

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 16, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
REZONING

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

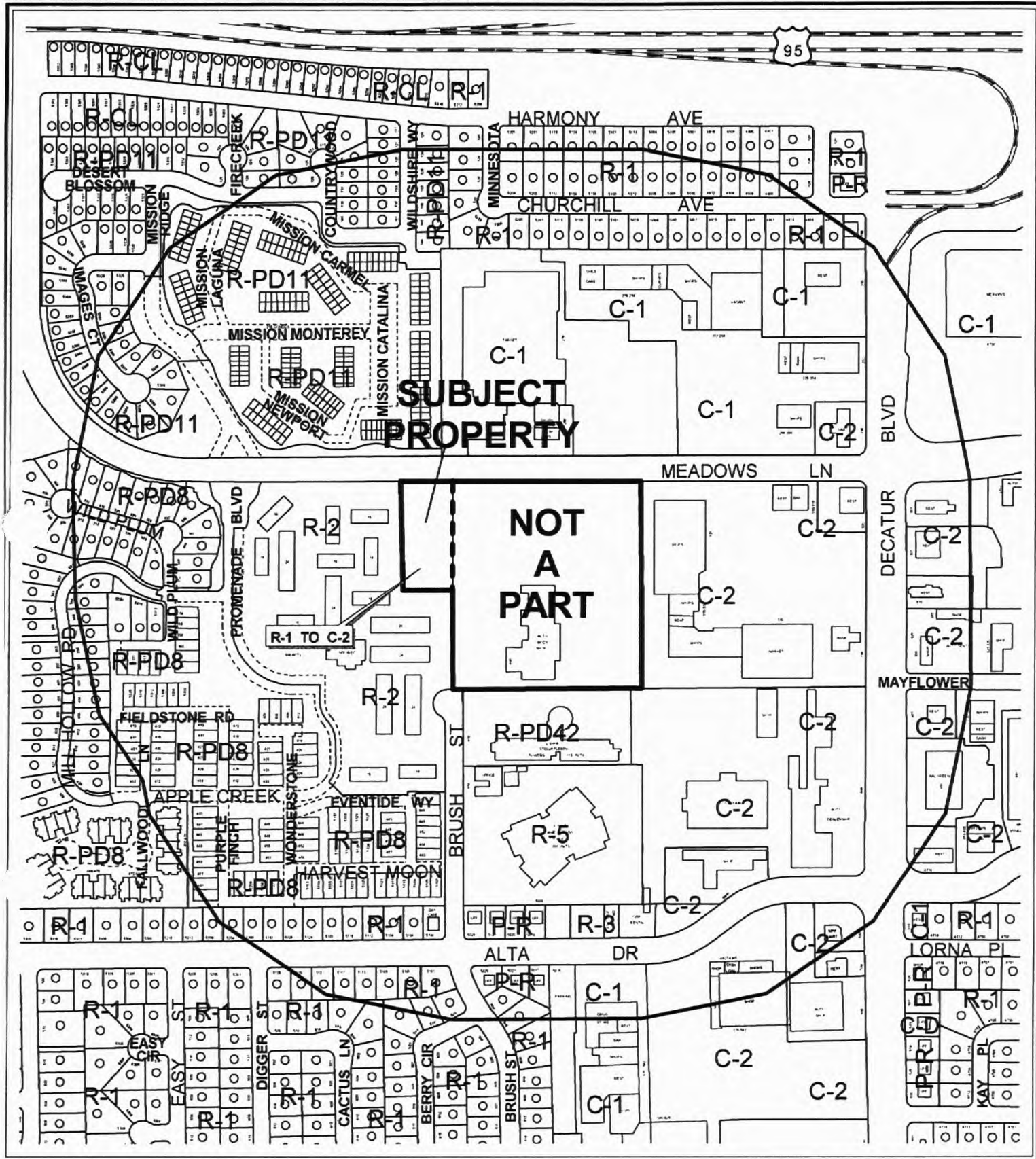
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised Site Plan dated 04-13-07
6. Hearing request by Jones Vargas
7. Submitted after final agenda – Abeyance request by Jones Vargas for Item 122
8. Backup referenced from the 02-22-07 Planning Commission Meeting Item 20

Motion made by GARY REESE to Hold in Abeyance Items 64, 114-117, 122, 134-139, 157, 162, 164 and 167-170 to 6/06/2007; Items 155, 156, 163, 165 and 166 to 6/20/2007; Strike Item 106; Table Items 111-113; and Withdraw Without Prejudice Item 158

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

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

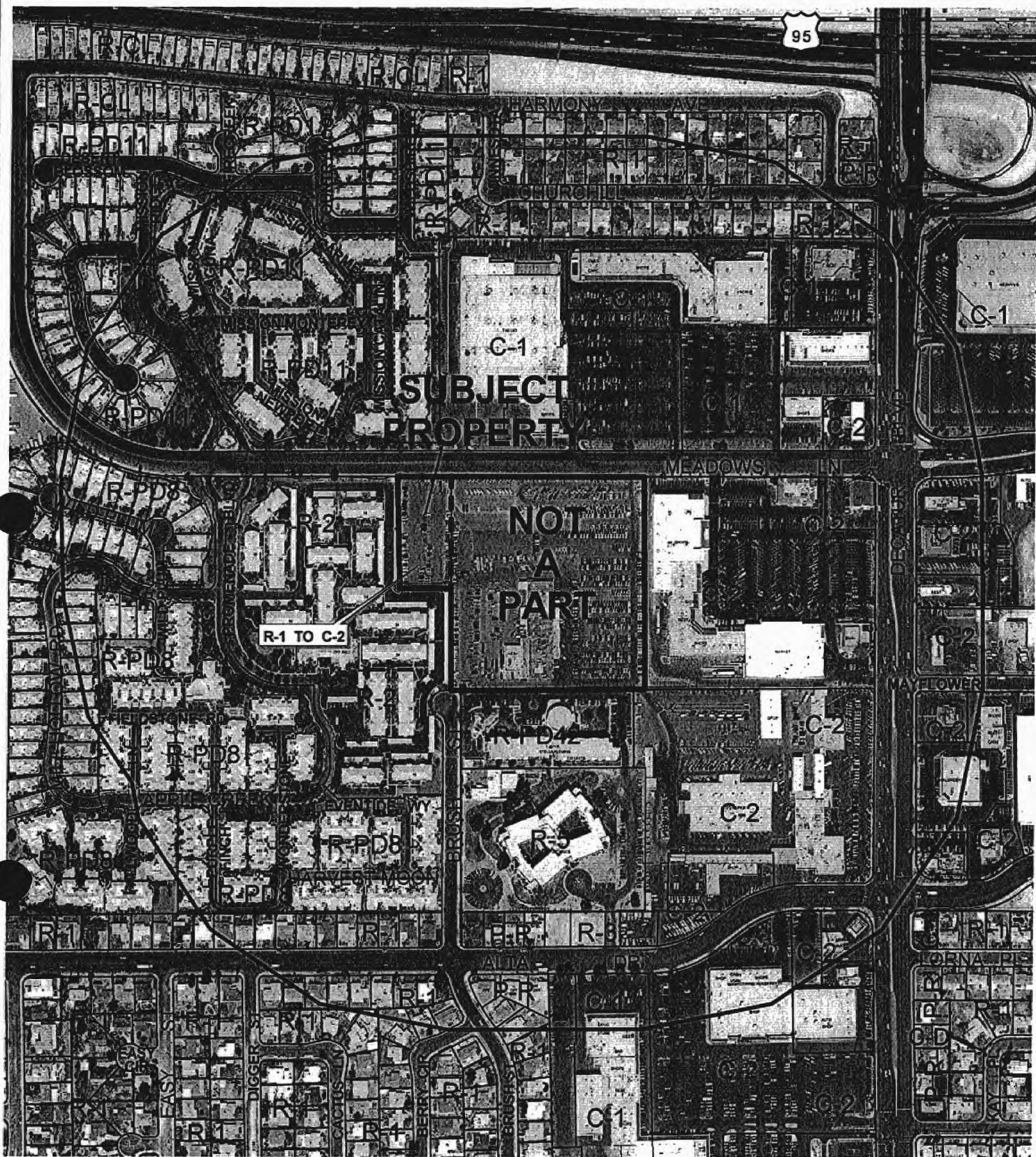


CASE: **ZON-18208**

RADIUS: 1000 FT

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

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



CASE: ZON-18208

RADIUS: 1000 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - ZON-18208 - APPLICANT: FLETCHER JONES
MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST

THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 2, 2007 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILWOMAN TARKANIAN.

**** CONDITIONS ****

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

Planning and Development

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

Public Works

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

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

BACKGROUND INFORMATION

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

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

Related Building Permits/Business Licenses

None

Pre-Application Meeting

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

Neighborhood Meeting

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

Details of Application Request

Site Area

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

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

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

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

DEVELOPMENT STANDARDS

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

ANALYSIS

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 300 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Fletcher Jones, Sr. Trust

Name of Applicant: Fletcher Jones Management Group, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner:

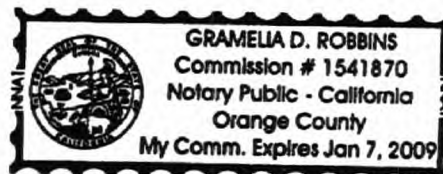
Print Name: Fletcher Jones, Jr.

Subscribed and sworn before me

This 2nd day of Nov., 2006
Orange Co., CA.

Notary Public in and for said County and State

Gramelia D. Robbins



JONES VARGAS

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

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

WWW.JONESVARGAS.COM

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

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

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

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

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

BRIAN J. MATTER
EXECUTIVE DIRECTOR

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

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

November 7, 2006

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

HAND DELIVERED

RE: Justification Letter – Rezoning

Dear Planning and Development Department:

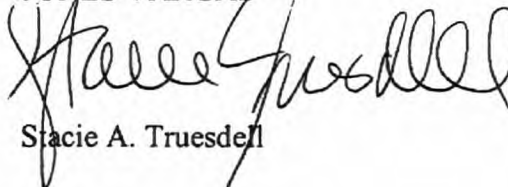
Enclosed is an application for a Rezoning of a portion of the approximately 9.34 acres located at 400 S. Decatur Blvd., south of Meadows Lane (APN 138-36-601-002) (the "**Property**") submitted by Fletcher Jones Management Group, Inc. (the "**Applicant**").

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

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

Very truly yours,

JONES VARGAS



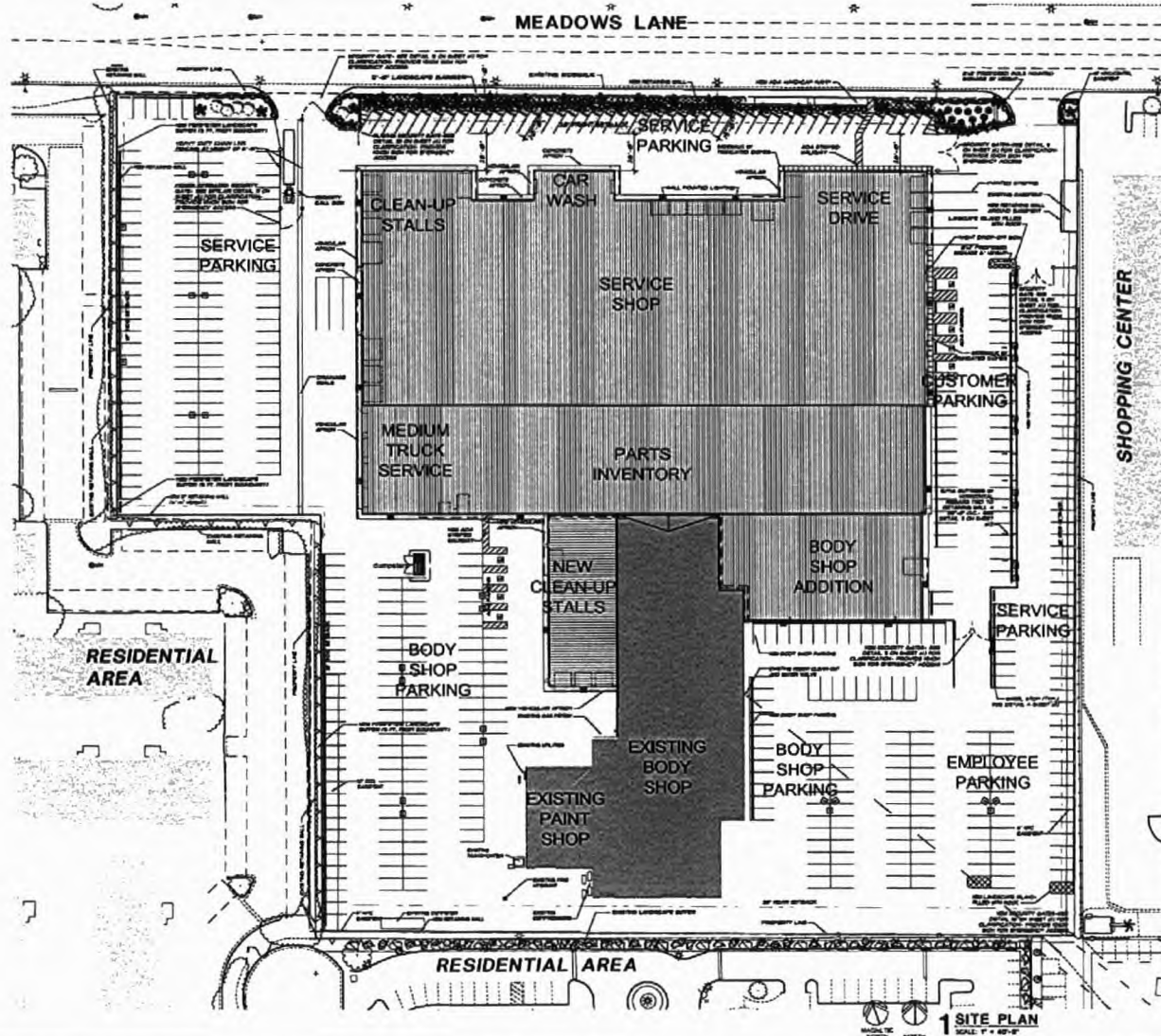
Stacie A. Truesdell

ST
Enclosures.

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

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

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



FORM: PARKING ANALYSIS			
TOTAL NUMBER OF PARKING SPACES REQUIRED: 111 IN 200 OF SPA	MIN. NUMBER OF ACCESSIBLE PARKING SPACES	MIN. # OF UNACCESSIBLE PARKING SPACES W/IN 10' OF ACCESSIBLE	MIN. # OF ACCESSIBLE PARKING SPACES W/IN 10' OF ACCESSIBLE
774	5	5	5
TOTAL NUMBER OF PARKING SPACES PROVIDED	ACCESSIBLE PARKING SPACES PROVIDED	UNACCESSIBLE PARKING SPACES W/IN 10' OF ACCESSIBLE	ACCESSIBLE PARKING SPACES W/IN 10' OF ACCESSIBLE
108	1	1	1

NOTE: PARKING AND LANDSCAPE SURVEY IN PROGRESS OF WORK ON 10/20/07

F.A.A. ANALYSIS

EXISTING BUILDING: 37,000 SQ. FT.
TOTAL EXPANSION: 123,000 SQ. FT.
NEW: 400,000 SQ. FT.
FLOOR AREA: 17,200-123,000 SQ. FT.

ADDITIONS:

P.L. PROPERTY LINE

LEGEND

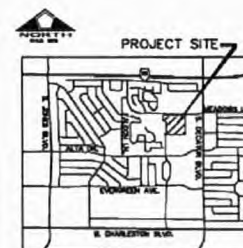
PROPERTY LINE

NEW SOURCE

VEHICULAR FLUX

EXISTING BUILDING

LANDSCAPE BLANK



color legend:

RESIDENTIAL YELLOW

NEW TRUCK SERVICE

EXISTING BODY SHOP

EXISTING PAINT SHOP

EXISTING PEOPLE

PUBLIC AREA



2 COLORED SITE PLAN

SCALE 1" = 60'-0"

copyrighted document

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

DAVID ZENNER A.I.A.

208 Market Street, N.W.
Atlanta, Georgia 30318
(404) 581-4325 fax (404) 581-4177

ALTERATIONS AND ADDITIONS TO:

BILL HEARD LAS VEGAS CHEVROLET

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

RECEIVED

APR 13 2007

ISSUANCES:

Revised Site Plan 02-28-07

Revised Site Plan 03-02-07

PROJECT NO. 18208

DATE: 02-28-07

DESIGNED BY: [blank]

CHECKED BY: [blank]

DATE: 03-02-07

a.1

PROPOSED SITE PLAN

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

PRELIMINARY- NOT FOR CONSTRUCTION

JONES VARGAS

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

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

WWW.JONESVARGAS.COM

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

MICHAEL G. ALONSO
ANN MORGAN
R. DOUGLAS KURDZIEL
KRIS T. BALLARD
WILLIAM C. DAVIS, JR.
KARL L. NIELSON
PATRICK A. ROSE
PATRICK J. SHEEHAN
TONY F. SANCHEZ III
CLARK V. VELLIS
JOHN P. DESMOND
SCOTT M. SCHOENWALD
CONSTANCE L. AKRIDGE
EDWARD M. GARCIA
TAMARA BEATTY PETERSON
ELIZABETH M. FIELDER

MARIA-NICOLLE BERINGER
WHITNEY D. BOCCHI
MEGAN BARKER BOWEN
LOUIS M. BUBALA III
ADAM K. BULT
DAVID A. CARROLL
ERIN E. DART
TRACY A. DIFILLIPPO
KATHLEEN L. FELLOWS
WILLIAM D. GREENLEE, JR.
RYAN W. HERRICK
BRIAN R. IRVINE
KIRK D. KAPLAN
MICHAEL A. KELLER
BENJAMIN W. KENNEDY
WAYNE O. KLUMP
CURT R. LEDFORD

DARREN J. LEMIEUX
LINDA P. MCKENZIE*
MATTHEW T. MILONE
CHRISTOPHER C. MONEY
RICHARD A. RAWSON
MOLLY MALONE REZAC
JOHN P. SANDE, IV
BRETT J. SCOLARI
BRADLEY SCOTT SCHRAGER
STEVEN G. SHEVORSKI
TIFFANY J. SWANIS
STACIE A. TRUESDELL
JESSE A. WADHAMS
CHRISTINA H. WANG
GORDON H. WARREN
ANDREW WONG

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

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

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

BRIAN J. MATTER
EXECUTIVE DIRECTOR

April 3, 2007

Hand Delivered

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

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

Dear City Clerk:

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

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

Very truly yours,

JONES VARGAS



Kathleen L. Fellows

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

RECEIVED
CITY CLERK
2007 APR - 3 A 8:41

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

*LICENSED IN ARIZONA ONLY

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

4/25/07 #79-82

JONES VARGAS

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

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

WWW.JONESVARGAS.COM

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

MICHAEL G. ALONSO
ANN MORGAN
R. DOUGLAS KURDZIEL
KRIST T. BALLARD
WILLIAM C. DAVIS, JR.
KARL L. NIELSON
PATRICK A. ROSE
PATRICK J. SNEEHAN
TONY F. SANCHEZ III
CLARK V. VELLIS
JOHN P. DESMOND
SCOTT M. SCHOENWALD
CONSTANCE L. AKRIDGE
EDWARD M. GARCIA
TAMARA BEATTY PETERSON
ELIZABETH M. FIELDER

CLIFFORD A. JONES (1912 - 2001)
GEORGE L. VARGAS (1909 - 1985)
JOHN C. BARTLETT (1910 - 1982)
LOUIS MEO DIXON (1918 - 1993)
GARY T. FOWEMASTER (1953 - 1998)

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

MARIA-NICOLLE BERINGER
WHITNEY D. BOCCHI
MEGAN BARKER BOWEN
LOUIS M. SUBALA III
ADAM K. BULT
DAVID A. CARROLL
ERIN E. DART
TRACY A. DIPILLIPPO
KATHLEEN L. FELLOWS
WILLIAM D. GREENLEE, JR.
RYAN W. MERRICK
BRIAN R. IRYNE
KIRK D. KAPLAN
MICHAEL A. KELLER
BENJAMIN W. KENNEDY
WAYNE D. KLONP
CURT R. LEDFORD

DARREN J. LEMIEUX
DIANE J. MARKERT
LINDA P. MCKENZIE
MATTHEW T. MILONE
CHRISTOPHER C. MONEY
RICHARD A. RAWSON
NOLLY MALONE REZAC
JOHN P. BANDE, IV
BRETT J. SCOLANI
BRADLEY SCOTT SCHRAGER
STEVEN G. SHEVORSKI
TIFFANY J. SWANIS
STACIE A. TRUEDELL
JESSE A. WADHAMS
CHRISTINA H. WANG
GORDON M. WARREN
ANDREW WONG

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

BRIAN J. MATTER
EXECUTIVE DIRECTOR

May 15, 2007

Via Facsimile: (702) 382-4803

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

Re: Request to hold application ZON-18208 until June 6, 2007

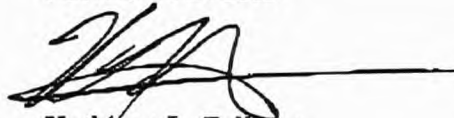
Dear City Clerk:

Please be advised that this firm represents Fletcher Jones Management Group, Inc. (the "Applicant") with respect to application ZON-18208. The Applicant respectfully requests that ZON-18208 be held until the June 6, 2006 City Council meeting so that the Applicant can address some outstanding issues. This application is item 122 on the May 16, 2007 City Council meeting agenda.

