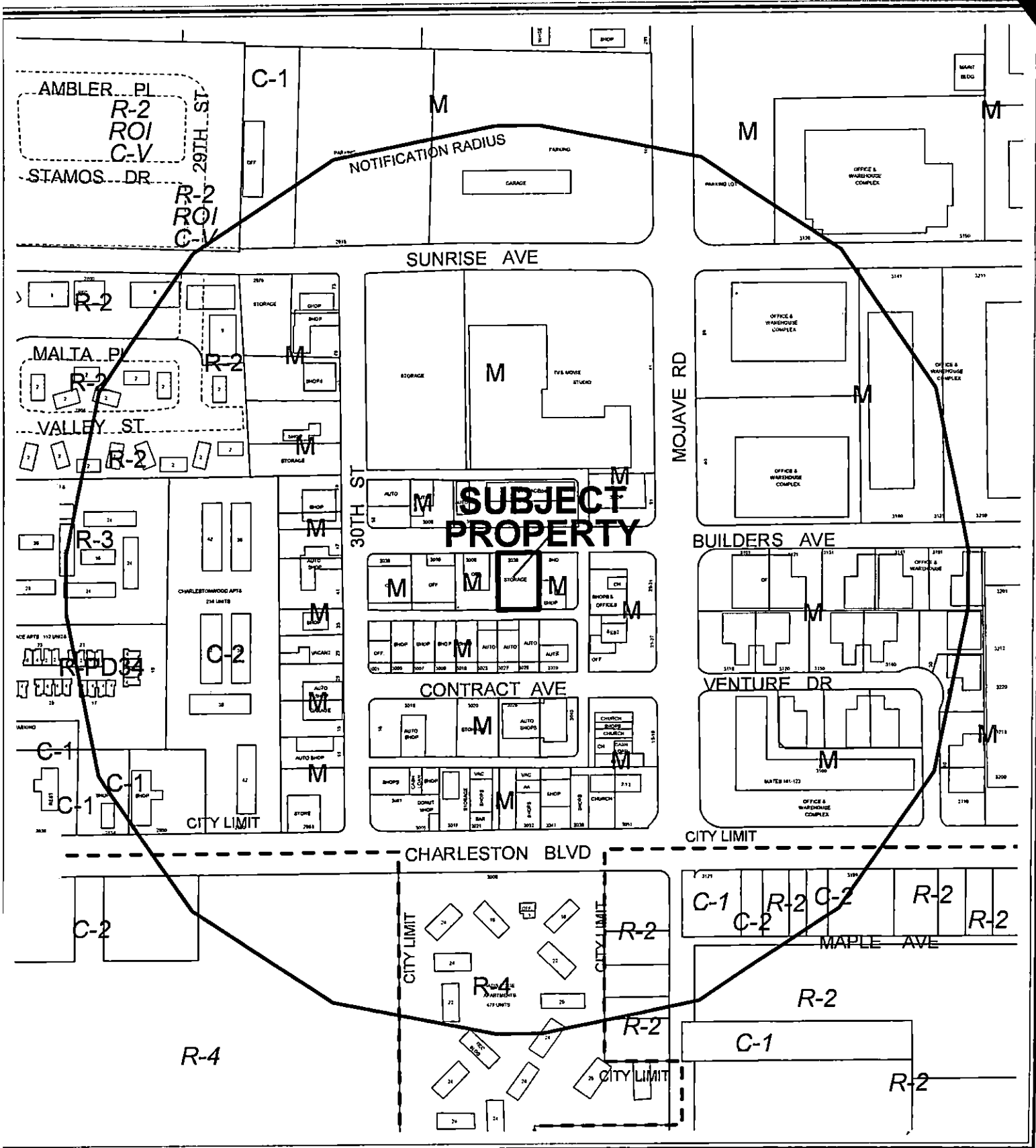
PLANNING COMMISSION MEETING OF MAY 10, 2007
Planning and Development Department
Item 54 – SDR-20650

CONDITIONS – Continued:

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
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. 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. The driveway shall be designed, located and constructed in accordance with Standard Drawing #224.
15. The proposed security gate for this site shall remain fully open during the hours of business operation. The installation of either swing gates or rolling gates is acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.



CASE: **SDR-20650**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 500 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MAY 10, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-20650 - APPLICANT/OWNER: DAVID CHARLES F & PENNYE R FAMILY TRUST**

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

1. Conformance to the conditions for Rezoning (Z-0066-64) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 3/20/07, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow a 10-foot wide landscape buffer where a 15-foot wide landscape buffer is required.
5. Any portion of the site to be used for vehicle access and parking is required to be paved
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).

SDR-20650 - Conditions Page Two
May 10, 2007 - Planning Commission Meeting

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 luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
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. 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. The driveway shall be designed, located and constructed in accordance with Standard Drawing #224.
15. The proposed security gate for this site shall remain fully open during the hours of business operation. The installation of either swing gates or rolling gates is acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

SDR-20650 - Staff Report Page One
May 10, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review for a 2,160 square-foot Contractor's Plant, Shop & Storage Yard with a waiver to allow a 10 foot wide landscape buffer along the north property line where a 15 foot wide landscape buffer is required on 0.30 acres located at 3030 Builders Avenue. The site does not have any structures built, but there are materials stored on site within a fenced enclosure.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
13/08/64	The City Council approved a Rezoning (Z-0066-64) from C-1 (limited Commercial) to M (Industrial) on Lot 2, Block 1 of the East-Park Industrial Subdivision, Unit #1.
<i>Related Building Permits/Business Licenses</i>	
There are no affiliated building permits or business licenses affiliated with this request.	
<i>Pre-Application Meeting</i>	
3/13/07	A pre-application meeting was held and the issues regarding the M (Industrial) zoning district design standards. The details regarding the requested waiver for the landscape buffer were discussed.
<i>Neighborhood Meeting</i>	
A Neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
4/05/07	A Field Check was completed with the following observations: 1. Construction materials stored on site. 2. Existing chain link fencing with barbed wire. 3. No structures located on property.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.29 acres

SDR-20650 - Staff Report Page Two
May 10, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Storage Yard	LI/R (Light Industrial/Research)	M (Industrial) Zone
North	Industrial	LI/R (Light Industrial/Research)	M (Industrial) Zone
South	Industrial/Commercial	LI/R (Light Industrial/Research)	M (Industrial) Zone
East	Industrial	LI/R (Light Industrial/Research)	M (Industrial) Zone
West	General Commercial	LI/R (Light Industrial/Research)	M (Industrial) Zone

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	10 Feet	10 Feet	Y
• Side	10 Feet	10 Feet	Y
• Rear	0 Feet	84 Feet	Y
Trash Enclosure	Screened & Covered	Screened & Covered	Y
Mech. Equipment	Screened & Covered	Not shown	N

SDR-20650 - Staff Report Page Three
May 10, 2007 - Planning Commission Meeting

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer: Min. Trees	1 Tree/ 30 Linear Feet	3 Trees	3 Trees	Y
TOTAL		4	3	N*
Min. Zone Width	15 Feet		10	N*
Wall Height	8 Feet		8-foot fence	Y

*A waiver has been requested regarding the minimum landscape buffer width.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Contractor's Plant, Shop & Storage Yard	2,160	1 Space per 500 SF GFA	5	1	5	1	Y
TOTAL			5	1	5	1	Y
Loading Spaces			1		1		Y

Waivers		
Request	Requirement	Staff Recommendation
A 10-foot wide landscape buffer	A 15-foot wide landscape buffer	Approval

ANALYSIS

- Zoning**

The subject site is currently zoned M (Industrial) in a LI/R (Light Industrial/Research) General Plan designation. This area allows light industrial and research uses of which the proposed Contractor's Plant, Shop & Storage Yard use is permitted in the M (Industrial) Zone.

SDR-20650 - Staff Report Page Four
May 10, 2007 - Planning Commission Meeting

- **Site Plan**

The site plan depicts a 2,160 square-foot office on 0.29 acres at 3030 Builders Avenue. The site plan shows five parking spaces with one van accessible space located to the rear of the building. A 15-foot by 25-foot on-site loading space is adjacent to the office building to the west.

- **Landscape Plan**

The landscape plan depicts a 10-foot wide landscape buffer located at the front of the property. The required number of trees for the perimeter landscaping is present. However, waivers for the required buffer width and parking area trees have been requested.

- **Waivers**

A waiver to the required buffer width has been requested as the applicant has provided a 10-foot wide buffer where Title 19.12 requires a 15-foot buffer. Staff recommends approval as this situation stems from a discrepancy between the minimum allowable front setbacks in the M (Industrial) zoning district and the required commercial landscape buffer width requirement.

- **Elevations**

The elevations depict a simple masonry office with an 18-foot high parapet roof. The elevations are typical for this type of structure within the M (Industrial) zoning District.

- **Floor Plan**

The floor plans depict a 2,160 square-foot office and indicate a large open office area that is approximately 60 feet by 36 feet, one ADA compliant restroom, three offices, a break room, and 140 square-foot storage area.

FINDINGS

The following findings must be made for an SDR:

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

The single-story Contractor's Plant, Shop & Storage Yard is compatible with the industrial and commercial uses in the area, and complies with the Title 19.08 Design Standards.

SDR-20650 - Staff Report Page Five
May 10, 2007 - Planning Commission Meeting

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

While the site plan indicates that waivers are necessary for the perimeter landscaping and the parking lot landscaping requirements in Title 19.10, 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.

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

The site will receive access from Builders Avenue, a 60-foot Local Road, and will not negatively impact adjacent roadways or neighborhood traffic.

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

The building and landscaping materials used for this site are appropriate for the area and the city. Although the applicant has requested a waiver to the Title 19.12 Landscape Buffer Width requirement, the proposal does comply with the intent of the overall design standards.

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

The proposed Contractor's Plant, Shop & Storage Yard is a permissible use and is typical of the area, and will be harmonious and compatible with development in the area during the limited time of its operation.

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

The proposed development will be subject to inspection by the City and will not compromise the health, safety and welfare of the general public.

SDR-20650 - Staff Report Page Six
May 10, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 77