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

Very truly yours,

JONES VARGAS


Kathleen L. Fellows

RECEIVED
CITY CLERK
2007 MAY 15 P 4:24

RENO OFFICE
100 WEST LIBERTY STREET, TWELFTH FLOOR, RENO, NEVADA 89504 TEL (775) 786-9000 FAX (775) 786-1177
*LICENSED IN ARIZONA ONLY

Submitted after final agenda

Date 5/15/07 Item # 122

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

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

February 16, 2007

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

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

Dear Mr. Reed,

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

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

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

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

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

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

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

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

Sincerely,

Don and Pam Gaines

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

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

February 21, 2007

Via Fax No. 702-385-7268 & Mail

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

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

Dear Honorable Planning Commission Members:

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

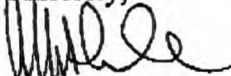
First, we would like to inform you that we have never been contacted by the Applicant or any of their representatives to see if we have any questions or concerns with their proposed project across the street. We have seen the staff report for the first time only a few hours ago.

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

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

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

Sincerely,



Albert Cohen

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

February 22, 2007

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

Via Fax No. 702-385-7268 & Mail

8 702-474-0352

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

Dear Honorable Planning Commission Members:

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

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

Sincerely,


Albert Cohen

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

GENERAL PLAN AMENDMENT

GPA-20175 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST - Request to amend a portion of the Southeast Sector Plan of the Master Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 0.54 acres on property located on the north side of Alta Drive, approximately 500-feet west of Decatur Boulevard, (APN 138-36-713-028 and 138-36-713-029) Ward 1 (Tarkanian). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Justification Letter

Motion made by LOIS TARKANIAN to Approve Subject to Conditions

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

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

NOTE: MAYOR GOODMAN abstained, as he leases his vehicle from this dealership.

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Items 123 and 124.

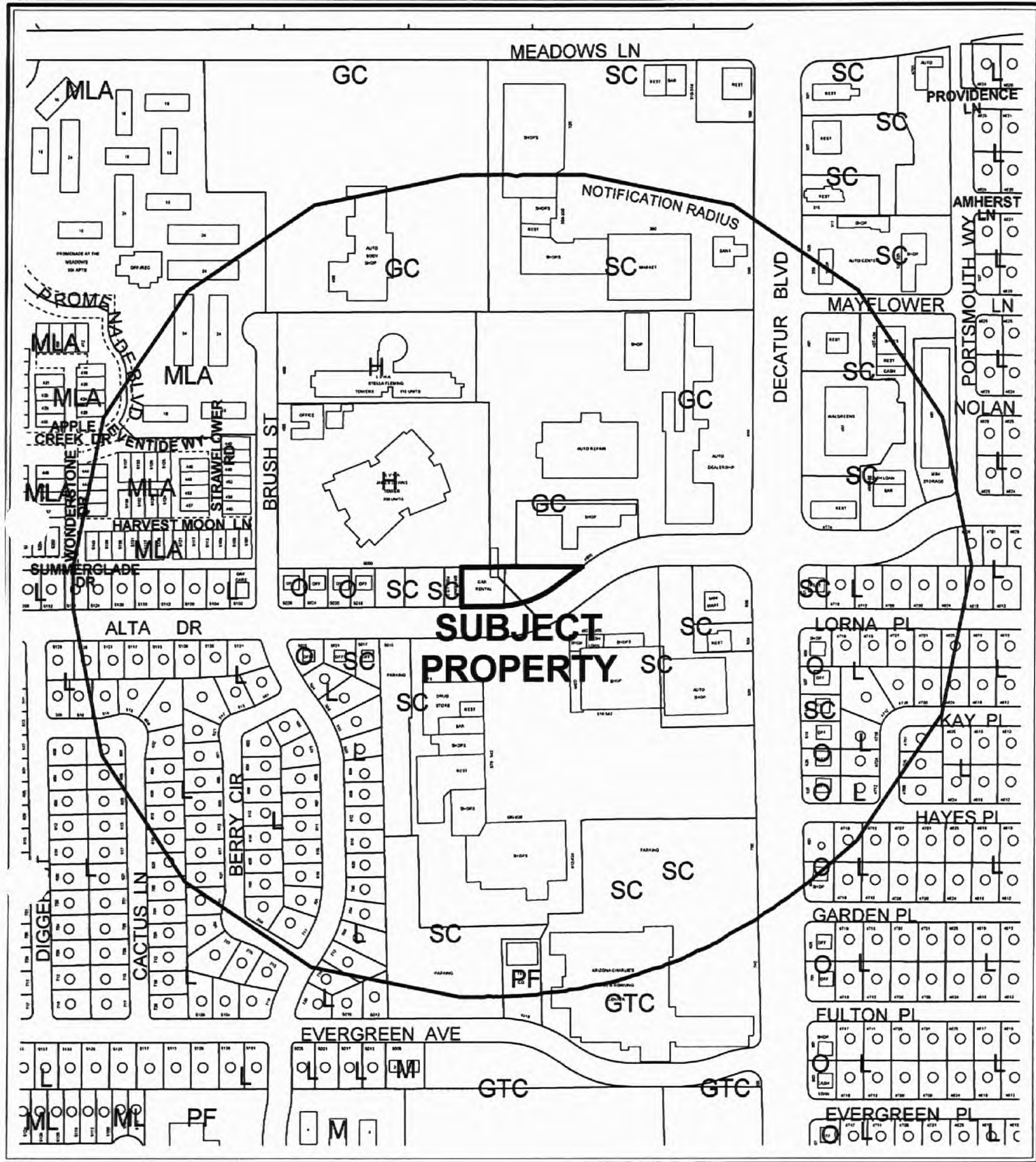
KATIE FELLOW, 3773 Howard Hughes Parkway, appeared on behalf of the applicant and stated the subject two parcels comprise a very small portion of the car dealership. The goal is to bring these two parcels into conformance with the current use of the property.

CITY COUNCIL MEETING OF: MAY 16, 2007

COUNCILWOMAN TARKANIAN emphasized that this is a clean-up item to bring the entire site under the C-2 zoning and there are no changes. Future changes will be brought up and discussed beforehand with the area residents at a meeting.

Seeing no one present to speak, MAYOR PRO TEM REESE declared the Public Hearing closed on Items 123 and 124.





CASE: GPA-20175

RADIUS: 1000 FT

GENERAL LAND USE OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED LAND USE OF SUBJECT PROPERTY:

GC (GENERAL COMMERCIAL)

0 500 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: GPA-20175 - APPLICANT: FLETCHER JONES MANAGEMENT
GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST**

**** CONDITIONS ****

The Planning Commission (5-0-1/rt vote) and staff recommend APPROVAL

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application seeks to change the General Plan land use designation from SC (Service Commercial) to GC (General Commercial) on two separate parcels generally located on the north side of Alta Drive, west of Decatur Boulevard. These parcels are currently used as a part of an existing automobile dealership.

Parcel APN:138-36-713-029 maintains the proper zoning category of C-2 (General Commercial); however, parcel APN:138-36-713-028 is currently zoned R-3 (Multi-Family Residential). A request for a Rezoning from R-3 (Multi-Family Residential) to C-2 (General Commercial) has been filed in conjunction with this amendment request to change the existing zoning category.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/14/65	The City Planning Commission approved the Rezoning (Z-0058-65) of property legally described as the south 660 feet of the east 756 feet of the northeast half of section 36, Township 20 South, Range 60 MDB&M, and generally located on the northwest corner of Alta Drive and Decatur Boulevard from R-1 (Single Family Residential) to C-2 (General Commercial)
12/04/74	The City Council approved a request for Rezoning (Z-0049-74) on property generally located between Brush Street and South Decatur Boulevard, approximately 700 feet north of Alta Drive from R-1 (Single Family Residential) to C-2 (General Commercial) for the parking and storage of vehicles
03/21/07	The City Council tabled a request for a Rezoning (ZON-19129), Site Development Plan Review (SDR-18206) and Special Use Permit (SUP-19129).
04/12/07	The Planning Commission voted 5-0-1/rt to recommend APPROVAL (PC Agenda Item #48/lhm). The Planning Commission recommended approval of companion item ZON-19128 concurrently with this application.
<i>Related Building Permits/Business Licenses</i>	
10/03/01	Business License #A16-00136: "Bill Heard Chevrolet" For Auto Sales & Service. <u>NOTE</u> : This license is addressed to 444 S. Decatur Boulevard and is located on a separate parcel.
<i>Pre-Application Meeting</i>	
02/08/07	The applicant met with staff regarding the amendment of two parcels of an existing automobile dealership. The applicant was informed that both parcels require a Master Plan category of GC (General Commercial) to allow the proper zoning district of C-2. Applicant intends to remap lots via a Merger and Re-subdivision map and create a one lot commercial subdivision.

Neighborhood Meeting	
03/15/07	LV Municipal Golf Course, 4300 W. Washington-Meeting was held at 5:30pm with no members of the public attending. Applicant may hold another meeting at the end of the month.

Details of Application Request	
Site Area	
Gross Acres	0.55

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Lot for Automobile Dealership	SC (Service Commercial)	R-3 (Medium Density Residential)
North	James Downs Tower (Senior Apts)	H (High Density Residential) & GC (General Commercial)	R-5(Apartment) C-2 (General Commercial)
South	Alta Drive / Offices and Retail	SC (Service Commercial)	C-1 (Limited Commercial)
East	Parking Lot for Automobile Dealership	GC (General Commercial)	C-2 (General Commercial)
West	Undeveloped	SC (Service Commercial)	R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O Airport Overlay District (175 Feet)	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

A-O Airport Overlay District

The subject site is not affected by the 200-foot height restriction.

DEFINITIONS

SC (*Service Commercial*) The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and do that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The Service Commercial category may also allow mix-use development with a residential

GC (*General Commercial*) The General Commercial category generally allows retail, service, wholesale, office and other general business uses of a more intense commercial character. These uses may include outdoor storage or display of products or parts, noise, and lighting or other characteristics not generally considered compatible with adjoining residential areas without significant transition. Examples include new and used car sales, recreational vehicle and boat sales, car body and engine repair shops, mortuaries, and other highway uses such as hotels, motels, apartment hotels and similar uses. The General Commercial category allows Service Commercial uses, and may also allow mixed-use development with a residential component where appropriate.

ANALYSIS

The proposed land-use designation change is on two of five parcels which comprise an existing automobile dealership. The property is currently used as a part of a parking lot extending from the property to the east with a portion of an office structure located at the northwest end of APN: 138-36-713-028. The adjacent parcels already carry the General Commercial land-use designation. The change in the General Plan would allow the parcel to be rezoned to C-2 (General Commercial) to bring the site into compliance with the adjacent parcels, so the five parcels may be remapped as a one-lot commercial subdivision.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

- 1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

The intensity of the General Commercial land-use designation is considered appropriate for this location. A portion of the north side and the entire eastern boundary of the property is adjacent to C-2 (General Commercial) zoned parcels.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

The zoning designations that would be allowed by the proposed General Plan Amendment would be appropriate for the area and allow the property to be rezoned to C-2 in conformance with the current use of the property as part of the existing automobile dealership.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

Site access is provided for via Alta Drive by cross-access agreements off of drive ways through the adjacent property to the east. As the two lots of this proposal are part of an anticipated 5-lot remapping of a single commercial subdivision with no anticipated construction, staff reasonably expects no change to site access, utilities, or any public facilities other than the status quo.

4. **The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.**

The proposed amendment to General Commercial conforms to the current use of a Motor Vehicle dealership. Since there is no proposed construction affiliated with this project, there is no anticipated change to the existing use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

14

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 229 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-20175** APN: 138-36-713-028 and 029

Name of Property Owner: Fletcher Jones, Sr. Trust

Name of Applicant: Fletcher Jones Management Group, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

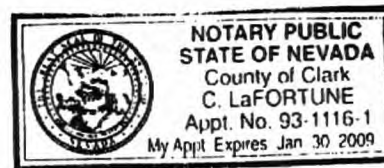
Signature of Property Owner:

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

Subscribed and sworn before me

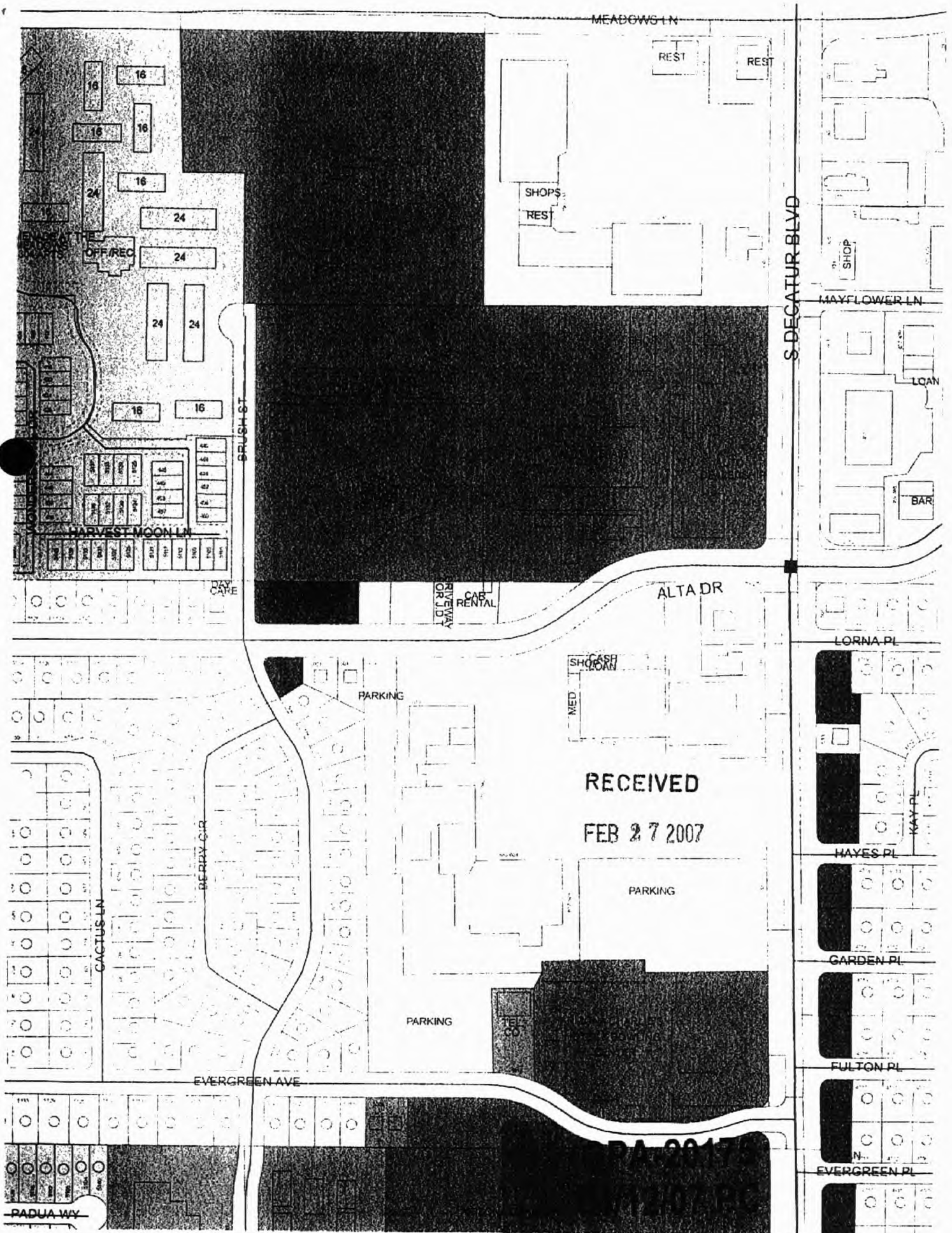
This 21 day of Feb, 2007

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



RECEIVED

FEB 27 2007



RECEIVED

FEB 27 2007

PARKING

PARKING

EVERGREEN AVE

PADUA WY

PA 001

JONES VARGAS

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

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

WWW.JONESVARGAS.COM

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

MICHAEL G. ALONSO
ANN MORGAN
R. DOUGLAS KUROSZIEL
KRIST T. BALLARD
WILLIAM C. DAVIS, JR.
KARL L. NIELSON
PATRICK A. ROSE
PATRICK J. SHEEHAN
TONY F. SANCHEZ III
CLARK V. VELLIS
JOHN P. DESMOND
SCOTT M. SCHOENWALD
CONSTANCE L. AKRIDGE
EDWARD M. GARCIA
TAMARA BEATTY PETERSON
ELIZABETH M. FIELDER

MARIA-NICOLLE BERINGER
WHITNEY D. BOCCHI
MEGAN BARKER BOWEN
LOUIS M. BUBALA III
ADAM K. BULT
DAVID A. CARROLL
ERIN E. DART
TRACY A. DIFILLIPPO
KATHLEEN L. FELLOWS
WILLIAM D. GREENLEE, JR.
RYAN W. HERRICK
BRIAN R. IRVINE
KIRK D. KAPLAN
MICHAEL A. KELLER
BENJAMIN W. KENNEDY
WAYNE O. KLUMP
CURT R. LEDFORD
DARREN J. LEMIEUX

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

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

BRIAN J. MATTER
EXECUTIVE DIRECTOR

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

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

February 26, 2007

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

HAND DELIVERED

RE: Justification Letter – General Plan Amendment

Dear Planning and Development Department:

Enclosed is an application for a General Plan Amendment of approximately .54 acres located at 400 S. Decatur Blvd., north of Alta Ave. (APN 138-36-713-028 and 029) (the "**Property**") submitted by Fletcher Jones Management Group, Inc. (the "**Applicant**").

APN 138-36-713-028

APN 138-36-713-028 ("**Parcel 1**") is zoned R-3 (Limited Multiple Residence District) and designated SC (Service Commercial) under the General Plan. The Applicant requests to amend the General Plan designation for Parcel 1 from SC to GC (General Commercial) in conjunction with an application to rezone Parcel 1 to C-2 (General Commercial) because the current use and zoning designation for Parcel 1 do not currently comply with the General Plan designation.

APN 138-36-713-029

APN 138-36-713-029 ("**Parcel 2**") is zoned C-2 and designated SC under the General Plan. The Applicant requests to amend the General Plan designation for Parcel 2 from SC to GC because the General Plan designation does not comply with the current use and zoning designation for Parcel 2.

The Property is currently operated as part of the Bill Heard Dealership (the "**Dealership**"). The Dealership is comprised of five parcels, including Parcel 1 and Parcel 2. The Applicant requests to amend the General Plan designation for the Property so that the Applicant may re-map the entire Dealership into one parcel. In order to accomplish this all parcels must be zoned C-2 and designated GC under the General Plan.

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

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

**GPA-20175
04/12/07 PC**

RECEIVED

FEB 27 2007

The General Plan Amendment is appropriate for the following reasons:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations. Under the General Plan, the property to the north of the Property is primarily designated GC with a portion designated H (High Density Residential, Greater than 25 du/ac). The property to the west, east, and south is all designated SC under the General Plan.
2. The zoning designations allowed by the proposed amendment will be compatible with the existing land uses or zoning districts because the Property is currently part of the Dealership and has been operating as such for an extended number of years.
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses permitted by the proposed General Plan designation because the Property has been used as part of the Dealership for an extended number of years.
4. The proposed amendment conforms to other applicable adopted plans and policies because it is in the best interests of the public to have zoning in compliance with the General Plan. The amendment is therefore appropriate because it promotes the objectives of the General Plan.
5. The Property has been operating as part of the Dealership concurrently with the surrounding land uses for a number of years despite the current General Plan designation.