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-20650

Case Number: _____

APN: _____

Name of Property Owner: CHARLES F. DAVID + PENNY R. DAVID FAMILY TRUST

Name of Applicant: CHARLES F. DAVID

Name of Representative: CHARLES F. DAVID

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

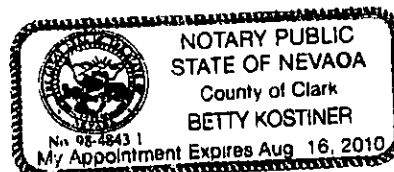
Print Name: CHARLES F. DAVID

Subscribed and sworn before me

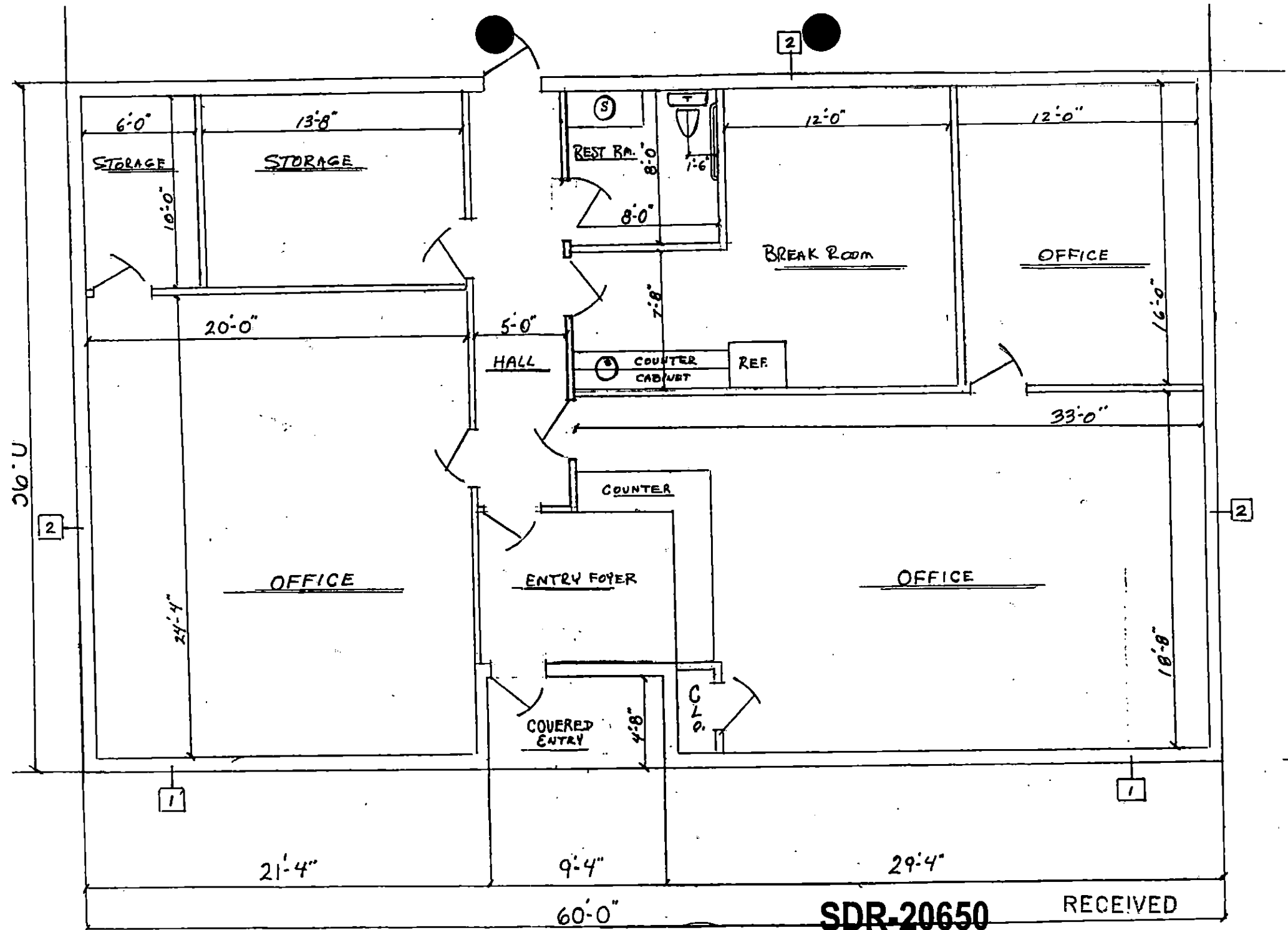
This 20th day of MARCH, 2007

Betty Kostiner

Notary Public in and for said County and State



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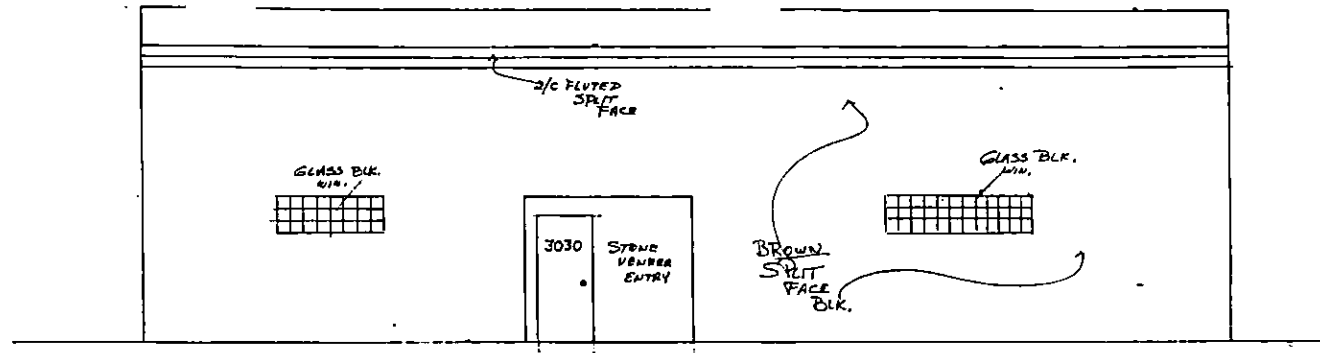


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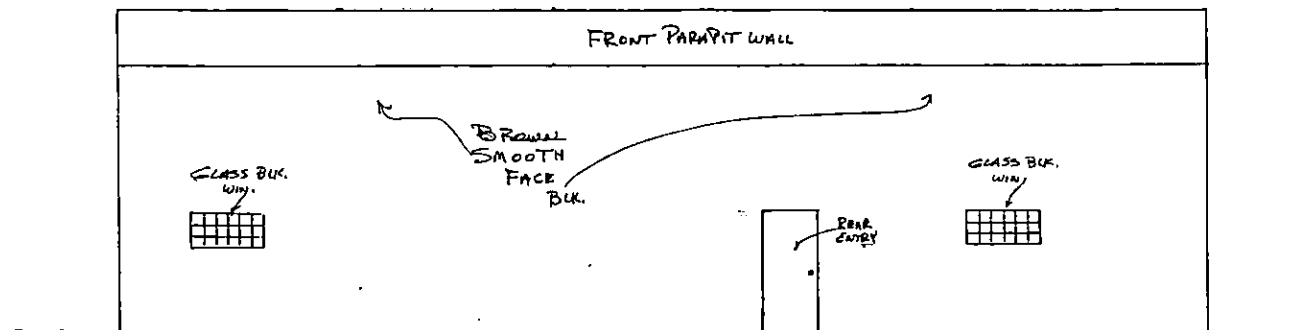
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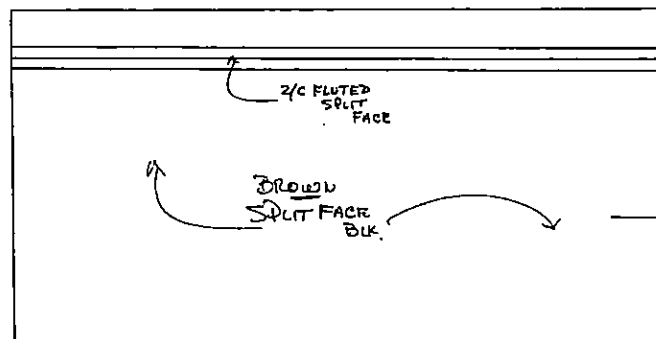
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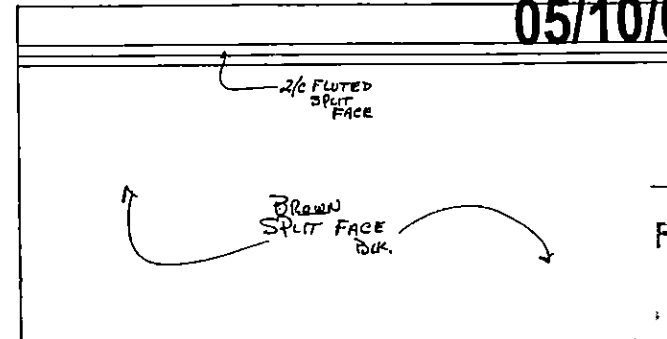
FRONT EXTERIOR ELEVATION



REAR EXTERIOR ELEVATION



RIGHT SIDE
EXTERIOR
ELEVATION



LEFT SIDE
EXTERIOR
ELEVATION

SDR-20650
05/10/07 PC

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SDR-20650

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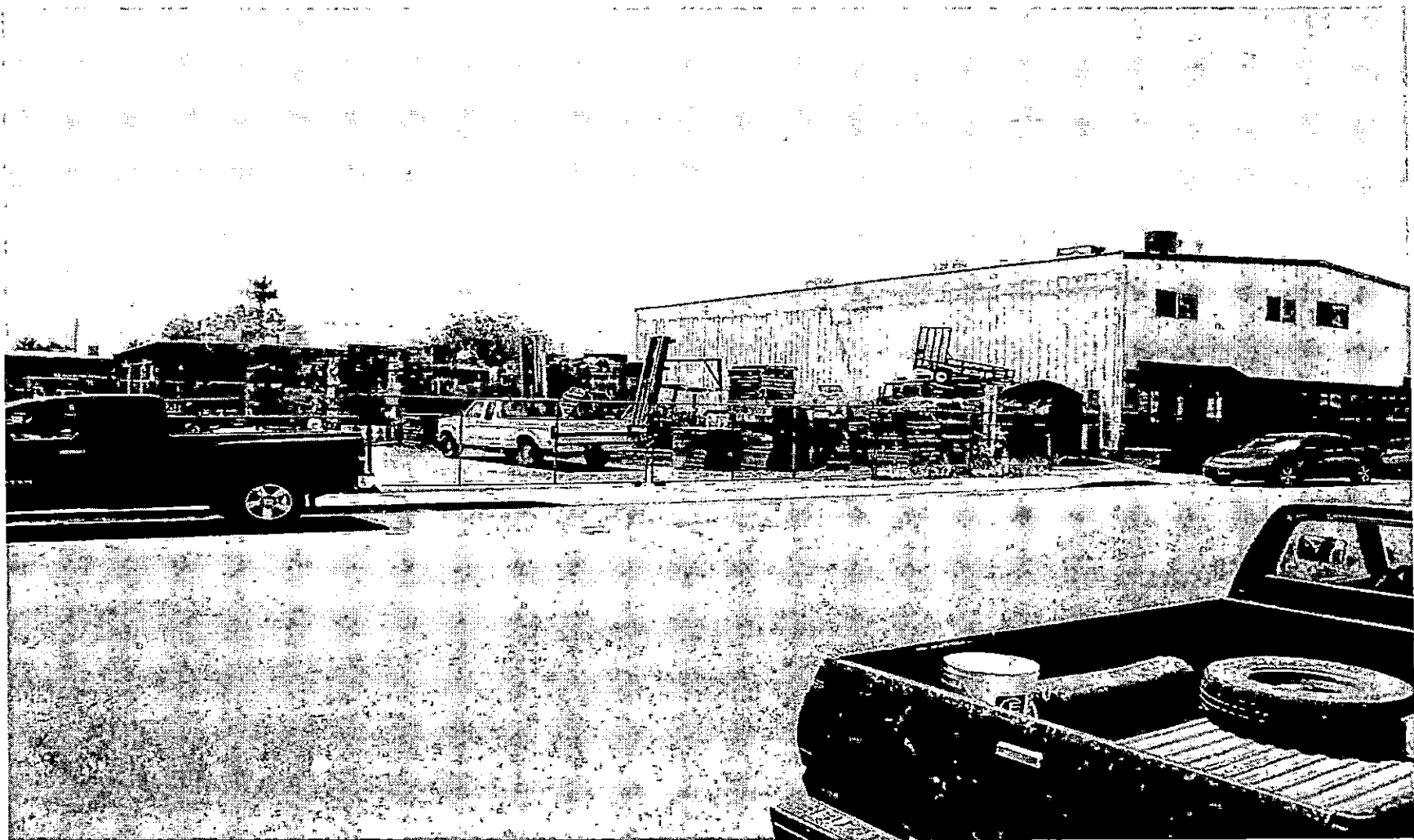
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TAN

S/F

Brown

SDR 20650				
Charles David				
3030 Builders Avenue				
Proposed 2.16 thousand square foot office building.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	2.16	11.01	24
AM Peak Hour			1.55	3
PM Peak Hour			1.49	3
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Charleston Boulevard				
Average Daily Traffic (ADT)	29,754			
PM Peak Hour	2380			
(heaviest 60 minutes)				
Mojave Road				
Average Daily Traffic (ADT)	9,261			
PM Peak Hour	741			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets: counts not available for Builders Avenue or 30th Street				
	Adjacent street ADT			
	Capacity			
Charleston Boulevard	51700			
Mojave Road	32585			
This project will add approximately 24 trips per day on Builders, Charleston, Mojave and 30th. This will increase expected volumes by less than one percent on Charleston and Mojave. Charleston is at about 58 percent of capacity and Mojave is at about 28 percent of capacity. Counts are not available for Builders or 30th, but they is believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 3 additional cars into the area; which works out to about one every twenty minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-20650 - APPLICANT/OWNER: DAVID CHARLES F & PENNYE R FAMILY TRUST
3030 BUILDERS AVENUE
MAY 10, 2007 PLANNING COMMISSION

04/25/07



SDR-20650 - APPLICANT/OWNER: DAVID CHARLES F & PENNYE R FAMILY TRUST
3030 BUILDERS AVENUE
MAY 10, 2007 PLANNING COMMISSION

04/25/07

February 27, 2007

City of Las Vegas
Development Services Center
Planning & Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Justification Letter for Site Development Plan Review
APN 139-36-810-007

To Whom it may concern,

This letter is to fulfill the justification letter requirement for the Site Development Plan Review for the above referenced property. The above referenced property is currently zoned M – Industrial District and is also designated an M zone on the current General Plan for the City of Las Vegas. The conforming use will not require a zone change.

The property is proposed to be developed as an office for the David Masonry Company as shown on the Site Plan attached to this application. The development consists of a one-story 2,160 sq. ft. building and the associated parking required for the building. The parking requirement is one (1) space for each 500 sq. ft. of building area which results in a total parking requirement of 5 spaces. As shown on the attached Site Plan, five (5) spaces (one being van accessible) are provided as required.

With this application the owner is requesting a Waiver of Development Standards for the landscape buffer along the north frontage with Builders Avenue. The Zoning Ordinance requires a 15 foot street landscape buffer at street frontages, however since the building setback is 10 feet along Builders Avenue only a 10 foot landscape buffer can be provided.

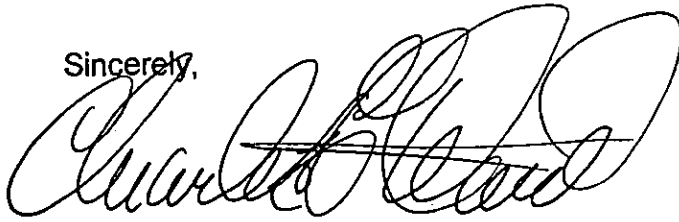
SDR-20650
05/10/07 PC

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MAY 20 2007

The applicant is also requesting a Waiver of Development Standards with regard to the 8 foot landscape requirement for interior lot lines in an industrial zone. The site is surrounded by property zoned for industrial use and no landscape buffering exists on adjacent lots. The site as designed is compatible with adjacent development and land use.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles David", written in a cursive style.

Charles David
David Masonry

SDR-20650
05/10/07 PC

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MAY 14 2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 10, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TXT-20809 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and possible action to amend the Las Vegas Medical District Plan to update the document for consistency with Title 19 requirements, clarify verbiage, and revise maps and tables to reflect current conditions.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

City Council Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

City Council Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Conditions and Staff Report
2. Supporting Documentation

MOTION:

TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be forwarded to City Council in Ordinance Form

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated the item is in order and recommended approval.

MR. RANKIN informed **COMMISSIONER TRUESDELL** that there were no land use changes within this text amendment. He explained this application would update the street layout plan and correct some minor wording.

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MINUTES – Continued:

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(10:39 – 10:40)

3-2470

CONDITIONS:

1. The APPLICABILITY section, located on page 1 of the Las Vegas Medical District Plan, is hereby amended by adding the following paragraph.