The proposed General Plan Amendment will make revitalization of the Dealership more efficient if the Dealership encompasses only one parcel rather than five. Moreover, the General Plan Amendment is appropriate because the Applicant does not intend to change the current use or intensity of the use on the Property.

Thank you for your consideration of this request. Please contact me at (702) 863-3306 if you have any questions or comments.

Very truly yours,

JONES YARGAS



Katie Fellows

Enclosures

GPA-20175
04/12/07 PC

RECEIVED
FEB 27 2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

REZONING RELATED TO GPA-20175

ZON-19128 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST - Request for a Rezoning FROM R-3 (MEDIUM DENSITY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL) on 0.26 acres on property located on the north side of Alta Drive, approximately 600-feet west of Decatur Boulevard (APN 138-36-713-028), Ward 1 (Tarkanian). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

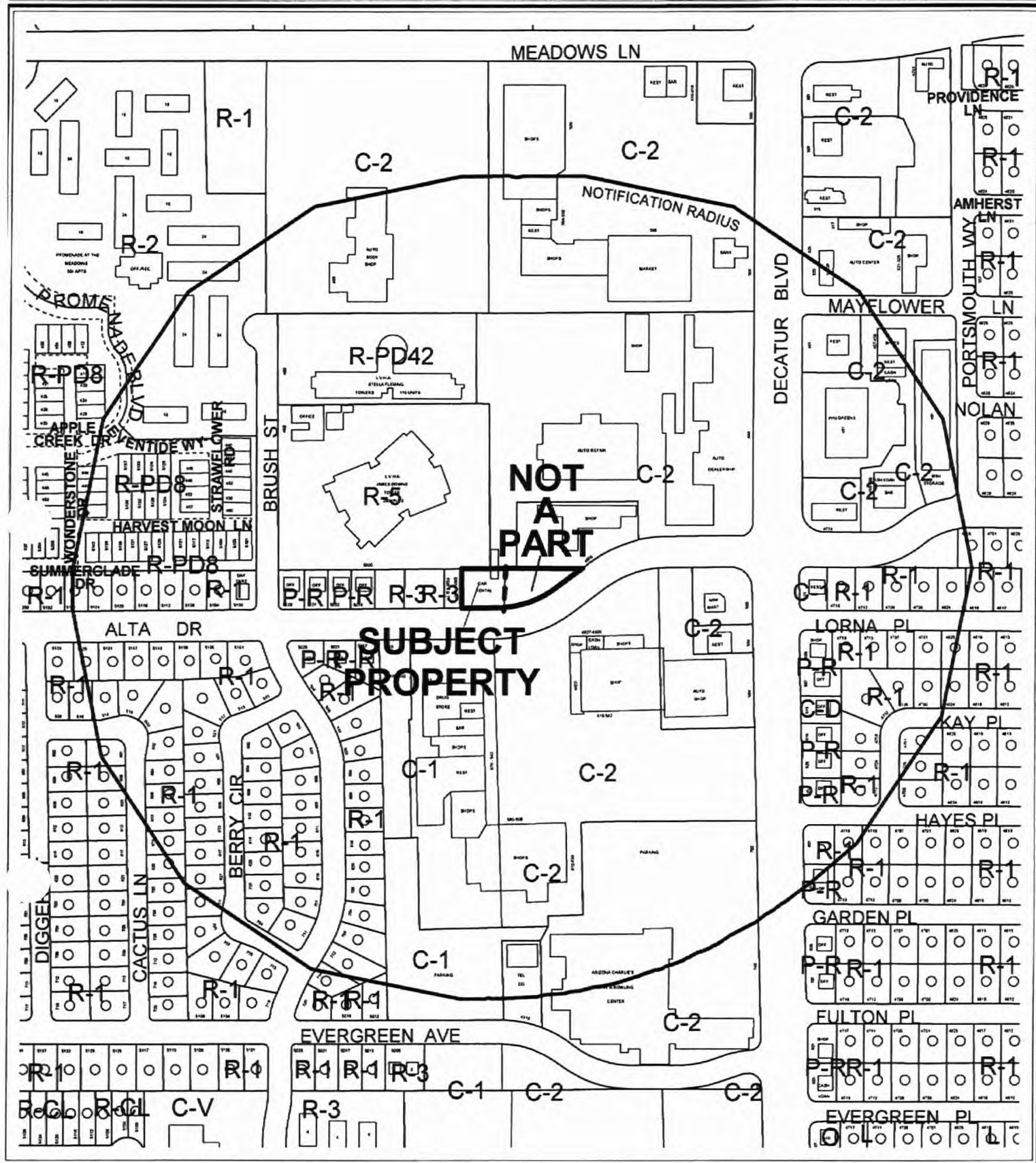
Motion made by LOIS TARKANIAN to Approve Subject to Conditions

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

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

Minutes:

See Item 123 for related discussion.



CASE: **ZON-19128**

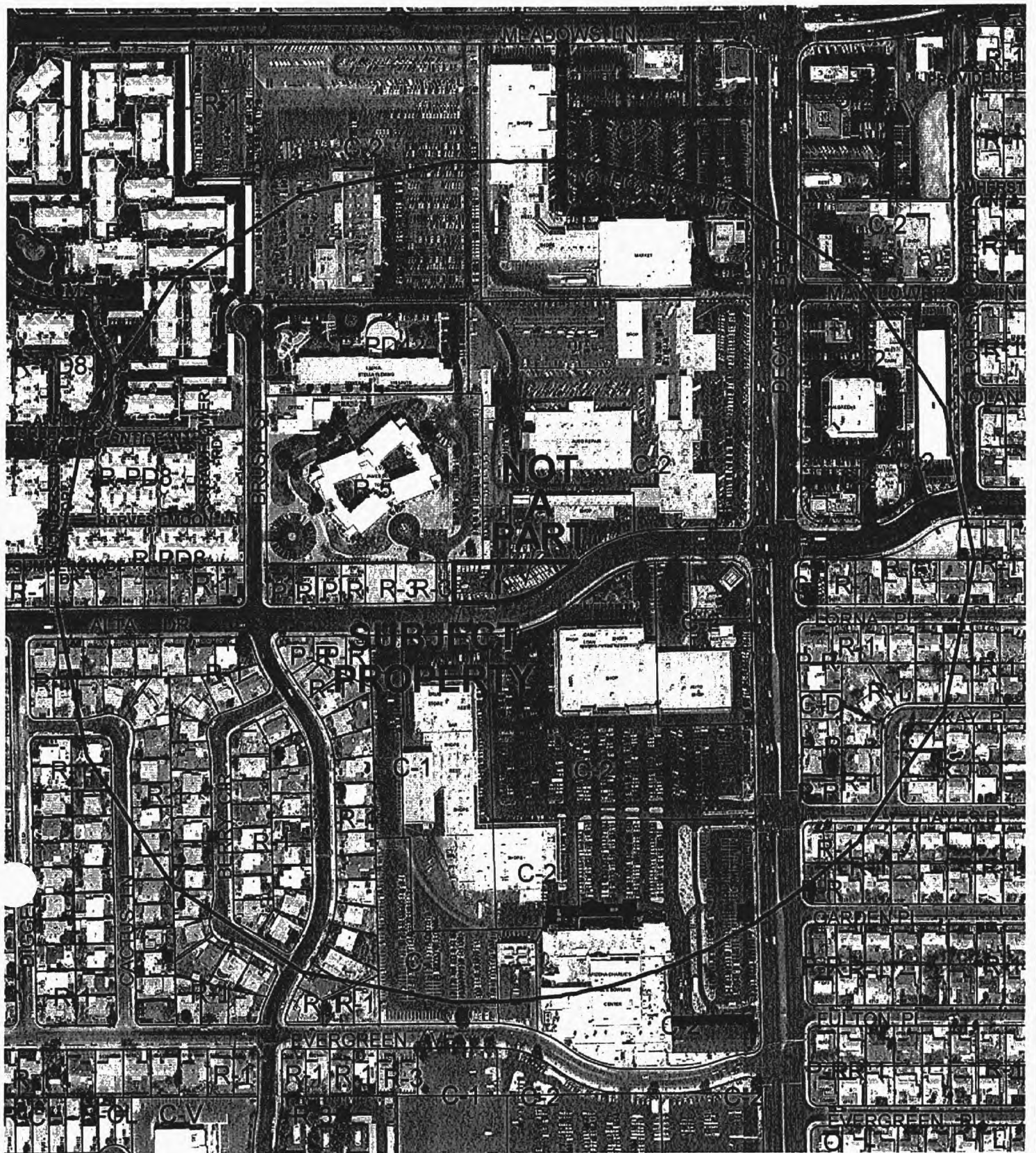
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

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

0 500 Feet





CASE: **ZON-19128**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

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

0 500 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-19128 - APPLICANT: FLETCHER JONES
MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST**

**** CONDITIONS ****

The Planning Commission (5-0-1/rt vote) and Staff recommend APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-20175) to a GC (General Commercial) land use designation approved by the City Council.
2. The Recordation of an appropriate map to create one lot or an administrative joining consolidating the five associated parcels on the site prior to issuance of any building or grading permits.
3. A Resolution of Intent with a two-year time limit is hereby granted.

Public Works

4. 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, the issuance of any building or grading permits, or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Rezoning from the R-3 (Medium-Density Residential) zoning District to the C-2 (General Commercial) zoning District on a 0.25 acre parcel located on the north side of Alta Drive, west of Decatur Boulevard. This parcel is currently operated as a part of an existing automobile dealership. The dealership consists of five parcels, which the applicant seeks to remap as a one-lot commercial subdivision.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
4/12/61	The Board of Commissioners of the City of Las Vegas approved the Rezoning (Z- 53-60) of Lots 3 through 7, Block 1, of Charleston Heights #7 from R-4 (High Density Residential) to R-3 (Medium Density Residential).
10/14/65	The City Planning Commission approved the Rezoning (Z-0058-65) of property legally described as the south 660 feet of the east 756 feet of the northeast half of section 36, Township 20 South, Range 60 MDB&M, and generally located on the northwest corner of Alta Drive and Decatur Boulevard from R-1 (Single Family Residential) to C-2 (General Commercial)
04/12/07	The Planning Commission voted 5-0-1/rt to recommend APPROVAL (PC Agenda Item #49/lhm). The Planning Commission recommended approval of companion item GPA-20175 concurrently with this application.
<i>Related Building Permits/Business Licenses</i>	
10/03/01	Business License #A16-00136: "Bill Heard Chevrolet" For Auto Sales & Service. <u>NOTE</u> : This license is addressed to 444 S. Decatur Boulevard and is located on a separate parcel.
<i>Pre-Application Meeting</i>	
02/08/07	The applicant met with staff regarding the requirements for Rezoning APN 138-36-713-028 require a Master Plan category of GC (General Commercial) to allow the proper zoning district of C-2. Applicant intends to remap lots via a Merger and Re-subdivision map and create a one lot commercial subdivision.
<i>Neighborhood Meeting</i>	
03/15/07	LV Municipal Golf Course, 4300 W. Washington-Meeting was held at 5:30pm with no members of the public attending. Applicant may hold another meeting at the end of the month.

Details of Application Request	
Site Area	
Net Acres	0.25 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Lot for Automobile Dealership	SC (Service Commercial)	R-3 (Medium Density Residential)
North	James Downs Tower (Senior Apts)	H (High Density Residential) & GC (General Commercial)	R-5(Apartment) C-2 (General Commercial)
South	Alta Drive / Offices and Retail	SC (Service Commercial)	C-1 (Limited Commercial)
East	Parking Lot for Automobile Dealership	GC (General Commercial)	C-2 (General Commercial)
West	Undeveloped	SC (Service Commercial)	R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	NA
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O Airport Overlay District (175 Feet)	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

A-O Airport Overlay District

The subject site is not affected by the 200-foot height restriction.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	NA		NA
Min. Lot Width	100 feet	107 feet	Y
Min. Setbacks			
• Front	20 feet	75 feet	Y
• Side	10 feet	25 feet	Y
• Corner	15 feet	NA	NA
• Rear	20 feet	0 feet	N
Max. Lot Coverage	50%	5%	Y
Max. Building Height	NA	15 feet	Y
Trash Enclosure	Screened & Covered	None shown	NA
Mech. Equipment	Screened & Covered	None shown	NA

Pursuant to Title 19.08.060, the following standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	15		Y
Adjacent development matching setback	5 feet	0 feet	N
Trash Enclosure	50 feet from residential property	N/A	NA

ANALYSIS

- General Plan/ Land Use**

The property currently is currently categorized under the SC (Service Commercial) General Plan designation. Under the current land use hierarchy listed in the *Las Vegas Master Plan 2020: Land Use Element*, the SC land use category does not allow for the C-2 (General Commercial) Zoning District –a prerequisite for the Motor Vehicle Sales (New) use. The applicant has been operating this use as a legally licensed nonconforming use for over 40 years and has requested a General Plan Amendment in addition to this request for Rezoning as part of an overall effort to remap all five lots as a single commercial subdivision.

In addition to the requested General Plan Amendment and Rezoning applications at hand, additional applications for a Rezoning, Special Use Permit, Variance, and Site Development Review have been previously requested. These items have not received final action in efforts to coordinate all related requests at one time.

Staff supports this series of requested actions as it will remedy multiple administrative issues regarding the existing Motor Vehicle Sales use that covers over 19.5 acres.

- **Zoning**

The subject property is currently a non-conforming use, zoned R-3 (Multi-Family Residential), but operating as a part of an existing Motor Vehicle Sales use based out of the 444 South Decatur address. The applicant has made a request to amend the General Plan category to GC (General Commercial) which will allow for the subject property to be properly Rezoned to the C-2 (General Commercial) Zoning district. The applicant has applied for a Rezoning (ZON-19129), Site Development Plan Review (SDR-18206) and Special Use Permit (SUP-19129) on adjacent properties. The applicant intends to remap the five separate parcels into a one-lot commercial subdivision.

- **Chapter 19.16 Nonconforming Uses and Structures**

There is currently a non-conforming structure that is situated less than three feet from the western property line. According to the Clark County Assessor's office, this structure was built in 1964 and is assessed against the parcel (APN 138-36-601-006) located to the north of this property. The structure is approximately 1,000 square feet, approximately 15-feet tall, and is constructed of cinderblock painted blue and white. As the applicant has not made any statements regarding either expanding or redeveloping this non-conforming structure, or any other portion of this lot, and there is no anticipated changes regarding the current use staff has no objection to the request to rezone this property to the C-2 (General Commercial) Zoning District.

FINDINGS

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

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

With approval of the requested General Plan Amendment (GPA-20175) from the SC (Service Commercial) land use designation to the GC (General Commercial) land use designation of the General Plan, the proposed C-2 (General Commercial) zone will be consistent with the existing Motor Vehicle Sales (New) use.

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

The proposed Rezoning is not expected to pose any changes other than to administratively correct the existing non-conforming use. Furthermore, the requested General Plan Amendment to the GC (General Commercial) land use designation and a Rezoning to the appropriate C-2 (General Commercial) zoning district, will allow for the proper remapping of a single commercial subdivision to occur.

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

The Rezoning of this subject parcel to the C-2 (General Commercial) zoning District will allow the existing use to be consistent with the requirements of Title 19.04. This Rezoning will allow this property, along with four other associated parcels, to be properly mapped as a single commercial subdivision.

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

No changes in the existing access are anticipated since no additional services or buildings have been proposed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

14

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 229 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON 19128 APN: 138-36-601-002

Name of Property Owner: Fletcher Jones, Sr. Trust

Name of Applicant: Fletcher Jones Management Group, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: [Signature]

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

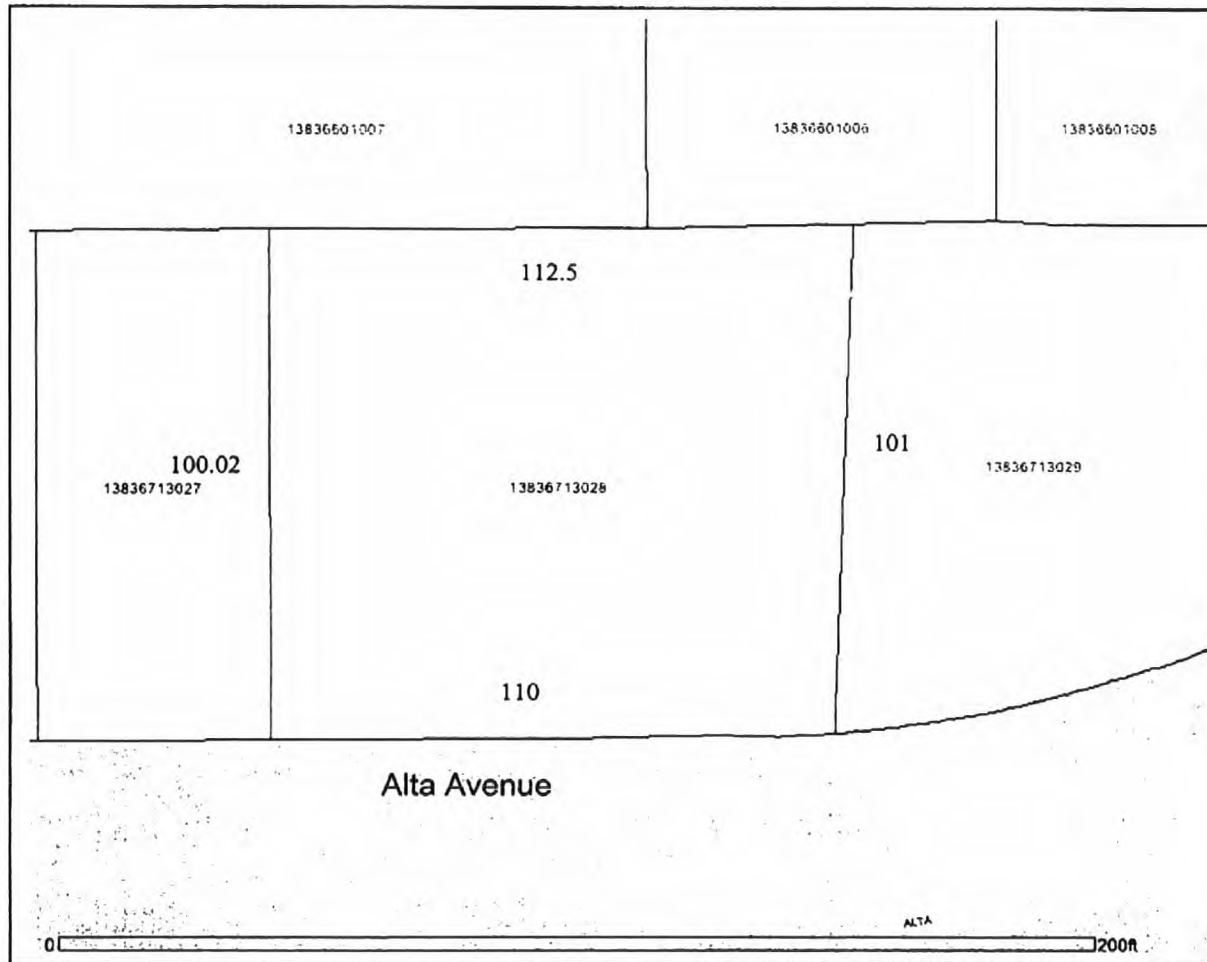
Subscribed and sworn before me

This 9 day of January, 2007

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



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



SITE DATA:

APN: 138-36-713-028

Zoning: R-3

General Plan: SC

Acreage: 0.26 acres



RECEIVED

JAN 10 2007

SITE PLAN

ZON-19128
04/12/07 PC



GPA-20175 AND ZON-19128 - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER:
FLETCHER JONES, SR. TRUST
NORTH SIDE OF ALTA DRIVE, APPROXIMATELY 500-FEET WEST OF DECATUR BOULEVARD,
APRIL 12, 2007 PLANNING COMMISSION

03/12/07



GPA-20175 AND ZON-19128 - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER:
FLETCHER JONES, SR. TRUST
NORTH SIDE OF ALTA DRIVE, APPROXIMATELY 500-FEET WEST OF DECATUR BOULEVARD,
APRIL 12, 2007 PLANNING COMMISSION

03/12/07

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

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

JONES VARGAS

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

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

WWW.JONESVARGAS.COM

MARIA-NICOLLE BERINGER
WHITNEY D. BOCCI
LOUIS M. BUBALA III
ADAM K. BULT
DAVID A. CARROLL
ERIN E. DART
TRACY A. DIFILLIPPO
KATHLEEN L. FELLOWS
ELIZABETH M. FIELDER
WILLIAM D. GREENLEE, JR.
RYAN W. HERRICK
BRIAN R. IRVINE
KIRK D. KAPLAN
MICHAEL A. KELLER
BENJAMIN W. KENNEDY
WAYNE O. KLOMP
CURT R. LEDFORD
DARREN J. LEMIEUX
DIANE J. MARKERT

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

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

BRIAN J. MATTER
EXECUTIVE DIRECTOR

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

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

January 9, 2007

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

HAND DELIVERED

RE: Justification Letter – Rezoning

Dear Planning and Development Department:

Enclosed is an application for a Rezoning of the approximately 0.26 acres located at 400 S. Decatur Blvd., south of Meadows Lane (APN 138-36-713-028) (the “**Property**”) submitted by Fletcher Jones Management Group, Inc. (the “**Applicant**”).