Any changes to text, uses or design standards outlined within the Las Vegas Medical District Plan shall be made in accordance with the Text Amendment process. Proposed modifications to land use designations on Map 1 of the Plan shall be processed as a General Plan Amendment (GPA), utilizing the procedures for a general plan amendment under Title 19.

2. Map 1, titled "Las Vegas Medical District Land Use Plan," located on page 9, is hereby updated to depict changes to land use within the boundaries of the Medical District (See Attachment 1).

3. The Parking Structures subsection, located on page 14, first sentence, second paragraph is hereby amended as follows:

Above-grade parking structures shall be set back a minimum of ten feet in addition to the required setback, except where desirable ground floor uses such as restaurants, retail and commercial facilities are incorporated into the first floor of the structure facing the street.

4. The Mechanical Equipment subsection, located on page 15, second paragraph, is hereby amended as follows:

Ground Level Mechanical Service Equipment: Landscaping, walls, fencing or other design treatments compatible with the finishes of the principal structures shall be used to screen from public view, service areas, mechanical equipment, air-conditioning equipment, and utility meters. New developments are required to underground all utility equipment. Any utility equipment which cannot be placed underground must be placed within the footprint of the primary structure and screened from view on all sides.

5. The Phased Development subsection, located on page 15 is hereby amended as follows:

Phasing/sequencing plans of a development project shall be addressed at the time of the Site Development Plan Review. Each phase shall attain an appearance of completeness and shall include landscaping, parking, and off-site improvements.

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CONDITIONS – Continued:

6. Map 2, titled “Streetscape and Open Spaces,” located on page 19 is hereby amended to change Tonopah Drive from a “Type B” Streetscape to a “Type A” Streetscape (See Attachment 2).
7. The Waiver subsection, located on page 25 is hereby amended to change the subsection title to “Deviations from Standards” to eliminate confusion for applicants.
8. Table 2, titled “Development Standards for New Construction,” located on page 25, note ** is hereby amended as follows:
 9. ** Mixed-Use and Multi-Family Developments are exempt from the automatic application of the mandatory maximum building height, required building setback, and maximum lot coverage listed in Table 2. Residential adjacency standards for Mixed-Use and Multi-Family Developments shall be subject to the standards set forth in Title 19.08. The Handicap Parking Requirements subsection, located on page 27, paragraph (5), is hereby amended to meet Title 19 and IBC requirements as follows:

One in every six (6) handicap spaces, but not less than one, shall be a “van accessible” space.
10. The Fences and Walls subsection, located on page 29, paragraph one (1)- Height, is hereby amended to meet Title 19 requirements as follows:
 - a. Fences and walls within the front or street side setback areas shall be a maximum of five (5) feet with the top three vertical feet open to permit visibility.
 - b. Fences and walls within all areas other than described above, shall not be higher than six (6) feet in height (except where permitted elsewhere within the LVMD Plan).
11. The Fences and Walls subsection, located on page 29, paragraph three (3)- Design, is hereby amended as follows:
 - a. All fences shall be of masonry or ornamental iron type and decorative materials such as textured block, slump block, or similar materials shall have a minimum of twenty percent contrasting material.
12. The Grading subsection, located on page 30 is hereby amended as follows:

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CONDITIONS – Continued:

A grading plan approved by the Flood Control Section of the Department of Public Works and a dust permit from the Clark County Health District are required for all grading proposed within the LVMD, in addition to meeting the requirements of Title 19.08.

13. The Sidewalks subsection, located on page 31 is hereby amended as follows:

All sidewalks within or adjacent to a public right-of-way in the LVMD are required to be ten (10) feet in width, with street trees every thirty (30) feet on center. Pedestrian walkway easements are required for those portions of the sidewalk located outside of the public street right-of-way. Encroachment agreements shall be required for all private improvements and landscaping within the public street right-of-way.

14. The Conversions subsection located on page 31, item two (2), is hereby amended as follows:

The installation and maintenance of decorative masonry wall, six (6) feet in height with a minimum of twenty percent contrasting material is required on the property line bordering and adjacent to residential zoning is required for all conversions.

15. The Parking Structures subsection, located on page 33 is hereby amended as follows:

Above-grade parking structures shall be set back a minimum of ten (10) feet in addition to the required setback, except where desirable ground floor uses such as offices, restaurants, retail and commercial facilities are incorporated into the first floor of the structure facing the street. When required, the ten foot setback shall be landscaped in accordance with the City of Las Vegas Zoning Code, Title 19, Chapter 12 as amended. Architectural features, embellishments, or decorative screening may also allow relief from this additional setback.

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MAY 10, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: TXT- 20809 - APPLICANT/OWNER: CITY OF LAS VEGAS**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**

1. The APPLICABILITY section, located on page 1 of the Las Vegas Medical District Plan, is hereby amended by adding the following paragraph.

Any changes to text, uses or design standards outlined within the Las Vegas Medical District Plan shall be made in accordance with the Text Amendment process. Proposed modifications to land use designations on Map 1 of the Plan shall be processed as a General Plan Amendment (GPA), utilizing the procedures for a general plan amendment under Title 19.

2. Map 1, titled "Las Vegas Medical District Land Use Plan," located on page 9, is hereby updated to depict changes to land use within the boundaries of the Medical District (See Attachment 1).

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Above-grade parking structures shall be set back a minimum of ten feet in addition to the required setback, except where desirable ground floor uses such as restaurants, retail and commercial facilities are incorporated into the first floor of the structure facing the street.

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Ground Level Mechanical Service Equipment: Landscaping, walls, fencing or other design treatments compatible with the finishes of the principal structures shall be used to screen from public view, service areas, mechanical equipment, air-conditioning equipment, and utility meters. New developments are required to underground all utility equipment. Any utility equipment which cannot be placed underground must be placed within the footprint of the primary structure and screened from view on all sides.

5. The Phased Development subsection, located on page 15 is hereby amended as follows:

Phasing/sequencing plans of a development project shall be addressed at the time of the Site Development Plan Review. Each phase shall attain an appearance of completeness and shall include landscaping, parking, and off-site improvements.

DJS

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6. Map 2, titled “Streetscape and Open Spaces,” located on page 19 is hereby amended to change Tonopah Drive from a “Type B” Streetscape to a “Type A” Streetscape (See Attachment 2).
7. The Waiver subsection, located on page 25 is hereby amended to change the subsection title to “Deviations from Standards” to eliminate confusion for applicants.
8. Table 2, titled “Development Standards for New Construction,” located on page 25, note ** is hereby amended as follows:
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10. The Fences and Walls subsection, located on page 29, paragraph one (1)- Height, is hereby amended to meet Title 19 requirements as follows:
 - a. Fences and walls within the front or street side setback areas shall be a maximum of five (5) feet with the top three vertical feet open to permit visibility.
 - b. Fences and walls within all areas other than described above, shall not be higher than six (6) feet in height (except where permitted elsewhere within the LVMD Plan).
11. The Fences and Walls subsection, located on page 29, paragraph three (3)- Design, is hereby amended as follows:
 - a. All fences shall be of masonry or ornamental iron type and decorative materials such as textured block, slump block, or similar materials shall have a minimum of twenty percent contrasting material.
12. The Grading subsection, located on page 30 is hereby amended as follows:

A grading plan approved by the Flood Control Section of the Department of Public Works and a dust permit from the Clark County Health District are required for all

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grading proposed within the LVMD, in addition to meeting the requirements of Title 19.08.

13. The Sidewalks subsection, located on page 31 is hereby amended as follows:

All sidewalks within or adjacent to a public right-of-way in the LVMD are required to be ten (10) feet in width, with street trees every thirty (30) feet on center. Pedestrian walkway easements are required for those portions of the sidewalk located outside of the public street right-of-way. Encroachment agreements shall be required for all private improvements and landscaping within the public street right-of-way.

14. The Conversions subsection located on page 31, item two (2), is hereby amended as follows:

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**** STAFF REPORT ****

PROJECT DESCRIPTION

Discussion and possible action to amend the Las Vegas Medical District (LVMD) Plan. The proposed amendment will update the document for consistency with Title 19 requirements, clarify verbiage, and revise maps and tables to reflect current conditions.

EXECUTIVE SUMMARY

This amendment proposes to increase the functionality of the Las Vegas Medical District Plan by maintaining consistency with Title 19 requirements and current conditions. The process for modifying or changing text, standards, or the Land Use Plan was inserted into the "Applicability" section; thereby clarifying the notification procedures. Map 1, "Las Vegas Land Use Plan," reflects changes adopted by MOD-5212, while Map 2, "Streetscape and Open Spaces," reflects the actual construction standards used within the district. Additionally, inconsistencies were corrected and current zoning code requirements were incorporated into the Plan as the requested amendments do not change the overall use or intent of the Plan, Staff recommends approval.

BACKGROUND INFORMATION

The Las Vegas Medical District Plan was adopted by the City Council on June 19, 2002, and later amended by MOD-5267 on November 17, 2004, and MOD-5212 on December 15, 2004. MOD- 5267 reduced the height and setback restrictions on mixed-used developments, listed them as a specific use on the Table of Permitted Uses, provided for the incorporation of the live/work ordinance, and clarified the Table of Permitted Uses to update terminology. MOD-5212 changed the Planned Development (PD) zoning from MD-2 (Major Medical) to MD-1 (Medical Support) at 701 Shadow Lane (APN 139-33-402-001).

The LVMD Plan does not address the process to follow if text, standards, or land use changes are requested. Map 1, titled "Las Vegas Medical District Land Use Plan," still depicts the original zoning adopted in 2002. Map 2, titled "Streetscape and Open Space," shows Tonopah Road as a Type B streetscape, even though existing and prior businesses have constructed the streetscape in accordance with the requirements of a Type A streetscape. Table 2, titled "Development Standards for New Construction," note ** informs the applicant that they are exempt from applying the standards pertaining to setbacks, lot coverage, building height, and residential adjacency standards for mixed-use and multi-family developments as outlined in Title 19. However, the LVMD Plan does not address the requirements for residential adjacency standards within the document.

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Several areas within the Plan do not correspond with other sections, causing inconsistencies in requirements. The Parking Structure section specifies requirements that differ from those listed within the Landscaping section, as does the Mechanical Equipment to the Utilities section. The section titled "Waiver" discusses deviations from standards and the application requirements, but does not address a "waiver," which is misleading to the applicant. Additionally, the Sidewalk Design section addresses requirements different from those depicted on Figures 1-5 of the Plan.

The LVMD Plan has several sections that reflect outdated Title 19 requirements. Such areas include the Phased Development, Handicap Parking, Fences and Walls, Grading, and the Conversions Sections.

ANALYSIS

The main purpose for the proposed changes to the Las Vegas Medical District Plan are to make requirements consistent with those listed in Title 19, clarify unclear language, and update tables and maps to reflect current conditions, thereby making the document easier for staff and the public to utilize.

The Plan does not address the process an applicant is required to follow to requests changes or modifications to text, standards, or the land use plan, causing variations in the types of applications utilized. This process should be added to the Applicability Section, with a new heading of "Applicability and Amendments." The zoning as illustrated on Map 1 does not reflect the changes adopted by MOD-5267, leading to staff and customers misinterpreting allowable uses. Additionally, the streetscape for Tonopah Drive as depicted on Map 2 of the Plan is incorrect. Existing and prior businesses have utilized construction standards set forth for a "Type A" streetscape, not "Type B" as currently depicted, therefore the Map needs to be amended to reflect the proper standards.

In regards to the second note (**) annotated on Table 2, it misleads an applicant by exempting the automatic application of Title 19 requirements regarding setbacks, lot size, building height, and residential adjacency standards, yet the LVMD Plan does not address all of these standards and requirements. Therefore, the note should reflect the specific exemptions as listed in Table 2, in addition to the standards subject to Title 19.

In order to reduce inconsistencies within the LVMD Plan, it is proposed that verbiage be modified to mirror standards reflected in corresponding areas such as in the Parking Structure to the Landscaping section, and Mechanical Equipment to the Utilities section. Additionally, the Fences and Walls section restricts the height of walls and fences to six (6) feet, but does not note "except as permitted elsewhere within the Plan." Since the Plan does permit fence and walls heights greater than six (6) feet in a different section of the document, this additional statement

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would reduce confusion. Another area requiring clarification within the LVMD Plan deals with Sidewalk Design. It relays different standards than those found within the illustrations of Figures 1-5 of the LVMD Plan. Furthermore, the section titled "Waiver," needs to be changed to "Deviation from Standards," since the paragraph does not address a waiver or the application requirements.

Since the inception of the LVMD Plan in 2002, the Las Vegas Zoning Code (Title 19) has received a major revision with several subsequent amendments, yet these changes have not been incorporated into the Plan. Six (6) areas within the LVMD Plan still cite outdated standards, necessitating corrections to conform to current Title 19 requirements. These areas include Phased/Sequential Developments, Handicap Parking Requirements, Walls and Fences (height and design), Conversions, and Grading permit requirements.

All requested changes and modifications to the Las Vegas Medical District Plan are incorporated into the table listed below for easier reference.