The Property is zoned R-3 (Limited Multiple Residence District) and designated SC (Service Commercial) under the General Plan. The Property is currently used as part of the Bill Heard Dealership. The Applicant requests to rezone the Property C-1. Such a request is in conformance with the General Plan and the current use of the Property.

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

Very truly yours,

JONES VARGAS

Stacie A. Truesdell

ST
Enclosures.

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

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

**ZON-19128
04/12/07 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

GENERAL PLAN AMENDMENT

GPA-20188 - PUBLIC HEARING - APPLICANT: URBAN LOFTS XIV, LTD - OWNER: CITY OF LAS VEGAS - Request to Amend a portion of the Southeast Sector Plan of the Master Plan FROM: PF (PUBLIC FACILITIES) TO: M (MEDIUM DENSITY RESIDENTIAL) on 3.98 acres on the northwest corner of Stewart Avenue and Mojave Road (APN 139-36-603-001), Ward 3 (Reese). The Planning Commission (4-2 vote on a motion for approval) failed to obtain a super majority vote which is tantamount to DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-2 vote on a motion for approval) failed to obtain a super majority vote which is tantamount to DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 04-12-07 Planning Commission Meeting Item 50

Motion made by GARY REESE to Approve

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Items 125-130.

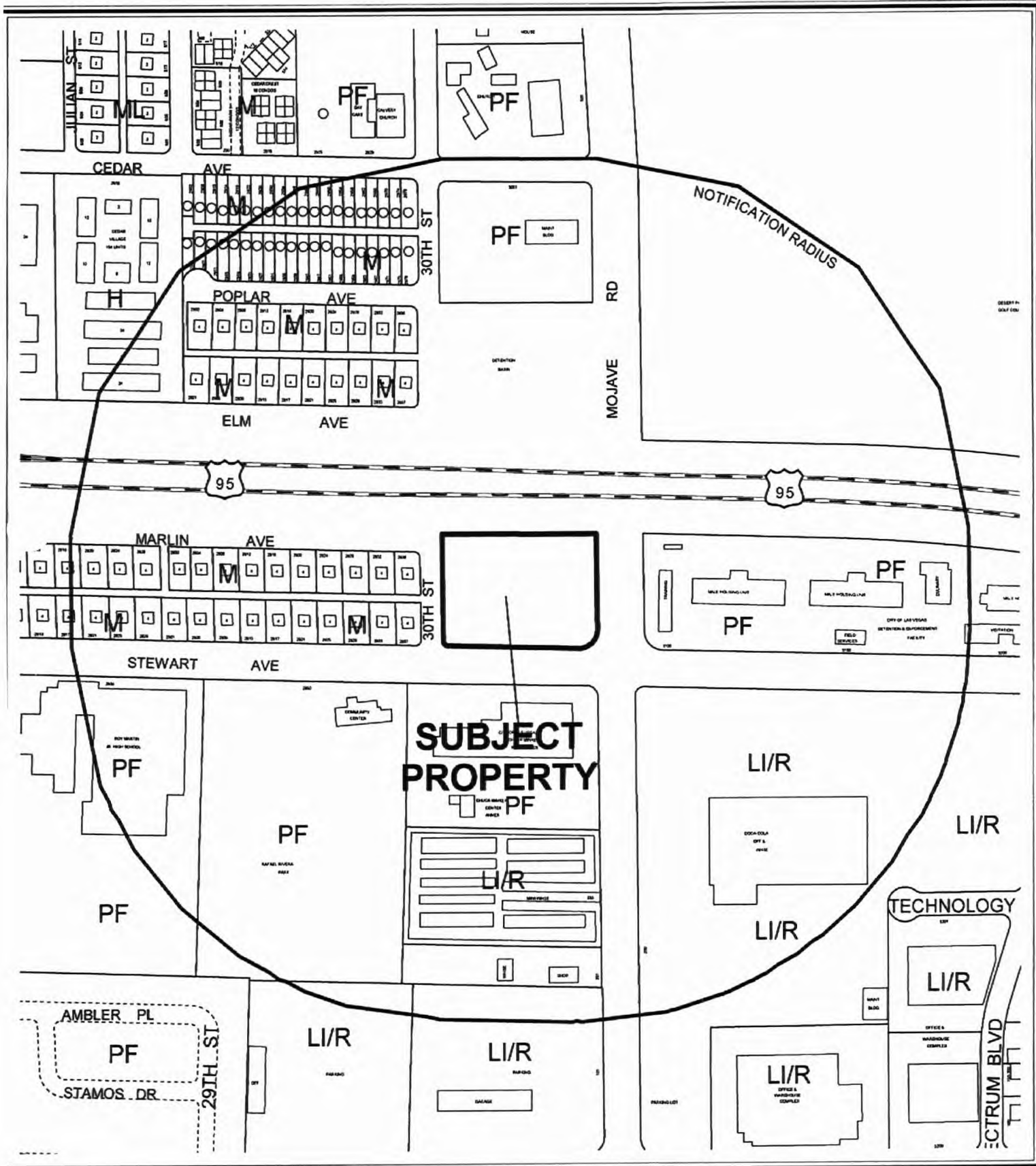
TRINITY SCHLOTTMAN, Interurban Construction LLC/Urban Lofts LTD, 1126 Carson Avenue, appeared on behalf of the applicant. MR. SCHLOTTMAN gave an overview of the project, in which the Council was pleased with.

CITY COUNCIL MEETING OF: MAY 16, 2007

COUNCILMAN REESE noted this is the fourth project by this developer in Ward 3, which is a beautiful project. These projects are becoming more attainable housing for the residents in his ward. He asked that the applicant contribute \$50,000 towards the City of Las Vegas Parks CIP Fund, in lieu of compliance with the open space requirements. MR. SCHLOTTMAN concurred. MAYOR GOODMAN agreed with the Councilman's comments and believed it is a welcome addition to the downtown area.

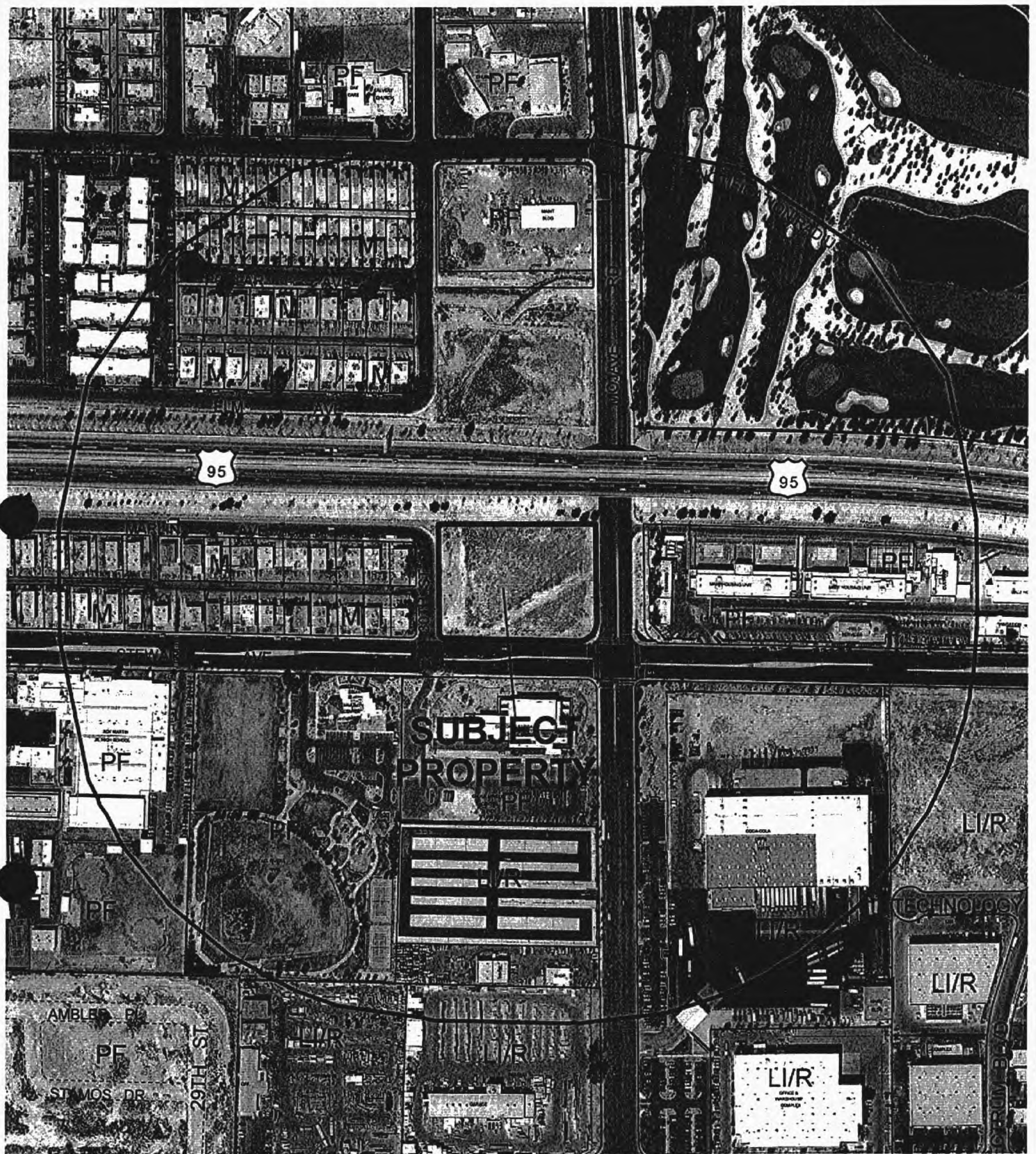
MAYOR GOODMAN declared the Public Hearing closed on Items 125-130.





0 300 600 Feet





CASE: GPA-20188

RADIUS: 1000 FT

GENERAL LAND USE OF SUBJECT PROPERTY:

PF (PUBLIC FACILITIES)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: GPA-20188 - APPLICANT: URBAN LOFTS XIV, LTD - OWNER:
CITY OF LAS VEGAS**

**** CONDITIONS ****

The Planning Commission (4-2/1d/sd vote on a motion for approval) failed to obtain a super majority vote which is tantamount to DENIAL. Staff recommends APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant requests to Amend a portion of the Southeast Sector Plan of the Master Plan from PF (Public Facilities) to M (Medium Density Residential) on 3.98 acres on the northwest corner of Stewart Avenue and Mojave Road.

There are multiple items that are associated with this application, a Rezoning (ZON-20192) to R-PD15 (Residential Planned Development – 15 Units per Acre), Waiver (WVR-20191) of private street width, Variance (VAR-20190) of open space, a Variance (VAR-20193) of minimum acreage permitted for an R-PD (Residential Planned Development) and a Site Development Plan Review (SDR-20187) for a 56-unit single-family attached residential subdivision. The proposed M (Medium Density Residential) land use designation is consistent and compatible with the adjacent M (Medium Density Residential) land use designation; therefore, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/04/04	The City Council approved a request to Amend (GPA-4523) a portion of the Southeast Sector Plan of the Master Plan from SC (Service Commercial) to PF (Public Facilities), a Rezoning (ZON-4524) from C-1 (Limited Commercial) Zone to C-V (Civic) Zone and a Site Development Plan Review (SDR-4525) for a proposed government facility (East Las Vegas Business Incubator), on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue Action. Planning Commission and staff recommended approval.
04/12/07	The Planning Commission recommended approval of companion items ZON-20192; VAR-20193 and WVR-20191. The Planning Commission had no recommendation of companion items VAR-20190 and SDR-20187 concurrently with this application. The Planning Commission voted 4-2/1d/sd which failed to obtain a super majority vote which is tantamount to DENIAL (PC Agenda Item #50/jm).
<i>Related Building Permits/Business Licenses</i>	
10/04/05	Code Enforcement (#35102) cited the property for weeds and debris. The case was closed on 10/06/05.
<i>Pre-Application Meeting</i>	
02/14/07	A pre-application meeting was held with regard to the proposed project. Issues related to the General Plan, Rezoning, Site Development Plan, Waiver and Variances were discussed. General process, code requirements and application submittal requirements were explained to the applicant.
<i>Neighborhood Meeting</i>	
03/14/07	A neighborhood meeting was held at 5:30pm at the East Las Vegas Community Senior Center, 250 N. Eastern Ave. No neighbors attended.

Details of Application Request	
Site Area	
Gross Acres	3.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 units per acre)
North	I-515	I-515	I-515
South	Community Recreational Center	PF (Public Facilities)	C-1 (Service Commercial)
East	Correctional Facility	PF (Public Facilities)	R-3 (Medium Density Residential)
West	Multi-family	M (Medium Density Residential)	C-V (Civic)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Provided
Min. Lot Size	1,206 SF
Min. Lot Width	20 Feet
Min. Setbacks	
• Front	3.75 Feet
• Side	0 – 17.31 Feet
• Rear	3.42 – 16.80 Feet
Max. Building Heights	3 stories, 38.5 feet

Existing Zoning	Permitted Density	Units Allowed
C-1	NA	NA
Proposed Zoning	Permitted Density	Units Allowed
R-PD15	14.07 Units per Acre	59
Proposed General Plan	Permitted Density	Units Allowed
M (Medium Density Residential)	25.49 Units per Acre	97

Pursuant to Title 19.12, the following Landscape Standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer: Min. Trees	1 Tree/30 Linear Feet	31 Trees	31 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	8 Feet		Height not shown	NA

Open Space – R-PD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
3.98	14.1 du/acre	1.65	23%	40,249	1.1%	2,059	N*

*A Variance (VAR-20190) has been requested.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement
The project is required to provide a minimum of two parking spaces per dwelling unit. In addition, the project is required to provide one guest space for every six dwelling units. The proposed project is a 56 unit development which would require 10 guest spaces, the site has 11 guest spaces. Each unit is proposed to have a minimum of a two car garage. This meets Title 19.10 parking requirements.

ANALYSIS

The request is for a General Plan Amendment from PF (Public Facilities) to M (Medium Density Residential). The M (Medium Density Residential) land use category includes a variety of multi-family units such as plexes, townhouses, and low-density apartments. This category allows up to 25.49 units per acre.

The 3.98 acre site is currently undeveloped. The amendment was submitted in conjunction with a proposed Rezoning (ZON-20192) to R-PD15 (Residential Planned Development – 15 Units per Acre), a Variance (VAR-20190) to allow 2,059 square feet of open space where 40,249 square feet, a Variance (VAR-20193) to allow a Residential Planned Development on 3.98 acres where five acres is the minimum required and a Site Development Plan Review (SDR-20187) for a proposed 56 unit single-family attached residential development.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to “1”:

The proposed M (Medium Density Residential) land use category includes a variety of multi-family units such as plexes, townhouses, and low-density apartments. This category allows up to 25.49 units per acre. This type of density is compatible with the existing M (Medium Density Residential) development to the west.

In regard to “2”:

The proposed rezoning to R-PD15 (Residential Planned Development – 15 Units per Acre) is consistent with the proposed single family residential attached development and proposed M (Medium Density Residential) General Plan designation.

In regard to “3”:

There are adequate facilities and infrastructure to accommodate a planned community on this site.

In regard to “4”:

This request conforms to the applicable, adopted plans and policies for this area.

PLANNING COMMISSION ACTION

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 89 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-20188 APN: 139-36-603-001

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: LARRY S DAVIS / URBAN LOFTS XIV, LTD

Name of Representative: Trinity Schlottman

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: _____

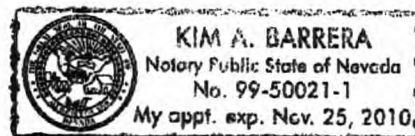
Signature of Property Owner: _____

Print Name: Douglas Selby

Subscribed and sworn before me

This 28 day of February, 2007

Kim A. Barrera
Notary Public in and for said County and State



MEDIUM - UP TO 25.4 DU/AC

CEDAR

MEDIUM - UP TO 25.4 DU/AC

ELM

MEDIUM - UP TO 25.4 DU/AC

30TH

I-515

MARLIN

MEDIUM - UP TO 25.4 DU/AC

30TH

STEWART

PUBLIC FACILITY

PUBLIC FACILITY

PUBLIC FACILITY

PARK/RECREATION/OPEN SPACE

MOJAVE

PROJECT SITE

PUBLIC FACILITY

LIGHT INDUSTRIAL/RESEARCH

LEGEND

- PARK/RECREATION/OPEN SPACE
- MEDIUM - UP TO 25.4 DU/AC
- PUBLIC FACILITY
- LIGHT INDUSTRIAL/RESEARCH



N.T.S.

NOTE

- THIS MAP HAS BEEN CREATED BASED ON THE CITY OF LAS VEGAS GENERAL PLAN PRINTED JANUARY 4 2007
- THIS MAP IS NOT TO SCALE AND IS INTENDED FOR GRAPHICAL REPRESENTATION ONLY

RECEIVED

INTERURBAN CONSTRUCTION, LLC

LOCATION MAP

STEWART AVENUE LOFTS
SINGLE FAMILY TOWNHOMES

DESIGNED BY JAH
DRAWN BY JAH



JOB NO.
0001-07

SHEET NO.

OF 1

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC

HAUNTEC

630 North Rainbow Boulevard, Suite 208
Las Vegas, Nevada 89107
702-948-5180 / FAX 702-948-5181

January 29, 2007

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

Subject: Stewart Avenue Lofts – General Plan Amendment Justification Letter

Dear Sir or Madam:

This letter is provided to justify amending the City of Las Vegas General Plan to incorporate a development of 56 single-family three-story Townhomes on the vacant site located in the northeast corner of Mojave Road and Stewart Avenue. The site is currently planed P-F and will need to be categorized to a minimum of R-PD 14 to allow for the higher density of residential properties. The site is currently zoned C-1, but as indicated by the General Plan the City of Las Vegas has not previously determined the ultimate use of the parcel. This will be the fourth such project for Urban Lofts Townhomes within the City of Las Vegas downtown area. The developer, which is based out of Houston, Texas, has introduce a new project that has been recognized by the City of Las Vegas as a suitable fit for the redevelopment of the downtown. As an indication of the acceptance of this product by the community, one only needs to look at the sold signs on the current project under construction on Carson Avenue and Maryland Parkway. In addition, the developer has a waiting list for the additional lots on Fremont Street.

Through a review process of several developer proposals, the developer's product has been selected by the City of Las Vegas as the best development for the currently undeveloped parcel. The Urban Lofts is a unique product that is well suited for the urban environment, which offers modern ascetics and stimulates additional growth in a community. These proposed residential homes are suitable for the ±3.98 acre site and will not have a negative impact to the existing developments adjacent to the site. The site is bordered to the north by I-515, which is elevated well above the proposed height of the townhomes. Northeast of the property is a municipal Golf Course. A Correctional facility is located east of the site, a YMCA is located south of the site, and a community center is southwest. In addition, an apartment complex is west of the site. The proposed development will fit the existing community in the immediate area without having a negative impact.

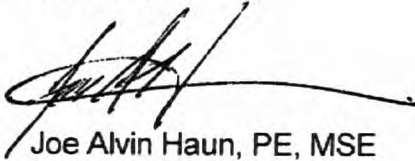
RECEIVED

GPA-20188 ZON-20192 FEB 27 2007
WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC

February 26, 2007

Because the development will have a positive impact on the neighborhood, the developer wishes at this time to submit the General Plan Amendment for review by the City of Las Vegas. If you have any questions or need additional information, please contact me

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Alvin Haun", with a long horizontal flourish extending to the right.

Joe Alvin Haun, PE, MSE
HAUNTEC

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC

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



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

DATE: 11 April 2007 PHONE: (702) 877-2438
FAX: 877-2438

TO: DOUG RANKIN
REGARDING: 12 April 2007—agenda items # 50-55

ZON-20192-for PD15 must NOT be used for the intent of being "home" to fellow residents of this ward. Have any of you, councilpersons/planning commissioners, been to observe that locale?
Too few neighborhood services (parks/stores),
too little access (1 in/2 out ONLY on 30th St.),
too little emergency access (private roads 13 feet more narrow than required),
too high density (many 2 story apt. complex adjacent to the West),
too little air/visual space (aprox. 6-8 story embankment of US95-515 and industrial bldgs),
too little open/green space (1/20th of required space requested),
too many people for the space (56 THREE STORY units planned),
too confusing proposals (RPD 14 minimum in letter from PE, MSH Joe Haun, but RPD 15 under ZON-20188!),
too much stretch of imagination for "lofts" (how about cubicles?),
too demeaning a plan for a resident to feel respected and raise healthy children (although under a large bill board of our honorable mayor,
too short is this list because disgusting is a 'kind' description of items 50-55 (surely our council persons are human AND humane owners of U.Lofts).

REMINDER~~ commercial to 15 units per acre?

allow 24'w.streets where 37' is required?

allow 3.98 acres where 5 acres MIN is required?

allow 2,059 sq ft Open Space where 40,249 is required?

allow 56 THREE STORY units on 3.98 acres?

Are you insulted that the above plan would even be placed in print on City of Las Vegas PLANNING MEETING agenda? (and this property is OWNED by our city!!!!!!!!!!!!!!!!!!!!!! Well, new lows can originate in high places.

We request that you DENY all 5 Urban Lofts items.

We suggest that a TENT STYLE CORRECTIONAL FACILITY be placed in this location.

June Ingram

JUNE INGRAM, President of Charleston Neighborhood Preservation

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Eon - Marcus Gobel - Rose Honrath - June Ingram - Rick Johnson
Gene & Pearl Leonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pamela Stanciford

ZON-20192
VAR-20191
VAR-20193
VAR-20190
VAR-20187

ITEM # 50-55
CASE # GPA-20188
PC MTG 4-12-07

f

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REZONING RELATED TO GPA-20188

ZON-20192 - PUBLIC HEARING - APPLICANT: URBAN LOFTS XIV, LTD - OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) UNDER A RESOLUTION OF INTENT TO C-V (CIVIC) ZONE TO: R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE) on 3.98 acres on the northwest corner of Stewart Avenue and Mojave Road (APN 139-36-603-001), Ward 3 (Reese). The Planning Commission (4-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 04-12-07 Planning Commission Meeting Item 51

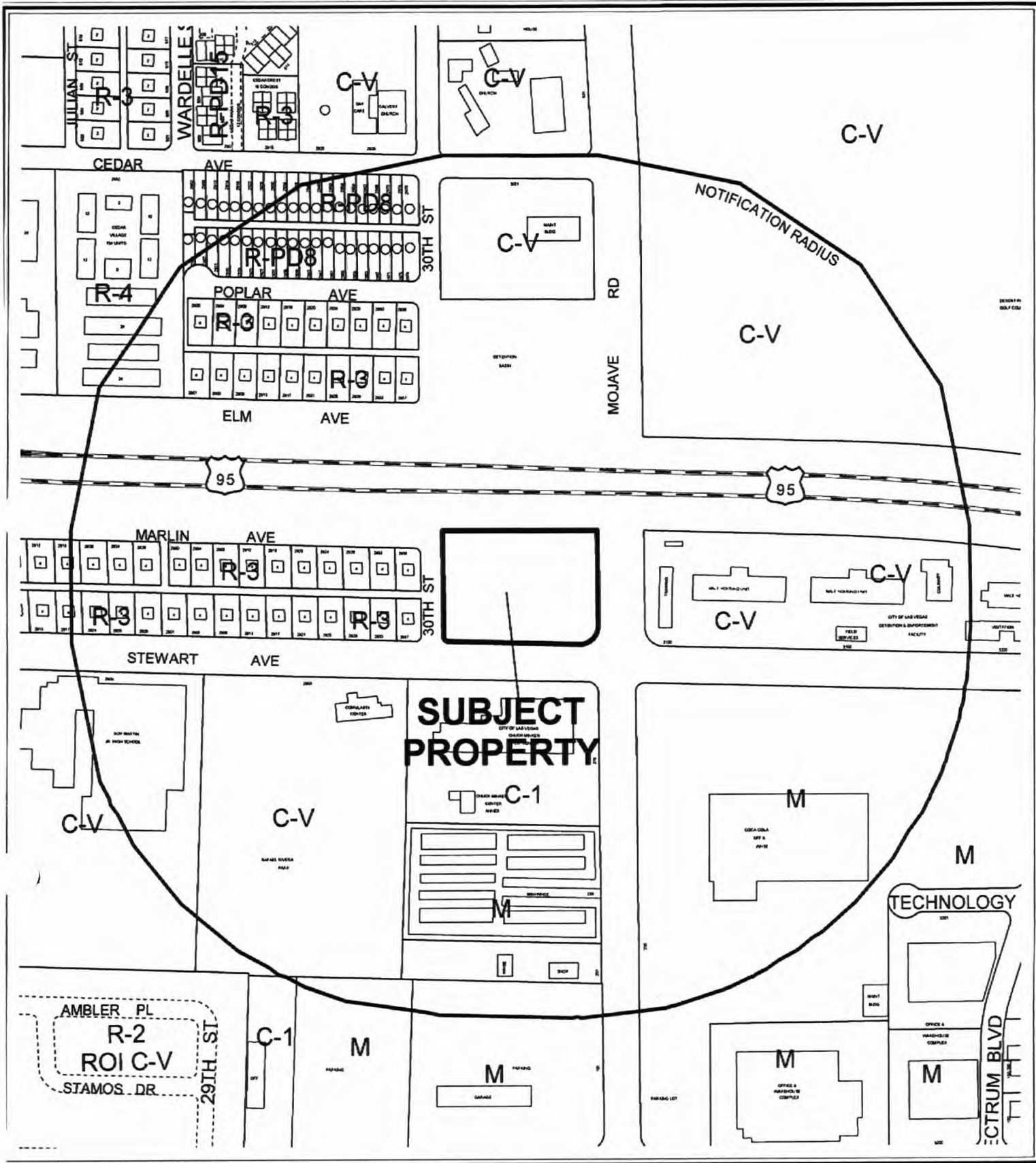
Motion made by GARY REESE to Approve Subject to Conditions

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

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

Minutes:

See Item 125 for related discussion.



CASE: ZON-20192

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO C-V (CIVIC)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE)





CASE: ZON-20192

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO C-V (CIVIC)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-20192 - APPLICANT: URBAN LOFTS XIV, LTD -
OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (4-2/ld/sd vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-20188) to M (Medium Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted for RPD-14 zoning.
3. A Site Development Plan Review (SDR-20187) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 Units per Acre) on 3.98 acres on the northwest corner of Stewart Avenue and Mojave Road.

Based on gross acre property size the proposed project has 15 units to the acre. This residential development is contingent upon approval of a General Plan Amendment (GPA-20188) to M (Medium Density Residential), a Site Development Plan Review (SDR-20187), Waiver (WVR-20191) of private street width, Variance (VAR-20190) of open space and a Variance (VAR-20193) of minimum acreage permitted for an R-PD (Residential Planned Development).

The proposed single family attached residential project will be compatible with the multi-family housing developments to the west of the project and to the community recreational facility to the south across Stewart Avenue. Therefore, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/04/04	The City Council approved a request to Amend (GPA-4523) a portion of the Southeast Sector Plan of the Master Plan from SC (Service Commercial) to PF (Public Facilities), a Rezoning (ZON-4524) from C-1 (Limited Commercial) Zone to C-V (Civic) Zone and a Site Development Plan Review (SDR-4525) for a proposed government facility (East Las Vegas Business Incubator), on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue Action. Planning Commission and staff recommends approval.
04/12/07	The Planning Commission recommended approval of companion items VAR-20193 and WVR-20191. The Planning Commission had no recommendation of companion items VAR-20190 and SDR-20187. The Planning Commission voted 4-2/ld/sd which failed to obtain a super majority vote which is tantamount to DENIAL of companion item GPA-20188 concurrently with this application. The Planning Commission voted 4-2/ld/sd to recommend APPROVAL (PC Agenda Item #51/jm).
<i>Related Building Permits/Business Licenses</i>	
10/04/05	Code Enforcement (#35102) cited the property for weeds and debris. The case was closed on 10/06/05.

Pre-Application Meeting

02/14/07	A pre-application meeting was held with regard to the proposed project. Issues related to the General Plan, Rezoning, Site Development Plan, Waiver and Variances were discussed. General process, code requirements and application submittal requirements were explained to the applicant.
----------	--

Neighborhood Meeting

03/14/07	A neighborhood meeting was held at 5:30pm at the East Las Vegas Community Senior Center, 250 N. Eastern Ave. No neighbors attended.
----------	---

Details of Application Request

Site Area

Gross Acres	3.98
-------------	------

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 units per acre)
North	I-515	I-515	I-515
South	Community Recreational Center	PF (Public Facilities)	C-1 (Service Commercial)
East	Multi-Family	PF (Public Facilities)	R-3 (Medium Density Residential)
West	Correctional Facility	M (Medium Density Residential)	C-V (Civic)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Provided
Min. Lot Size	1,206 SF
Min. Lot Width	20 Feet
Min. Setbacks • Front • Side • Rear	3.75 Feet 0 – 17.31 Feet 3.42 – 16.80 Feet
Max. Building Heights	3 stories, 38.5 feet

Existing Zoning	Permitted Density	Units Allowed
C-1	NA	NA
Proposed Zoning	Permitted Density	Units Allowed
R-PD15	14.07 Units per Acre	59
Proposed General Plan	Permitted Density	Units Allowed
M (Medium Density Residential)	25.49 Units per Acre	97

Pursuant to Title 19.12, the following Landscape Standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer:				
Min. Trees	1 Tree/30 Linear Feet	31 Trees	31 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	8 Feet		Height not shown	NA

Open Space – R-PD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
3.98	14.1 du/acre	1.65	23%	40,249	1.1%	2,059	N*

*A Variance (VAR-20190) has been requested.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement
The project is required to provide a minimum of two parking spaces per dwelling unit. In addition, the project is required to provide one guest space for every six dwelling units. The proposed project is a 56 unit development which would require 10 guest spaces, the site has 11 guest spaces. Each unit is proposed to have a minimum of a two car garage. This meets Title 19.10 parking requirements.

ANALYSIS

The property is currently located in the C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 units per acre). The City Council, in 2004, approved a request to amend (GPA-4523) a portion of the Southeast Sector Plan of the Master Plan from SC (Service Commercial) to PF (Public Facilities), a Rezoning (ZON-4524) from C-1 (Limited Commercial) Zone to C-V (Civic) Zone and a Site Development Plan Review (SDR-4525) for a proposed government facility (East Las Vegas Business Incubator).

The applicant proposes to amend (GPA-20188) the Master Plan to M (Medium Density Residential), rezone the property to R-PD15 (Residential Planned Development – 15 Units per Acre), and develop a 56-unit single-family attached residential subdivision of three-story homes. Residential development and related uses are allowed in this category up to 25.49 dwelling units per acre. The proposed development on this site will have a density of 14.07 units per acre in conformance to the M (Medium Density Residential), General Plan designation.

FINDINGS

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

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

The requested R-PD15 (Residential Planned Development - 15 Units per Acre) zoning designation conforms to the proposed General Plan Amendment (GPA-20188) to M (Medium Density Residential) land use designation, which allows up to 25.49 units per acre.

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

The proposed single-family attached residential project will be compatible with the multi-family housing developments to the west of the project and to the community recreational facility to the south across Stewart Avenue.

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

The site is an undeveloped parcel of land adjacent to I-95 to the north, a multi-family development to the west, a correctional facility to the east and a community recreational facility to the south. The neighborhood is not well served by continuing to maintain a vacant parcel of land in the middle of the area, where dust control, vandalism and a host of other problems can result from the continuation of the current undeveloped state of the site. The project as proposed will benefit the neighborhood and will appropriate in the context of the type and density of development on surrounding sites.

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

The site is accessed from 30th Street, a 60-foot wide local street. As I-95 blocks access to the north, 30th Street gains access to Stewart Avenue, a Secondary (80-foot) Collector on the Master Plan of Streets and Highways. The existing roadway network is adequate to meet the requirements of the proposed district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 89 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 204-20192 APN: 139-36-603-001

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: LARRY S DAVIS / URBAN LOFTS XIV, LTD

Name of Representative: Trinity Schlettman

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

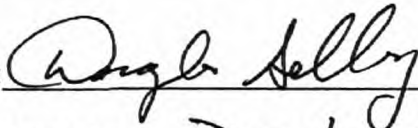
☒ No

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: _____

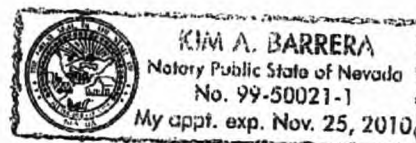
Signature of Property Owner: 

Print Name: Douglas Selby

Subscribed and sworn before me

This 28 day of February, 2007


Notary Public in and for said County and State



HAUNTEC

230 North Rainbow Boulevard, Suite 208
Las Vegas, Nevada 89107
702-948-5180 / FAX 702-948-5181

January 29, 2007

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

Subject: Stewart Avenue Lofts – Justification Letter for Rezoning

Dear Sir or Madam:

This letter is provided to justify rezoning the vacant site located in the northeast corner of Mojave Road and Stewart Avenue for a Residential Planned Development district to incorporate a development of 56 single-family three-story Townhomes. The site is currently planned P-F and will need to be categorized to a minimum of R-PD 14 to allow for the higher density of residential properties. The site is currently zoned C-1. This will be the fourth such project for Urban Lofts Townhomes within the City of Las Vegas downtown area. The developer, which is based out of Houston, Texas, has introduced a new project that has been recognized by the City of Las Vegas as a suitable fit for the redevelopment of the downtown. As an indication of the acceptance of this product by the community, one only needs to look at the sold signs on the current project under construction on Carson Avenue and Maryland Parkway. In addition, the developer has a waiting list for the additional lots on Fremont Street.

Through a review process of several developer proposals, the developer's product has been selected by the City of Las Vegas as the best development for the currently undeveloped parcel. The Urban Lofts is a unique product that is well suited for the urban environment, which offers modern aesthetics and stimulates additional growth in a community. These proposed residential homes are suitable for the ±3.98 acre site and will not have a negative impact to the existing developments adjacent to the site. To develop the 56 town homes on the site the allowable residential density will need to be updated to 14 dwellings per acre. The revised zoning will allow the developer to construct the intended project as presented to the City of Las Vegas.

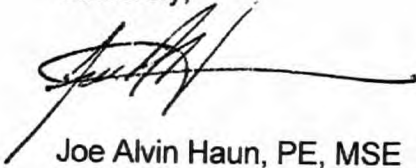
The site is bordered to the north by I-515, which is elevated well above the proposed height of the townhomes. Northeast of the property is a municipal Golf Course. A Correctional facility is located east of the site, a Sport Center is located south of the site, and a community center is southwest. In addition, an apartment complex is west of the site. The proposed development will fit the existing community in the immediate area without having a negative impact.

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC

February 26, 2007

Because the development will have a positive impact on the neighborhood, the developer wishes at this time to submit the Rezoning for review by the City of Las Vegas. If you have any questions or need additional information, please contact me

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Haun", with a long horizontal flourish extending to the right.

Joe Alvin Haun, PE, MSE
HAUNTEC

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC

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



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

DATE: 11 April 2007 PHONE: (702) 877-2438
FAX: 877-2438

TO: DOUG RANKIN
REGARDING: 12 April 2007—agenda items # 50-55

ZON-20192-for PD15 must NOT be used for the intent of being "home" to fellow residents of this ward. Have any of you, councilpersons/planning commissioners, been to observe that locale?
Too few neighborhood services (parks/stores),
too little access (1 in/2 out ONLY on 30th St.),
too little emergency access (private roads 13 feet more narrow than required),
too high density (many 2 story apt. complex adjacent to the West),
too little air/visual space (aprox. 6-8 story embankment of US95-515 and industrial bldgs),
too little open/green space (1/20th of required space requested),
too many people for the space (56 THREE STORY units planned),
too confusing proposals (RPD 14 minimum in letter from PE, MSE, Joe Haun, but RPD 15 under ZON-20188!),
too much stretch of imagination for "lofts" (how about cubicles?),
too demeaning a plan for a resident to feel respected and raise healthy children (although under a large bill board of our honorable mayor,
too short is this list because disgusting is a 'kind' description of items 50-55 (surely our council persons are human AND humane owners of U. Lofts).

REMINDER~~ commercial to 15 units per acre?

allow 24'w.streets where 37'is required?

allow 3.98 acres where 5 acres MIN is required?

allow 2,059 sq ft Open Space where 40,249 is required?

allow 56 THREE STORY units on 3.98 acres

Are you insulted that the above plan would even be placed in print on City of Las Vegas PLANNING MEETING agenda? (and this property is OWNED by our city!!!!!!!!!!!!!!!!!!!!!! Well, new lows can originate in high places.

We request that you DENY all 5 Urban Lofts items.

We suggest that a TENT STYLE CORRECTIONAL FACILITY be placed in this location.

JUNE INGRAM, President of Charleston Neighborhood Preservation

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Ean - Marcus Gobel - Rose Honrath - June Ingram - Rick Johnson
Gene & Pearl Leonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pamela Stanciff

ITEM # 50-55
CASE # GPA-20188
PC MTG 4-12-07

ZON-20192
VAR-20191
VAR-20193
VAR-20190
VAR-20188

f

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

WAIVER RELATED TO GPA-20188 AND ZON-20192

WVR-20191 - PUBLIC HEARING - APPLICANT: URBAN LOFTS XIV, LTD - OWNER: CITY OF LAS VEGAS - Request for a Waiver of Title 18.12.100 TO ALLOW PRIVATE STREETS TO BE 24 FEET WIDE WHERE 37 FEET IS THE MINIMUM FOR A PROPOSED 56-UNIT SINGLE-FAMILY ATTACHED RESIDENTIAL SUBDIVISION ON 3.98 ACRES located on the northwest corner of Stewart Avenue and Mojave Road (APN 139-36-603-001), C-1 (Limited Commercial) Zone, under a Resolution of Intent to C-V (Civic) Zone, [PROPOSED: R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE) Zone], Ward 3 (Reese). The Planning Commission (4-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 04-12-07 Planning Commission Meeting Item 52

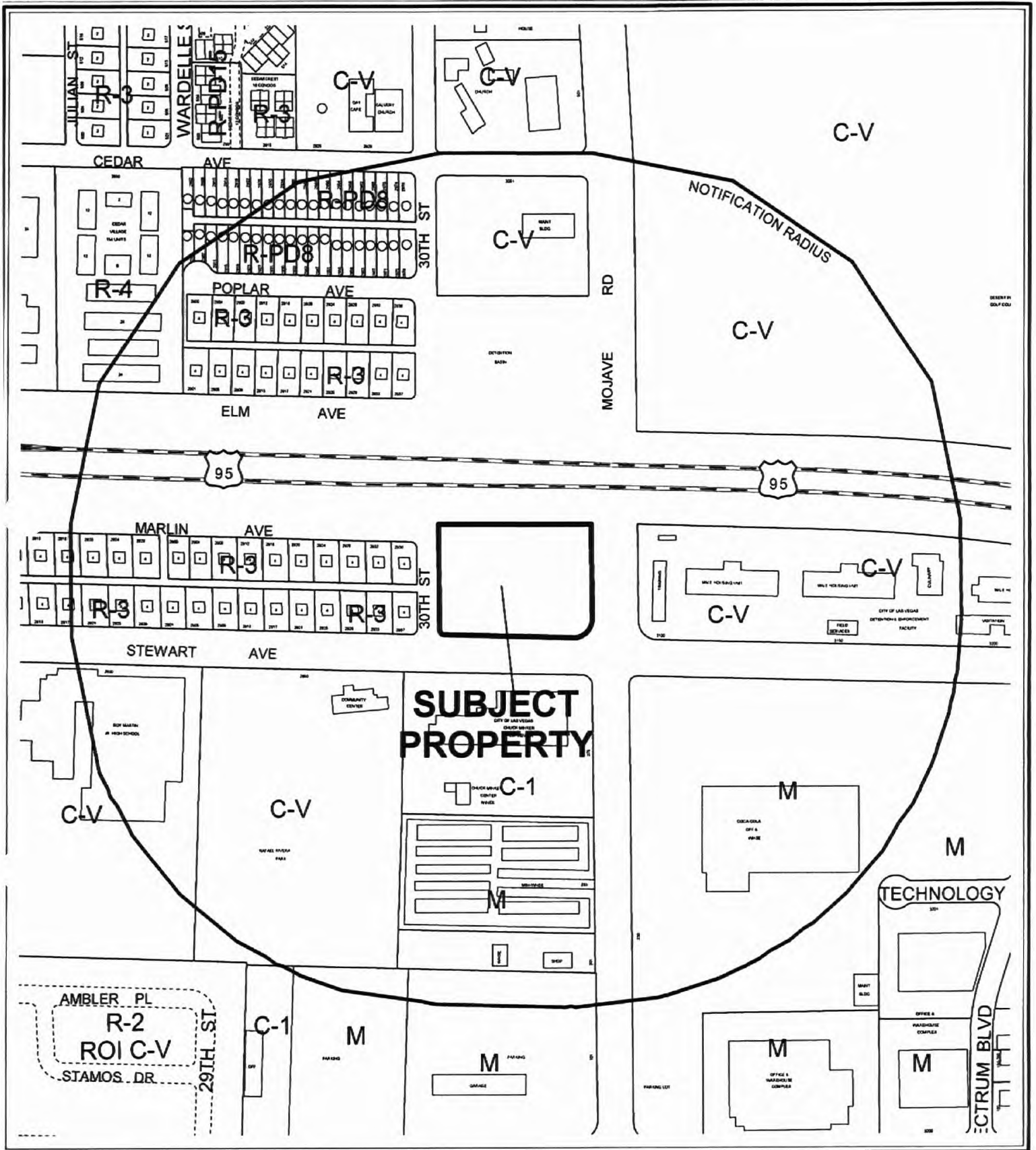
Motion made by GARY REESE to Approve Subject to Conditions

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

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

Minutes:

See Item 125 for related discussion.