SECTION - MED DIST	EXISTING	PROPOSED
Applicability Section; Page 1	Does not include a paragraph addressing the process an applicant is required to follow to request changes to text, standards, or Land Use Plans	Add a paragraph addressing the process to request changes to text, standards, or the Land Use Plan. Additionally, title the section APPLICABILITY AND AMENDMENTS
Map 1: Land Use Designation, Page 9	Map depicting land use designations within the Medical District does not match current zoning	Amend Map 1 to incorporate changes approved by MOD-5267
Urban Design Standards Section: Parking Structures, Page 14	Requirements do not match those indicated within the Landscaping section, located on page 33	Change the requirements for Parking Structures to mirror those indicated within the Landscaping section
Urban Design Standards Section: Mechanical Equipment, Page 15	Requirements do not match those indicated within the Utilities section, located on page 21	Change the requirements for Mechanical Equipment to mirror those indicated within the Utilities section
Urban Design Standards Section: Phased Development, Page 15	The requirements of Title 19.06.040 pertaining to a phased/sequenced development is not addressed in this section	Insert Title 19 requirements regarding addressing phased or sequenced developments within a Site Development Plan review.
Map 2: Streetscape and Open Spaces, Page 19	The Map depicts Tonopah Drive as a "Type B" streetscape	Change Tonopah Drive to reflect a "Type A" Streetscape since has been the standard for existing and prior businesses

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SECTION- LV MED DIST.	EXISTING	PROPOSED
Urban Design Standards Section: Waiver, Page 25	Paragraph discusses applicants who deviate from the standards require a variance and processed according to Title 19	Change "Waiver" to "Deviation from Standards," since the terminology is misleading to an applicant
Table 2: Development Standards for New Construction, Page 25, Note **	Note refers to standards listed only in Title 19	Change 'Note' to refer to the standards listed in Table 2 and those subject to Title 19 requirements
Urban Design Standards: Handicap Parking Requirements, Page 27	Item 5, indicates that one in every eight (8) handicap spaces must be van accessible	Insert current Title 19 requirements by changing item 5 to "one in every six (6) handicap spaces must be van accessible."
Urban Design Standards: Fence and Wall, Page 29	Item 1a: requires walls and/or fences within the front or street side setback area to be no more than four (4) feet above grade, with the top two (2) feet at least 50 percent open	Insert current Title 19 requirements by amending the wall and fence height
	Item 1b: does not allow wall and fence heights to exceed six (6) feet.	Item should be rephrased to add "except as otherwise permitted within the Plan."
	Item 3a: addresses the types and materials that should be used in walls and fences	Insert current Title 19 requirements by adding to the end of the sentence "have a minimum of twenty (20) percent contrasting material."
Urban Design Standards: Grading, Page 30	Only approval by Flood Control at the Department of Public Works and a dust permit from the Clark County Health District are required for grading plans	Add "in addition to meeting the requirements of Title 19.08" to the end of the sentence.
Urban Design Standards: Sidewalk Design, section (b), Page 31	Sidewalks within or adjacent to a public right-of-way can be either ten (10) feet in width, with street trees every thirty (30) feet on center or six (6) feet in width with a four (4) foot landscape planter between the curb sidewalk	Delete the six (6) feet in width with four (4) foot landscape planter between the curb sidewalks. This requirement is not depicted on any design standard illustrated on Figures 1-5 of the Plan

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SECTION-19 YIELD DISC	EXISTING	PROPOSED
Urban Design Standards: Conversions, Page 31	Item 2: details the installation and maintenance requirements for masonry walls on a property line bordering and adjacent to residential zoning	Insert Title 19 requirements by adding the statement that decorative walls must have a minimum of twenty (20) percent contrasting material.

RECOMMENDATION

The proposed amendments will achieve the following:

- The standards will be modified to be consistent with previous approvals and consistent with building and zoning code requirements.
- Maps will depict accurate information, providing a reliable source document for staff and customers to utilize when deciding on a course of action.
- Tables within the document will be properly aligned and explain exceptions, thereby assisting staff and customers in easily referencing requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT

N/A

SENATE DISTRICT

N/A

NOTICES MAILED

NEWSPAPER ONLY

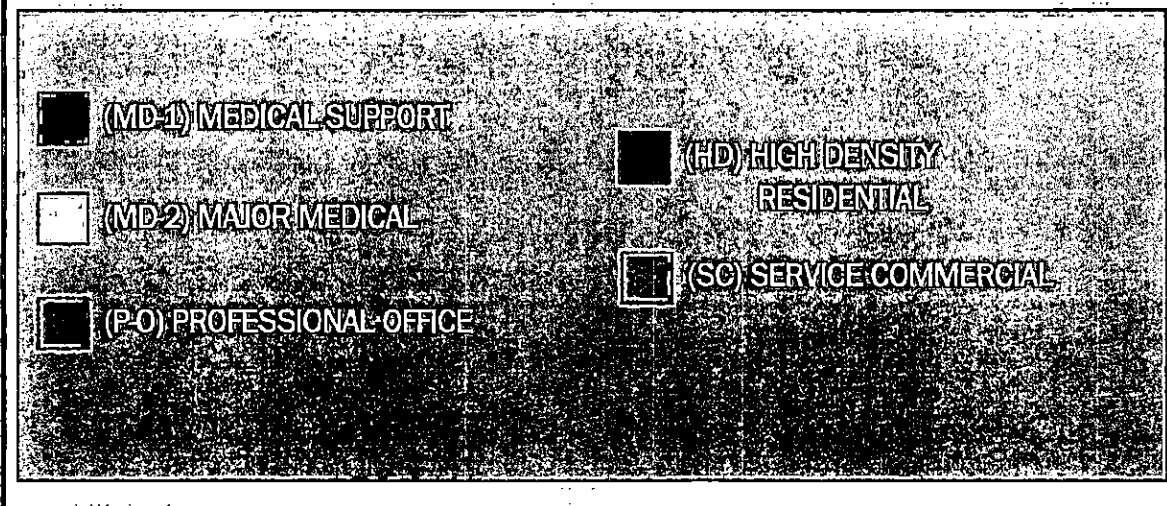
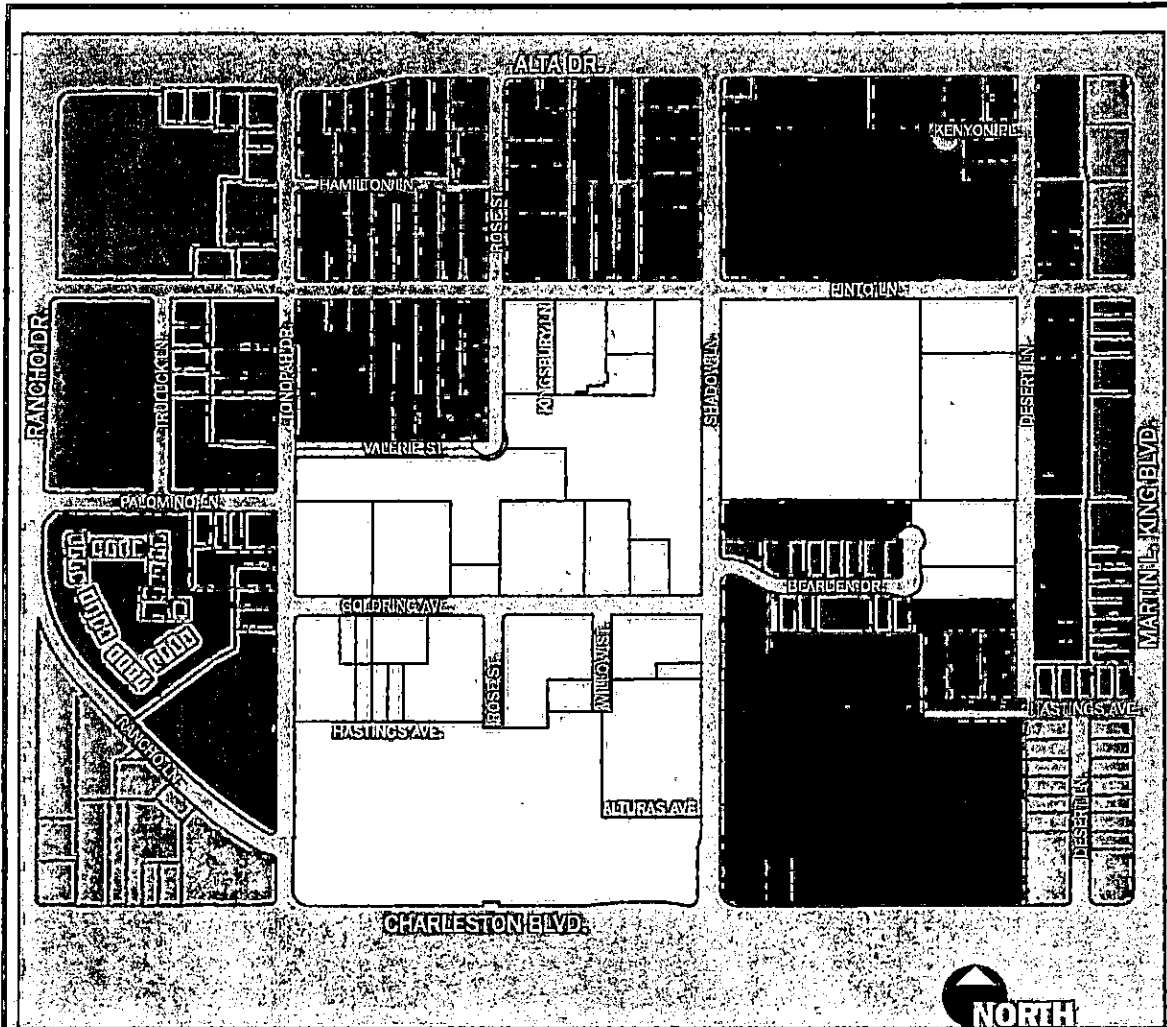
APPROVALS