CASE: WVR-20191

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO C-V (CIVIC)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE)



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: WVR-20191 - APPLICANT: URBAN LOFTS XIV, LTD -
OWNER: CITY OF LAS VEGAS**

**** CONDITIONS ****

The Planning Commission (4-2/ld/sd vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for General Plan (GPA-20188), Rezoning (ZON-20192), Variance (VAR-20190), Variance (VAR-20193), and Site Development Plan Review (SDR-20187) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

Public Works

3. Curbing on both sides of the 24 foot private streets shall be constructed of red concrete and "Fire Lane No Parking" signs shall be provided in accordance with the adopted Fire Code (Ordinance #5667) of Section 18.2.2.5.7 to prevent on street parking. The curb coloring and signage shall be privately maintained in perpetuity by the Homeowner's Association.
4. The design and layout of all onsite private circulation and access drives must comply with all the fire code requirements for the street widths for emergency fire access.
5. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-20192 and Site Development Plan Review SDR-20187 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Waiver of Title 18.12.100 to allow a 24-foot private street where 37 feet is the minimum required width for a proposed 56-unit single-family attached residential subdivision.

The proposed design does not appear to present turn conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended. The Department of Public Works has stated no objection to the requested Waiver.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/04/04	The City Council approved a request to Amend (GPA-4523) a portion of the Southeast Sector Plan of the Master Plan from SC (Service Commercial) to PF (Public Facilities), a Rezoning (ZON-4524) from C-1 (Limited Commercial) Zone to C-V (Civic) Zone and a Site Development Plan Review (SDR-4525) for a proposed government facility (East Las Vegas Business Incubator), on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue Action. Planning Commission and staff recommends approval.
04/12/07	The Planning Commission recommended approval of companion items ZON-20192 and VAR-20193. The Planning Commission had no recommendation of companion items VAR-20190 and SDR-20187. The Planning Commission voted 4-2/ld/sd which failed to obtain a super majority vote which is tantamount to DENIAL of companion item GPA-20188 concurrently with this application. The Planning Commission voted 4-2/ld/sd to recommend APPROVAL (PC Agenda Item #52/jm)
<i>Related Building Permits/Business Licenses</i>	
10/04/05	Code Enforcement (#35102) cited the property for weeds and debris. The case was closed on 10/06/05.
<i>Pre-Application Meeting</i>	
02/14/07	A pre-application meeting was held with regard to the proposed project. Issues related to the General Plan, Rezoning, Site Development Plan, Waiver and Variances were discussed. General process, code requirements and application submittal requirements were explained to the applicant.
<i>Neighborhood Meeting</i>	
03/14/07	A neighborhood meeting was held at 5:30pm at the East Las Vegas Community Senior Center, 250 N. Eastern Ave. No neighbors attended.

Details of Application Request	
Site Area	
Gross Acres	3.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 units per acre)
North	I-515	I-515	I-515
South	Community Recreational Center	PF (Public Facilities)	C-1 (Service Commercial)
East	Multi-Family	PF (Public Facilities)	R-3 (Medium Density Residential)
West	Correctional Facility	M (Medium Density Residential)	C-V (Civic)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Provided
Min. Lot Size	1,206 SF
Min. Lot Width	20 Feet
Min. Setbacks	
• Front	3.75 Feet
• Side	0 – 17.31 Feet
• Rear	3.42 – 16.80 Feet
Max. Building Heights	3 stories, 38.5 feet

Existing Zoning	Permitted Density	Units Allowed
C-1	NA	NA
Proposed Zoning	Permitted Density	Units Allowed
R-PD15	14.07 Units per Acre	59
Proposed General Plan	Permitted Density	Units Allowed
M (Medium Density Residential)	25.49 Units per Acre	97

Pursuant to Title 19.12, the following Landscape Standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer: Min. Trees	1 Tree/30 Linear Feet	31 Trees	31 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	8 Feet		Height not shown	NA

Open Space – R-PD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
3.98	14.1 du/acre	1.65	23%	40,249	1.1%	2,059	N*

*A Variance (VAR-20190) has been requested.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement
The project is required to provide a minimum of two parking spaces per dwelling unit. In addition, the project is required to provide one guest space for every six dwelling units. The proposed project is a 56 unit development which would require 10 guest spaces, the site has 11 guest spaces. Each unit is proposed to have a minimum of a two car garage. This meets Title 19.10 parking requirements.

ANALYSIS

This is a request for a Waiver to Title 18.12.100 to allow a 24-foot private street where 37 feet is required. The proposed development for single-family lots are accessed by a private street which is designed in a circular fashion with residential attached units along both sides of the street.

Specifically, Title 18.12.100 states:

“Private streets must comply with applicable City standards and with the following requirements:

- A) Private streets shall have a minimum width of thirty-seven feet from back-of-curb to back-of-curb. Private streets with rolled curbs shall have a minimum width of thirty-nine feet.
- B) Private streets shall meet the minimum construction standards for public streets.
- C) Street name signs for private streets shall bear the words “privately maintained,” and shall be a color and design established by the City and in conformance with the Manual of Uniform Traffic Control Devices. The color of such a sign must differ distinctly from that used in connection with public streets.”

FINDINGS

The Department of Public Works has no objection to the Request for a Waiver of Title 18.12.100 to allow 30 foot private streets where 37 feet is required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 89 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-20191 APN: 139-36-603-001

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: LARRY S DAVIS / URBAN LOFTS XIV, LTD

Name of Representative: Trinity Schlottman

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

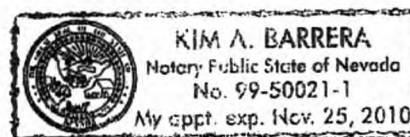
Signature of Property Owner: Douglas Selby

Print Name: Douglas Selby

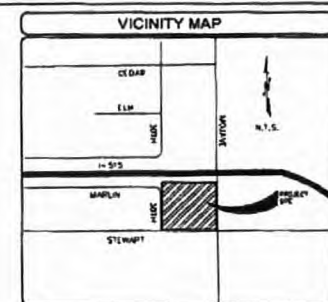
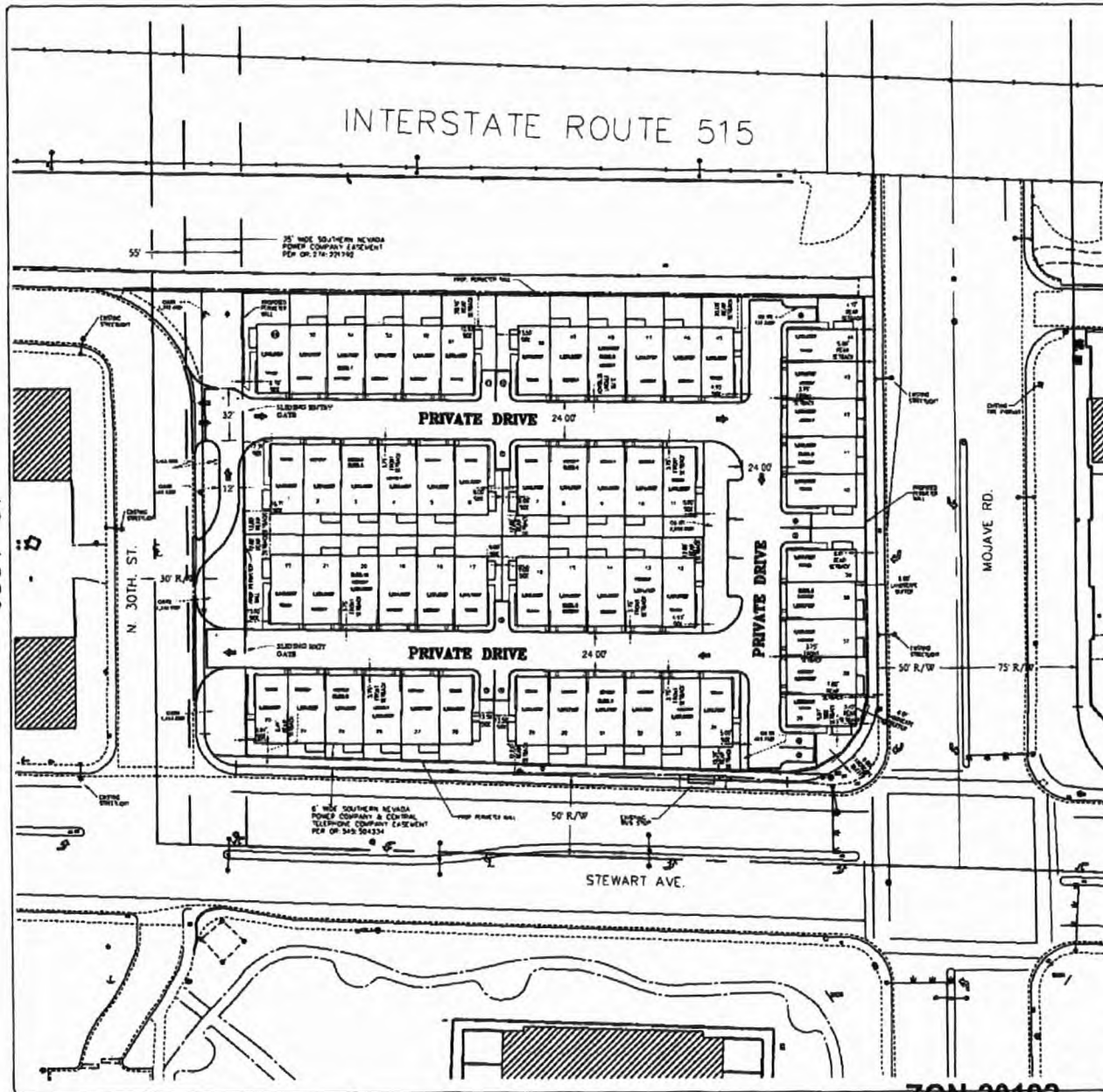
Subscribed and sworn before me

This 28 day of February, 2007

Kim A. Barrera
Notary Public in and for said County and State



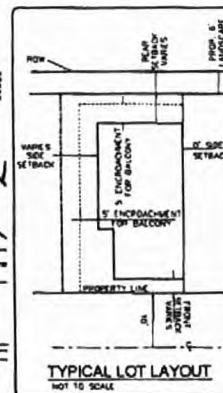
001-07



LEGEND	
EXISTING	PROPOSED
---	---
---	---
---	---
---	---
---	---
---	---
---	---
---	---

OWNER
 URBAN LOFTS, INC.
 CONTACT: LARRY DAVIS
 4312 MONROVIE BOULEVARD
 HOUSTON, TEXAS 77006

SITE DATA
 PROPOSED 56 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION
 APN: 130-36-003-001
 EXISTING ZONING: C-2
 PROPOSED ZONING: RPD 14
 PROPOSED BUILDING SIZE: 2900 SF
 LOT AREA (TOTAL): APPROX. 3.58 ACRES
 LOT AREA (NET): 2.83 ACRES
 DENSITY OF THE SUBDIVISION: 14 UNITS/AC
 MAX HEIGHT OF DISTRICT: 3 STORES/75'
 OPEN SPACE REQUIRED: 40,248 SF
 OPEN SPACE PROVIDED: 11,307 SF
 O.S. #1 = 1,393 SF
 O.S. #2 = 1,393 SF
 O.S. #3 = 1,393 SF
 O.S. #4 = 5,216 SF
 O.S. #5 = 332 SF
 O.S. #6 = 483 SF
 O.S. #7 = 2,028 SF
 TOTAL = 11,307 SF



SETBACK PROVIDED
 FRONT: 3.75'
 REAR: 3.42'-10.80'
 SIDE: 0'-17.31'

NOTE
 - ALL STREETS ARE PRIVATE DRIVE AND TO BE MAINTAINED BY H.O.A.
 - LANDSCAPE WITHIN THE COMMON AREA TO BE MAINTAINED BY H.O.A.

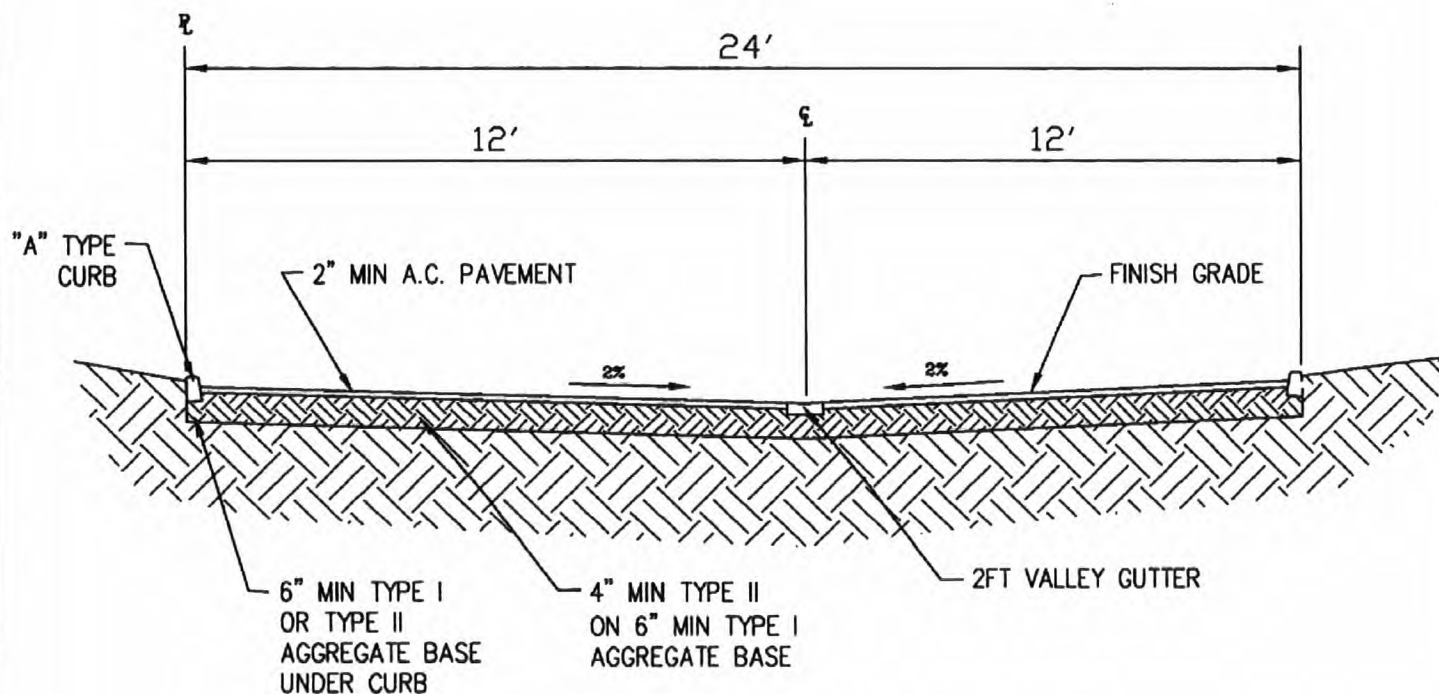
PARKING
 PARKING REQUIRED: 112 (BASED ON 2:1 SINGLE FAMILY)
 PARKING PROVIDED:
 112 PRIVATE
 11 GUEST PARKING
 TOTAL: 123

INTERURBAN CONSTRUCTION, LLC 1000 S. MOUNTAIN VIEW AVE. SUITE 100 PHOENIX, AZ 85021 PHONE: (602) 941-1001 FAX: (602) 941-1002	
HAUNEC 800 N. MOUNTAIN VIEW AVE. SUITE 100 PHOENIX, AZ 85021 PHONE: (602) 941-1001 FAX: (602) 941-1002	
SITE PLAN STEWART AVENUE LOFTS SINGLE FAMILY TOWNHOMES CITY OF LAS VEGAS, NEVADA	
PROJECT: _____ DESIGNER: JAH DRAWN BY: JAH	JOB NO. 0001-07 SHEET NO. 1 OF 1

ZON-20192 WVR-20191
 VAR-20193 VAR-20190
 SDR-20187 REVISED
 04/12/07 PC

RECEIVED
 MAR 13 2007

0001-07



INTERIOR DRIVE CROSS SECTION

SCALE: NONE

FEB 27 2007

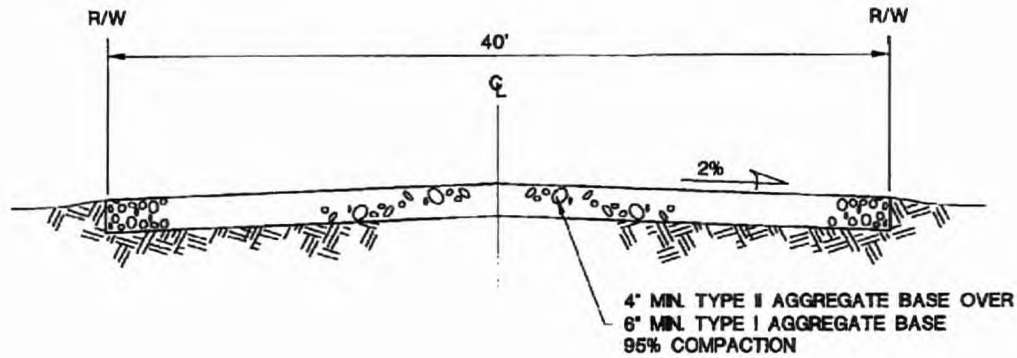
NOTE

1. THIS EXHIBIT IS PROVIDED TO DEPICT THE PROPOSED CROSS SECTION FOR THE PROPOSED INTERIOR DRIVES FOR STEWART AVENUE LOFTS.

2. ADDITIONAL DETAILS ON THE SECTION WILL BE PROVIDED ON THE SITE'S DEVELOPMENT PLANS.

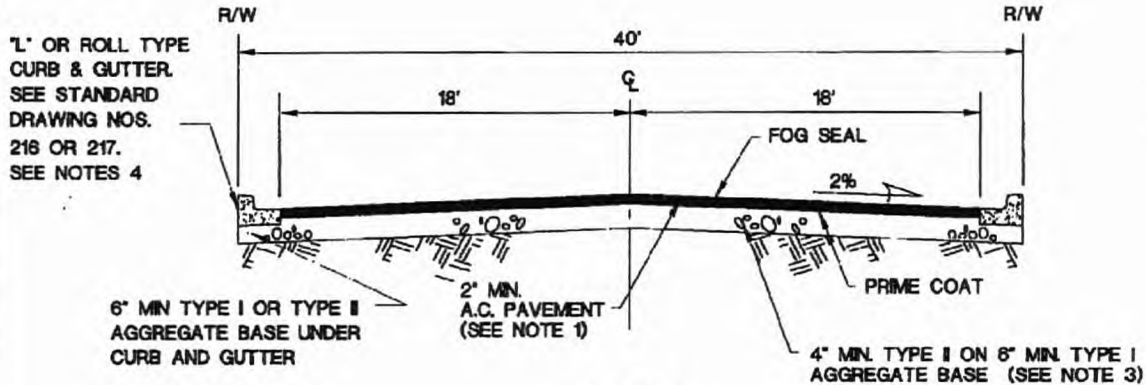
INTERIOR CONSTRUCTION, LLC 1000 W. WISCONSIN AVE. SUITE 200 MILWAUKEE, WI 53233 PHONE: 414-224-1100 FAX: 414-224-1101	
PROJECT: STEWART AVENUE LOFTS SINGLE FAMILY TOWNHOMES CITY OF MILWAUKEE, WISCONSIN	
DESIGNED BY: 001	CHECKED BY: 002
SHEET NO. 0001-07	
OF 1	

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC



GRAVEL

(THIS SECTION NOT FOR USE IN PM-10 NON-ATTAINMENT AREAS)



PAVED

NOTES:

1. INTERSECTIONS SHALL HAVE 25 FOOT MINIMUM EDGE OF OIL RADII OR 20 FOOT MINIMUM BACK OF CURB RADII.
2. COMPACTION OF AGGREGATE BASE AND SUBGRADE PREPARATION SHALL BE IN ACCORDANCE WITH THE "STANDARD SPECIFICATION".
3. STRUCTURAL SECTION SHOWN IS BASED ON A SUBGRADE "R" VALUE OF 20. OTHER STRUCTURAL SECTIONS MAY BE APPROVED IF BASED ON ENGINEERING ANALYSIS BASED ON "R" OR "CBR" VALUES DETERMINED BY SOIL TESTING. IN NO CASE SHALL THE A.C. THICKNESS BE LESS THAN THAT SHOWN, NOR SHALL THE BASE BE LESS THAN 4" EXCEPT THAT THE BASE SHALL NOT BE LESS THAN 10" IN NORTH LAS VEGAS.
4. ALLOW IN CITY OF NORTH LAS VEGAS ONLY WITH EXPRESS WRITTEN PERMISSION FROM THE CITY ENGINEER.

SPECIFICATION REFERENCE		UNIFORM STANDARD DRAWINGS CLARK COUNTY AREA	
302	AGGREGATE BASE	PRIVATE STREET SECTIONS FEB 27 2007	
401	BITUMINOUS PAVEMENT		
406	PRIME COAT		
407	FOG SEAL		
501	CONCRETE		
		DATE 12-14-00	DWG NO. 210 70N-20192 16

WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC

HAUNTEC

800 North Rainbow Boulevard, Suite 208
Las Vegas, Nevada 89107
702-948-5180 / FAX 702-948-5181

January 29, 2007

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

Subject: Stewart Avenue Lofts – Justification Letter for Waiver to Reduce Interior Street Widths

Dear Sir or Madam:

This letter is provided to justify reducing the standard private street widths for this project. In accordance with Clark County Uniform Standard Drawings (See attached CCUSD Drawing No. 210), the minimum street width for private streets is 40ft from back of curb to back of curb. The developer seeks to further reduce the width to 24ft wide for the site's three proposed private drives. Attached are exhibits showing the standard private street section, the proposed private drive section, and the proposed Site Plan. The Site Plan incorporates a development of 56 single-family three-story Townhomes on the vacant site located in the northwest corner of Mojave Road and Stewart Avenue.

According to the City of Las Vegas General Plan, the site is currently planned P-F (Public Facility), but the City of Las Vegas has selected the Developer's product of Urban Lofts for the site. Through a review process of several developer proposals, the developer's product has been selected by the City of Las Vegas as the best development for the currently undeveloped parcel. This will be the fourth such project for Urban Lofts Townhomes within the City of Las Vegas downtown area. The developer, which is based out of Houston, Texas, has introduced a new project that has been recognized by the City of Las Vegas as a suitable fit for the redevelopment of the downtown. As an indication of the acceptance of this product by the community, one only needs to look at the sold signs on the current project under construction on Carson Avenue and Maryland Parkway. In addition, the developer has a waiting list for the additional lots on Fremont Street.

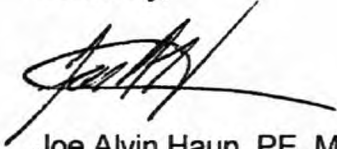
The proposed site design will include three modified one-way 24ft wide drives. The entrance into the site will be from North 30th Street at the northwest corner, and exit back onto North 30th Street at the southwest corner (See Site Plan). The proposed street widths will be posted with "No Parking" signs on either side of the drives. The entrance and exits points of the site will be controlled by sliding gates. The standard street width is designed for two lanes, which is not necessary for this project. The proposed one-way, 24ft wide drives are ideal for this project.

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC

February 26, 2007

Because the proposed development design requires the reduced drive width, the developer wishes at this time to submit the Waiver of Private Street Widths for review by the City of Las Vegas. If you have any questions or need additional information, please contact me

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Haun', with a long horizontal stroke extending to the right.

Joe Alvin Haun, PE, MSE
HAUNTEC

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC

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



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

DATE: 11 April 2007 PHONE: (702) 877-2438
FAX: 877-2438

TO: DOUG RANKIN
REGARDING: 12 April 2007—agenda items # 50-55

ZON-20192-for PD15 must NOT be used for the intent of being "home" to fellow residents of this ward. Have any of you, councilpersons/planning commissioners, been to observe that locale?
Too few neighborhood services (parks/stores),
too little access (1 in/2 out ONLY on 30th St.),
too little emergency access (private roads 13 feet more narrow than required),
too high density (many 2 story apt. complex adjacent to the West),
too little air/visual space (aprox. 6-8 story embankment of US95-515 and industrial bldgs),
too little open/green space (1/20th of required space requested),
too many people for the space (56 THREE STORY units planned),
too confusing proposals (RPD 14 minimum in letter from PE, MSH Joe Haun, but RPD 15 under ZON-20188!),
too much stretch of imagination for "lofts" (how about cubicles?),
too demeaning a plan for a resident to feel respected and raise healthy children (although under a large bill board of our honorable mayor,
too short is this list because disgusting is a 'kind' description of items 50-55 (surely our council persons are human AND humane owners of U.Lofts).

REMINDER~~ commercial to 15 units per acre?

allow 24'w.streets where 37'is required?

allow 3.98 acres where 5 acres MIN is required?

allow 2,059 sq ft Open Space where 40,249 is required?

allow 56 THREE STORY units on 3.98 acres?

Are you insulted that the above plan would even be placed in print on City of Las Vegas PLANNING MEETING agenda? (and this property is OWNED by our city!!!!!!!!!!!!!!!!!!!!!! Well, new lows can originate in high places.

We request that you DENY all 5 Urban Lofts items.

We suggest that a TENT STYLE CORRECTIONAL FACILITY be placed in this location.

June Ingram

JUNE INGRAM, President of Charleston Neighborhood Preservation

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Eon - Marcus Gobel - Rose Honrath - June Ingram - Rick Johnson
Gene & Pearl Leonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pamela Standiford

ZON-20192
VAR-20191
VAR-20193
VAR-20190
VAR-20187

ITEM # 50-55
CASE # GPA-20188
PC MTG 4-12-07

f

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO GPA-20188, ZON-20192 AND WVR-20191

VAR-20193 - PUBLIC HEARING - APPLICANT: URBAN LOFTS XIV, LTD - OWNER: CITY OF LAS VEGAS - Request for a Variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT ON 3.98 ACRES WHERE FIVE ACRES IS THE MINIMUM REQUIRED FOR A PROPOSED 56-UNIT SINGLE-FAMILY ATTACHED RESIDENTIAL SUBDIVISION located on the northwest corner of Stewart Avenue and Mojave Road (APN 139-36-603-001), C-1 (Limited Commercial) Zone, under a Resolution of Intent to C-V (Civic) Zone, [PROPOSED: R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE) Zone], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

3

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Returned postcard support
6. Submitted after final agenda – Returned postcard protests and support
7. Submitted after meeting – Returned postcard support for Items 128 and 129
8. Backup referenced from the 04-12-07 Planning Commission Meeting Item 53

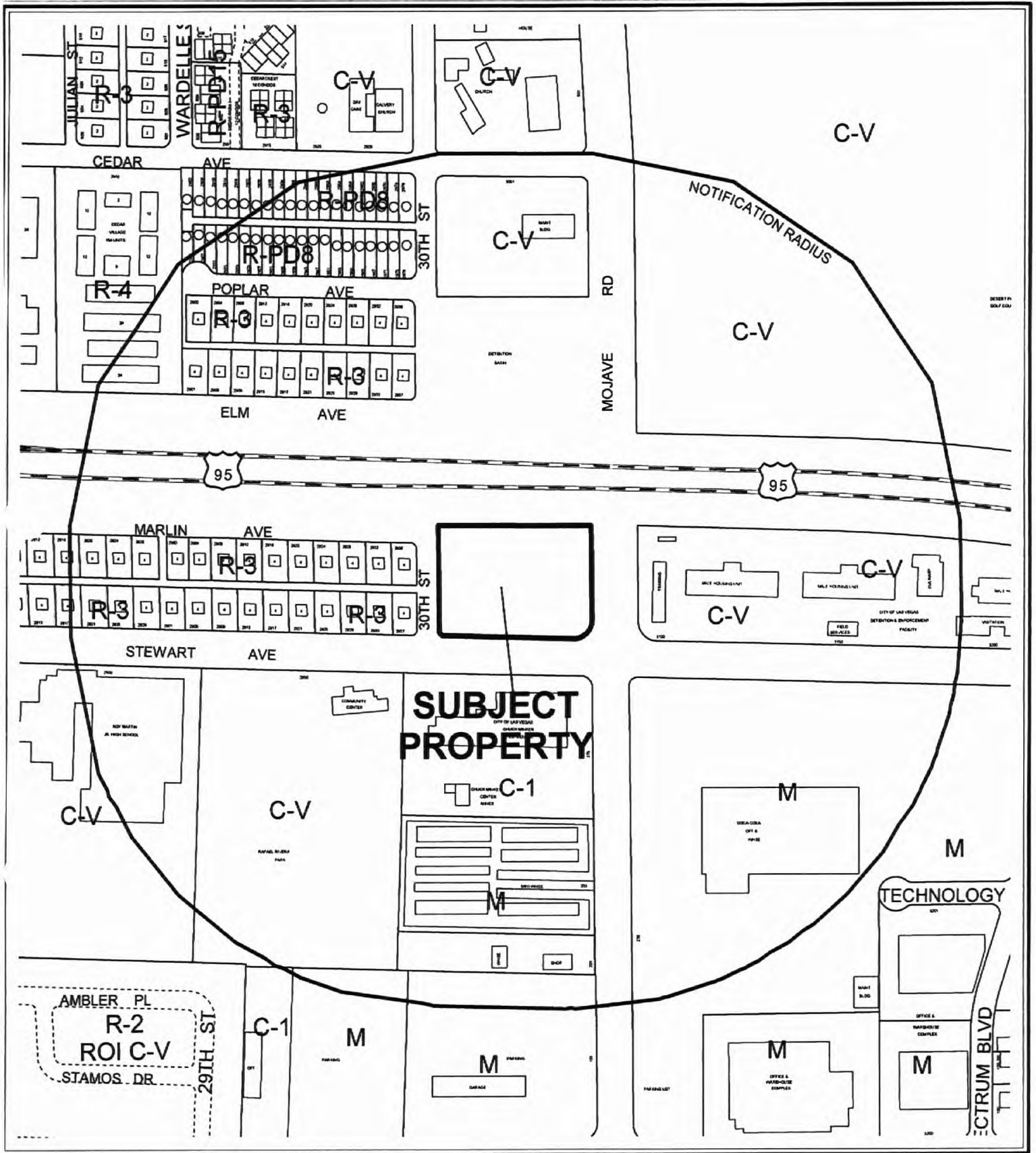
Motion made by GARY REESE to Approve Subject to Conditions

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

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

Minutes:

See Item 125 for related discussion.



CASE: VAR-20193

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO C-V (CIVIC)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE)

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-20193 - APPLICANT: URBAN LOFTS XIV, LTD -
OWNER: CITY OF LAS VEGAS**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-2/ld/sd vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for General Plan (GPA-20188), Rezoning (ZON-20192), Variance (VAR-20190), Site Development Plan Review (SDR-20187), and Waiver (WVR-20191) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a Residential Planned Development on 3.98 acres where five acres is the minimum required for a proposed 56-unit, single-family attached residential subdivision located on the northwest corner of Stewart Avenue and Mojave Road.

The site does not meet the intent of the R-PD (Residential Planned Development) District as defined in Title 19.06.040. The proposed deviation is considered a self-imposed hardship as it is the applicant's choice to rezone the property; therefore, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/04/04	The City Council approved a request to Amend (GPA-4523) a portion of the Southeast Sector Plan of the Master Plan from SC (Service Commercial) to PF (Public Facilities), a Rezoning (ZON-4524) from C-1 (Limited Commercial) Zone to C-V (Civic) Zone and a Site Development Plan Review (SDR-4525) for a proposed government facility (East Las Vegas Business Incubator), on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue Action. Planning Commission and staff recommends approval.
04/12/07	The Planning Commission recommended approval of companion items ZON-20192 and WVR-20191. The Planning Commission had no recommendation of companion items VAR-20190 and SDR-20187. The Planning Commission voted 4-2/ld/sd which failed to obtain a super majority vote which is tantamount to DENIAL of companion item GPA-20188 concurrently with this application. The Planning Commission voted 4-2/ld/sd to recommend APPROVAL (PC Agenda Item #53/jm).
<i>Related Building Permits/Business Licenses</i>	
10/04/05	Code Enforcement (#35102) cited the property for weeds and debris. The case was closed on 10/06/05.
<i>Pre-Application Meeting</i>	
02/14/07	A pre-application meeting was held with regard to the proposed project. Issues related to the General Plan, Rezoning, Site Development Plan, Waiver and Variances were discussed. General process, code requirements and application submittal requirements were explained to the applicant.
<i>Neighborhood Meeting</i>	
03/14/07	A neighborhood meeting was held at 5:30pm at the East Las Vegas Community Senior Center, 250 N. Eastern Ave. No neighbors attended.

Details of Application Request	
Site Area	
Gross Acres	3.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 units per acre)
North	I-515	I-515	I-515
South	Community Recreational Center	PF (Public Facilities)	C-1 (Service Commercial)
East	Multi-Family	PF (Public Facilities)	R-3 (Medium Density Residential)
West	Correctional Facility	M (Medium Density Residential)	C-V (Civic)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Provided
Min. Lot Size	1,206 SF
Min. Lot Width	20 Feet
Min. Setbacks	
• Front	3.75 Feet
• Side	0 – 17.31 Feet
• Rear	3.42 – 16.80 Feet
Max. Building Heights	3 stories, 38.5 feet

Existing Zoning	Permitted Density	Units Allowed
C-1	NA	NA
Proposed Zoning	Permitted Density	Units Allowed
R-PD15	14.07 Units per Acre	59
Proposed General Plan	Permitted Density	Units Allowed
M (Medium Density Residential)	25.49 Units per Acre	97

Pursuant to Title 19.12, the following Landscape Standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer: Min. Trees	1 Tree/30 Linear Feet	31 Trees	31 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	8 Feet		Height not shown	NA

<i>Open Space – R-PD only</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
3.98	14.1 du/acre	1.65	23%	40,249	1.1%	2,059	N*

*A Variance (VAR-20190) has been requested.

Pursuant to Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>
The project is required to provide a minimum of two parking spaces per dwelling unit. In addition, the project is required to provide one guest space for every six dwelling units. The proposed project is a 56 unit development which would require 10 guest spaces, the site has 11 guest spaces. Each unit is proposed to have a minimum of a two car garage. This meets Title 19.10 parking requirements.

ANALYSIS

The proposed development is located on 3.98 gross acres. Per Title 19.06.040 a Residential Planned Development shall be located on a minimum of five acres. The proposed location is only 80 percent of the required area. This is a 20 percent deviation from Title 19.06.040 standards.

Per Title 19.06.040 for the R-PD (Residential Planned Development) District the minimum site area that is eligible for rezoning to the R-PD (Residential Planned Development) zoning district is five acres. This particular development is an infill parcel. The site does not meet the intent of the R-PD (Residential Planned Development) District as defined in Title 19.06.040. The proposed deviation is considered a self-imposed hardship as it is the applicant's choice to rezone the property; therefore, denial of this request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship through requesting a zoning district that does not meet Code requirements. Alternative zoning would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 88 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-20193 APN: 139-36-603-001

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: LARRY S DAVIS / URBAN LOFTS XIV, LTD

Name of Representative: Trinity Schlottman

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

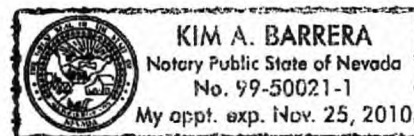
Signature of Property Owner: *Douglas Selby*

Print Name: Douglas Selby

Subscribed and sworn before me

This 28 day of February, 2007

Kim A. Barrera
Notary Public in and for said County and State



35' WIDE SOUTHERN NEVADA
POWER COMPANY EASEMENT
PER OR. 276-221782

55

30TH. ST.

PRIVATE DRIVE

1

PRIVATE DRIVE

24 00'

PRIVATE DRIVE

NO	NAME	DD
1	...	...
2	...	...
3	...	...
4	...	...
5	...	...
6	...	...
7	...	...
8	...	...
9	...	...
10	...	...
11	...	...
12	...	...
13	...	...
14	...	...
15	...	...
16	...	...
17	...	...
18	...	...
19	...	...
20	...	...
21	...	...
22	...	...
23	...	...
24	...	...
25	...	...
26	...	...
27	...	...
28	...	...
29	...	...
30	...	...
31	...	...
32	...	...
33	...	...
34	...	...
35	...	...
36	...	...
37	...	...
38	...	...
39	...	...
40	...	...
41	...	...
42	...	...
43	...	...
44	...	...
45	...	...
46	...	...
47	...	...
48	...	...
49	...	...
50	...	...
51	...	...
52	...	...
53	...	...
54	...	...
55	...	...
56	...	...
57	...	...
58	...	...
59	...	...
60	...	...
61	...	...
62	...	...
63	...	...
64	...	...
65	...	...
66	...	...
67	...	...
68	...	...
69	...	...
70	...	...
71	...	...
72	...	...
73	...	...
74	...	...
75	...	...
76	...	...
77	...	...
78	...	...
79	...	...
80	...	...
81	...	...
82	...	...
83	...	...
84	...	...
85	...	...
86	...	...
87	...	...
88	...	...
89	...	...
90	...	...
91	...	...
92	...	...
93	...	...
94	...	...
95	...	...
96	...	...
97	...	...
98	...	...
99	...	...
100	...	...

STEWART AVE.

VICINITY MAP

[illegible]

GRAPHIC SCALE

(IN FEET)
Scale = 30' = 1"

LEGEND

EXISTING	PROPOSED
..... 	
CENTRAL PROPERTY LINE	
CURB & GUTTER	
OPEN SPACE	
CLUB ST PAVING	
STREET LIGHT	
PROP. DRIVE TO MALL	

OWNER

URBAN LOFTS INC. LTD.
CONTACT: LARRY DAVIS
#312 MONTROSE BOULEVARD
HOUSTON, TEXAS 77008

SITE DATA

PROPOSED 56 LOT "SINGLE FAMILY
RESIDENTIAL SUBDIVISION"

APRIL 1996-38-853-001

EXISTING ZONING: C-2
PROPOSED ZONING: R-1
PROPOSED BLA DOWNSIDE 7200 SF
LOT AREA (GROSS): APPROX. 3.98 ACRES
LOT AREA (NET): 2.83 ACRES

DENSITY OF THE SUBDIVISION: 14 UNITS/AC
MAX HEIGHT OF DISTRICT: 3 STOREYS/35'

OPEN SPACE REQUIRED 40,246 SF
OPEN SPACE PROVIDED 11,501 SF

0.5 #1	=	1,793 SF
0.5 #2	=	499 SF
0.5 #3	=	1,347 SF
0.5 #4	=	1,218 SF
0.5 #5	=	532 SF
0.5 #6	=	483 SF
0.5 #7	=	2,026 SF

TOTAL = 11,501 SF

TYPICAL LOT LAYOUT

NOT TO SCALE

SETBACK PROVIDED

FRONT: 3.75'
REAR: 3' x 2" - 16.80'
SIDE: 0' - 17.31'

NOTE

- ALL STREETS ARE PRIVATE DRIVE AND TO BE MAINTAINED BY H.O.A.
- LANDSCAPE WITHIN THE COMMON AREA TO BE MAINTAINED BY H.O.A.