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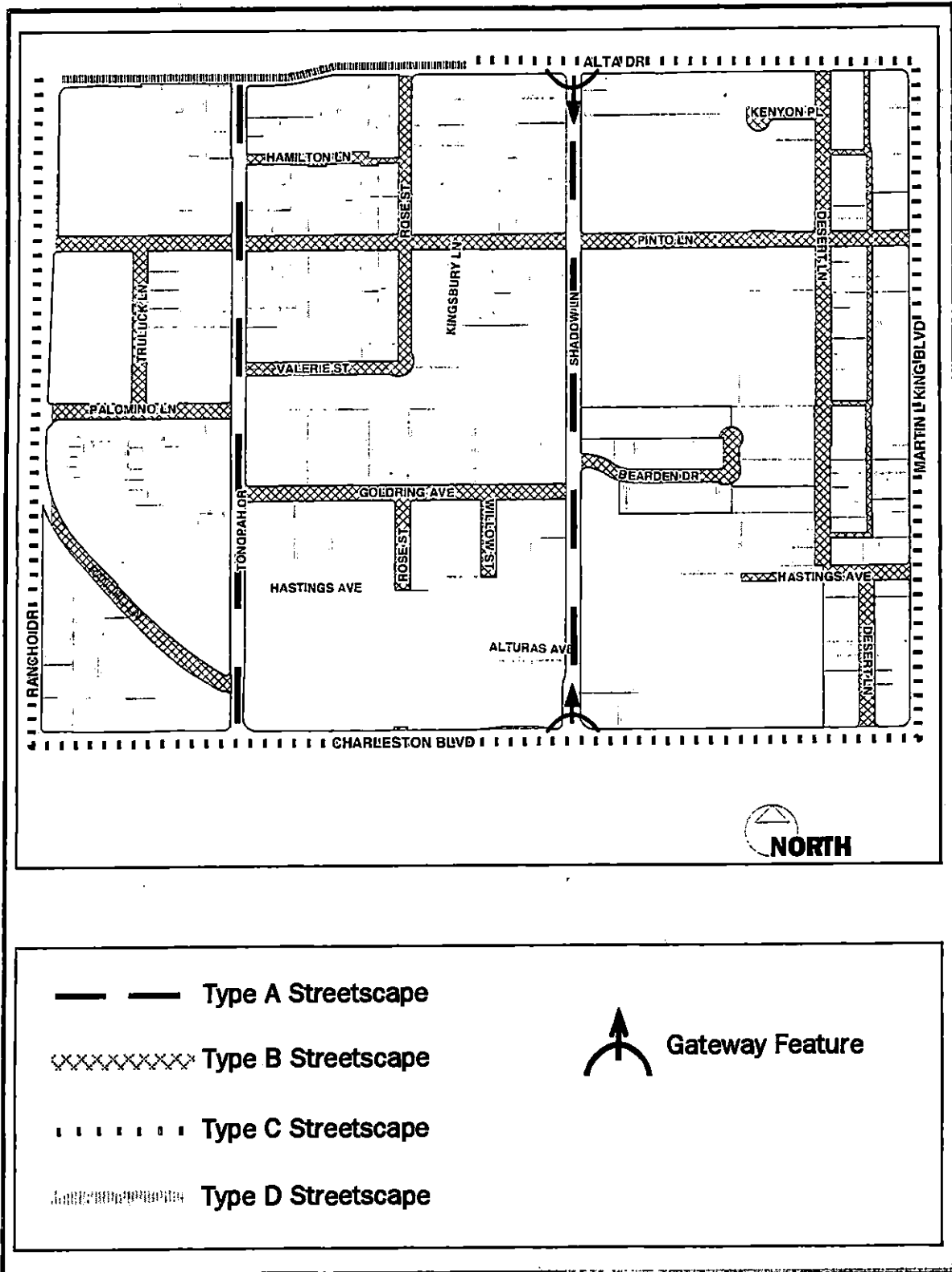
PROTESTS

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Las Vegas Medical District Land Use Plan



Streetscape and Open Spaces



CITY COUNCIL AGENDA
PLANNING COMMISSION MEETING OF: MAY 10, 2007

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE CITY COUNCIL AGENDA CANNOT BE ACTED UPON BY THE CITY COUNCIL UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

NONE

MEETING ADJOURNED AT 10:40 P.M.

Respectfully submitted:

YDOLEENA YTURRALDE, DEPUTY CITY CLERK

CARMEL VIADO, DEPUTY CITY CLERK