PARKING

PARKING REQUIRED: 112 (BASED ON 2:1 SINGLE FAMILY)	
PARKING PROVIDED:	112 PRIVATE
	<u>11 GUEST PARKING</u>
TOTAL	123

 JOSE A. RAMIREZ P.E. 12586	PROJECT: STEWART AVENUE LOFTS SINGLE FAMILY TOWNHOMES	SITE PLAN	INTERURBAN CONSTRUCTION, LLC 1700 N.W. 10TH AVE., SUITE 202 LA VEGAS, NV89030-8898 PHONE (702) 841-0001 FAX (702) 841-0022	HAUNTEC 580 NORTH MADISON AVENUE, SUITE 202 LA VEGAS, NV89030-8898	10/2/2006
	DESIGNED BY: _____ CHECKED BY: _____ DATE: _____	JOHN NO. _____ 0001-07	SHEET NO. _____ 1 OF 1		

~~ZON-20192~~ ~~WVR-20191~~
VAR-20193 VAR-20190
SDR-20187 REVISED
04/12/07 PC

RECEIVED
MAR 13 2007

January 29, 2007

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

Subject: Stewart Avenue Lofts – Justification Letter for Variance for Residential
Planned Development

Dear Sir or Madam:

This letter is provided to justify a Variance for a Residential Planned Development district to incorporate a development of 56 single-family three-story Townhomes on the vacant site located in the northeast corner of Mojave Road and Stewart Avenue. The site is currently planed P-F and will need to be categorized to a minimum of R-PD 14 to allow for the higher density of residential properties. The site is currently zoned C-1, but as indicated by the General Plan the City of Las Vegas has not previously determined the ultimate use of the parcel. This will be the fourth such project for Urban Lofts Townhomes within the City of Las Vegas downtown area. The developer, which is based out of Houston, Texas, has introduce a new project that has been recognized by the City of Las Vegas as a suitable fit for the redevelopment of the downtown. As an indication of the acceptance of this product by the community, one only needs to look at the sold signs on the current project under construction on Carson Avenue and Maryland Parkway. In addition, the developer has a waiting list for the additional lots on Fremont Street.

Through a review process of several developer proposals, the developer's product has been selected by the City of Las Vegas as the best development for the currently undeveloped parcel. The Urban Lofts is a unique product that is well suited for the urban environment, which offers modern ascetics and stimulates additional growth in a community. These proposed residential homes are suitable for the ±3.98 acre site and will not have a negative impact to the existing developments adjacent to the site. To develop the 56 town homes on the site the allowable residential density will need to be updated to 14 dwellings per acre. The revised zoning will allow the developer to construct the intended project as presented to the City of Las Vegas.

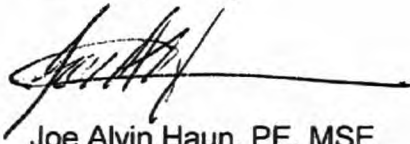
The site is bordered to the north by I-515, which is elevated well above the proposed height of the townhomes. Northeast of the property is a municipal Golf Course. A Correctional facility is located east of the site, a YMCA is located south of the site, and a community center is southwest. In addition, an apartment complex is west of the site. The proposed development will fit the existing community in the immediate area without having a negative impact.

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC

February 26, 2007

Because the development will have a positive impact on the neighborhood, the developer wishes at this time to submit the General Plan Amendment for review by the City of Las Vegas. If you have any questions or need additional information, please contact me

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Alvin Haun', with a long horizontal line extending to the right.

Joe Alvin Haun, PE, MSE
HAUNTEC

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC

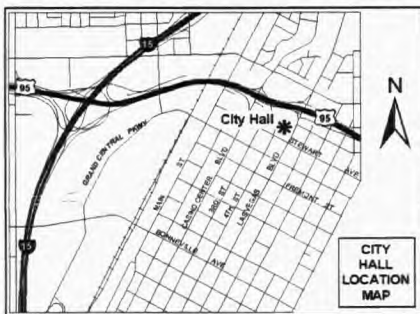
City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK



Official Notice of Public Hearing

2007 MAY -8 A 10:53

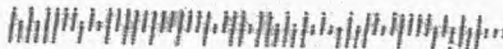


If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

STIEB CANDIE
6583 MCKINLEY SUMMIT CT
LAS VEGAS NV 89110-6804

☒ I SUPPORT
this Request
VAR-20190 & VAR-20193

☐ I OPPOSE
this Request



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

RECEIVED
CITY CLERK



Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

GARCIA ROSE M
2962 CEDAR AVE
LAS VEGAS NV 89101-3803



I SUPPORT
this Request



I OPPOSE
this Request

VAR-20190 & VAR-20193

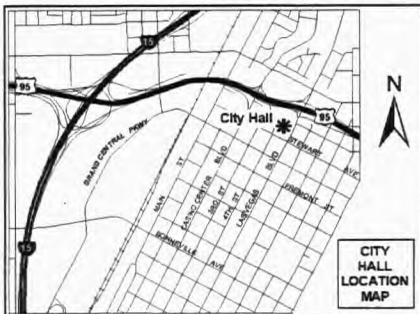


City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Vegas, Nevada 89101

RECEIVED
CITY CLERK



Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

RUVALCABA SALVADOR
2978 CEDAR AVE
LAS VEGAS NV 89101-3803



I SUPPORT
this Request



I OPPOSE
this Request

VAR-20190 & VAR-20193

5/14/07 # 128 + 29

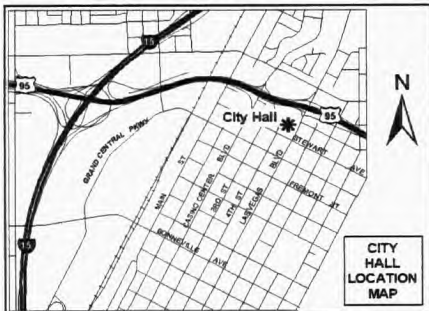


City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK



Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

BALDERAS ESTELA E
2950 CEDAR AVE
LAS VEGAS NV 89101-3803

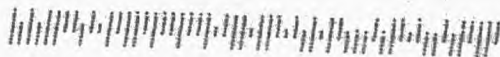


I SUPPORT
this Request



I OPPOSE
this Request

VAR-20190 & VAR-20193



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

RECEIVED
CITY CLERK

2007 MAY 14 A 9:59

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

GIBNEY KATHERINE & CHRISTOPHER
P O BOX 70636
RICHMOND CA 94807-0636

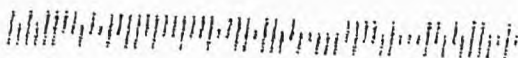


I SUPPORT
this Request



I OPPOSE
this Request

VAR-20190 & VAR-20193



Submitted after final agenda

#1284

Date 5-14-07 Item #129

RECEIVED
CITY CLERK

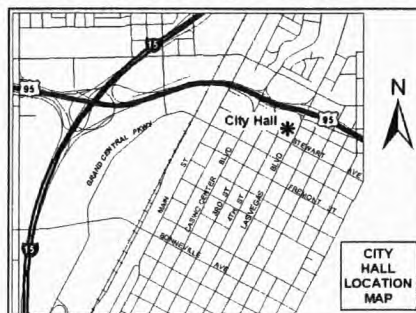
2007 MAY 17 A 10:42

Submitted after City Council
Date 5/17/07 Item # 128x129

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



Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.



I SUPPORT
this Request

VAR-20190 & VAR-20193



I OPPOSE
this Request

GONZALES ANTHONY I & NORMA A
1696 9TH AVE
SAN FRANCISCO CA 94122-3621

Application Information

VAR-20190 - VARIANCE - PUBLIC HEARING - APPLICANT: URBAN LOFTS XIV, LTD. - OWNER: CITY OF LAS VEGAS - REQUEST FOR A VARIANCE TO ALLOW 2,059 SQUARE FEET OF OPEN SPACE WHERE 40,249 SQUARE FEET IS REQUIRED FOR A PROPOSED 56-UNIT SINGLE-FAMILY ATTACHED RESIDENTIAL SUBDIVISION ON 3.98 ACRES LOCATED AT THE NORTHWEST CORNER OF STEWART AVENUE AND MOJAVE ROAD (APN 139-36-603-001), C-1 (LIMITED COMMERCIAL) ZONE, UNDER A RESOLUTION OF INTENT TO C-V (CIVIC) ZONE, [PROPOSED: R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE) ZONE], WARD 3 (REESE).

VAR-20193 - VARIANCE - PUBLIC HEARING - APPLICANT: URBAN LOFTS XIV, LTD - OWNER: CITY OF LAS VEGAS - REQUEST FOR A VARIANCE TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT ON 3.98 ACRES WHERE FIVE ACRES IS THE MINIMUM REQUIRED FOR A PROPOSED 56-UNIT SINGLE-FAMILY ATTACHED RESIDENTIAL SUBDIVISION LOCATED ON THE NORTHWEST CORNER OF STEWART AVENUE AND MOJAVE ROAD (APN 139-36-603-001), C-1 (LIMITED COMMERCIAL) ZONE, UNDER A RESOLUTION OF INTENT TO C-V (CIVIC) ZONE, [PROPOSED: R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE) ZONE], WARD 3 (REESE).

Application Location



The proposed project might not pertain to the entire highlighted project site.

Public Hearing Information

Meeting: City Council
Date: May 16, 2007
Time: 1:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

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

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



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

DATE: 11 April 2007 PHONE: (702) 877-2438
FAX: 877-2438

TO: DOUG RANKIN
REGARDING: 12 April 2007—agenda items # 50-55

ZON-20192-for PD15 must NOT be used for the intent of being "home" to fellow residents of this ward. Have any of you, councilpersons/planning commissioners, been to observe that locale?
Too few neighborhood services (parks/stores),
too little access (1 in/2 out ONLY on 30th St.),
too little emergency access (private roads 13 feet more narrow than required),
too high density (many 2 story apt. complex adjacent to the West),
too little air/visual space (aprox. 6-8 story embankment of US95-515 and industrial bldgs),
too little open/green space (1/20th of required space requested),
too many people for the space (56 THREE STORY units planned),
too confusing proposals (RPD 14 minimum in letter from PE,MSH Joe Haun, but RPD 15 under ZON-20188!),
too much stretch of imagination for "lofts" (how about cubicles?),
too demeaning a plan for a resident to feel respected and raise healthy children (although under a large bill board of our honorable mayor,
too short is this list because disgusting is a 'kind' description of items 50-55 (surely our council persons are human AND humane owners of U.Lofts).

REMINDER~~ commercial to 15 units per acre?

allow 24'w.streets where 37'is required?

allow 3.98 acres where 5 acres MIN is required?

allow 2,059 sq ft Open Space where 40,249 is required?

allow 56 THREE STORY units on 3.98 acres?

Are you insulted that the above plan would even be placed in print on City of Las Vegas PLANNING MEETING agenda? (and this property is OWNED by our city!!!!!!!!!!!!!!!!!!!!!! Well, new lows can originate in high places.

We request that you DENY all 5 Urban Lofts items.

We suggest that a TENT STYLE CORRECTIONAL FACILITY be placed in this location.

June Ingram

JUNE INGRAM, President of Charleston Neighborhood Preservation

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Eon - Marcus Gobel - Rose Honrath - June Ingram - Rick Johnson
Gene & Pearl Leonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pamela Stanchiff

ZON-20192
WVR-20191
VAR-20193
VAR-20190
SDR-20187

ITEM # 50-55
CASE # GPA-20188
PC MTG 4-12-07

f

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

VARIANCE RELATED TO GPA-20188, ZON-20192, WVR-20191 AND VAR-20193

VAR-20190 - PUBLIC HEARING - APPLICANT: URBAN LOFTS XIV, LTD. - OWNER: CITY OF LAS VEGAS - Request for a Variance TO ALLOW 2,059 SQUARE FEET OF OPEN SPACE WHERE 40,249 SQUARE FEET IS REQUIRED FOR A PROPOSED 56-UNIT SINGLE-FAMILY ATTACHED RESIDENTIAL SUBDIVISION on 3.98 acres located at the northwest corner of Stewart Avenue and Mojave Road (APN 139-36-603-001), C-1 (Limited Commercial) Zone, under a Resolution of Intent to C-V (Civic) Zone, [PROPOSED: R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE) Zone], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (3-3 tie vote on a motion for approval) NO RECOMMENDATION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

3

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (3-3 tie vote on a motion for approval) NO RECOMMENDATION.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Returned postcard support
6. Backup referenced from the 04-12-07 Planning Commission Meeting Item 54

Motion made by GARY REESE to Approve Subject to Conditions and amending Condition 3 as read for the record:

3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$50,000 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

CITY COUNCIL MEETING OF: MAY 16, 2007

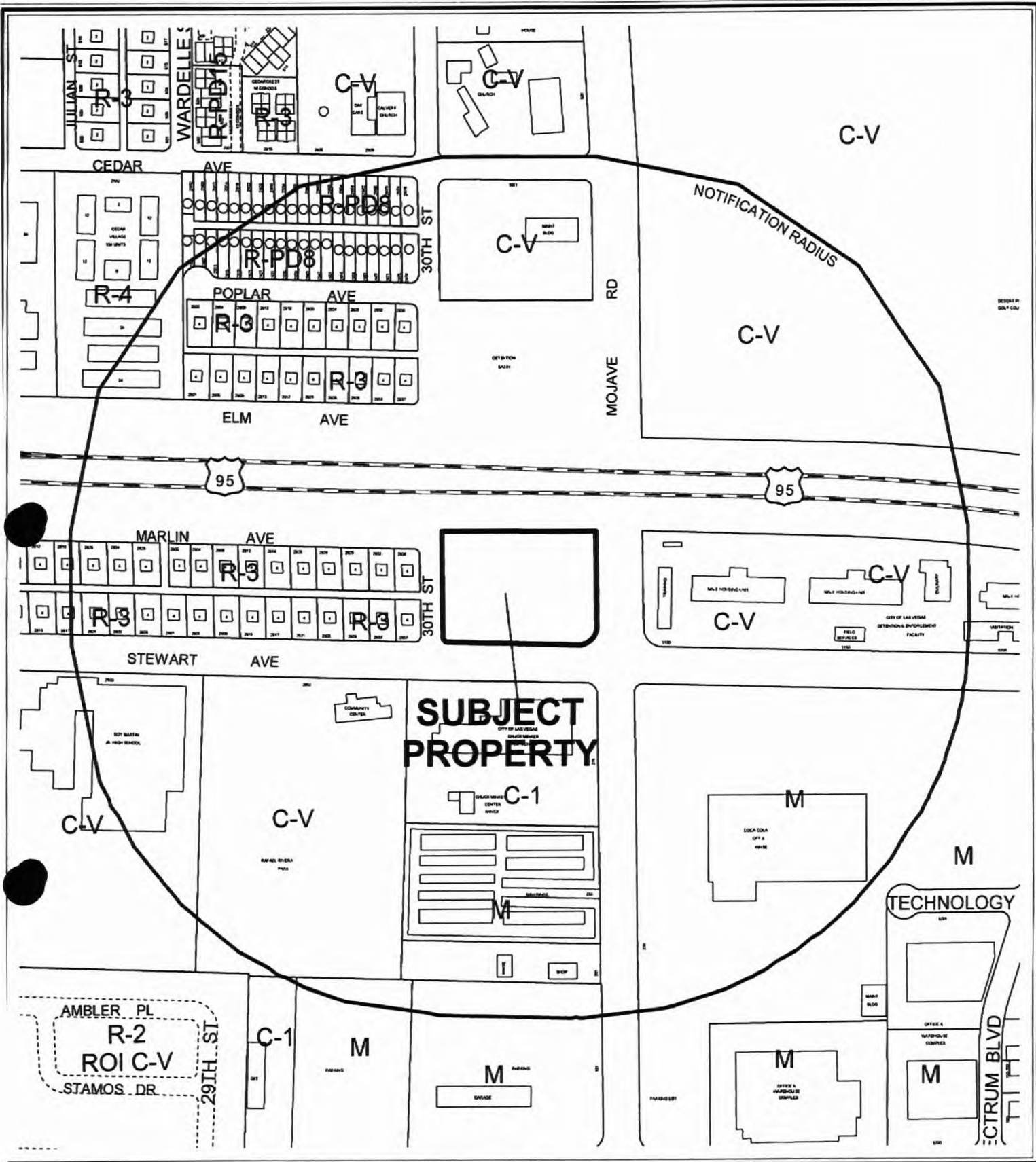
Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

See Item 125 for related discussion and Item 128 for related backup.





CASE: VAR-20190

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO C-V (CIVIC)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE)

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20190 - APPLICANT: URBAN LOFTS XIV,LTD, -
OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (3-3 tie vote on a motion for denial) NO RECOMMENDATION.

Planning and Development

1. Conformance to the conditions for General Plan (GPA-20188), Rezoning (ZON-20192), Variance (VAR-20193), Site Development Plan Review (SDR-20187), and Waiver (WVR-20191) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

Public Works

3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$152,760 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow 2,059 square feet of open space where 40,249 square feet is required for a proposed 56-unit single-family attached residential subdivision on 3.98 acres located at the northwest corner of Stewart Avenue and Mojave Road. This is a 95 percent deviation from standards. The request for Variance to deviate from the required open space is a self-imposed hardship and positive finding cannot be made for a recommendation for approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/04/04	The City Council approved a request to Amend (GPA-4523) a portion of the Southeast Sector Plan of the Master Plan from SC (Service Commercial) to PF (Public Facilities), a Rezoning (ZON-4524) from C-1 (Limited Commercial) Zone to C-V (Civic) Zone and a Site Development Plan Review (SDR-4525) for a proposed government facility (East Las Vegas Business Incubator), on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue Action. Planning Commission and staff recommends approval.
04/12/07	The Planning Commission recommended approval of companion items ZON-20192; VAR-20193 and WVR-20191. The Planning Commission had no recommendation of companion item SDR-20187. The Planning Commission voted 4-2/ld/sd which failed to obtain a super majority vote which is tantamount to DENIAL of companion item GPA-20188 concurrently with this application. The Planning Commission voted 3-3 on a motion for denial NO RECOMMENDATION (PC Agenda Item #54/jm).
<i>Related Building Permits/Business Licenses</i>	
10/04/05	Code Enforcement (#35102) cited the property for weeds and debris. The case was closed on 10/06/05.
<i>Pre-Application Meeting</i>	
02/14/07	A pre-application meeting was held with regard to the proposed project. Issues related to the General Plan, Rezoning, Site Development Plan, Waiver and Variances were discussed. General process, code requirements and application submittal requirements were explained to the applicant.
<i>Neighborhood Meeting</i>	
03/14/07	A neighborhood meeting was held at 5:30pm at the East Las Vegas Community Senior Center, 250 N. Eastern Ave. No neighbors attended.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 units per acre)
North	I-515	I-515	I-515
South	Community Recreational Center	PF (Public Facilities)	C-1 (Service Commercial)
East	Multi-Family	PF (Public Facilities)	R-3 (Medium Density Residential)
West	Correctional Facility	M (Medium Density Residential)	C-V (Civic)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	1,206 SF
Min. Lot Width	20 Feet
Min. Setbacks	
• Front	3.75 Feet
• Side	0 – 17.31 Feet
• Rear	3.42 – 16.80 Feet
Max. Building Heights	3 stories, 38.5 feet

Existing Zoning	Permitted Density	Units Allowed
C-1	NA	NA
Proposed Zoning	Permitted Density	Units Allowed
R-PD15	14.07 Units per Acre	59
Proposed General Plan	Permitted Density	Units Allowed
M (Medium Density Residential)	25.49 Units per Acre	97

Pursuant to Title 19.12, the following Landscape Standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer: Min. Trees	1 Tree/30 Linear Feet	31 Trees	31 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	8 Feet		Height not shown	NA

Open Space – R-PD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
3.98	14.1 du/acre	1.65	23%	40,249	1.1%	2,059	N*

*A Variance (VAR-20190) has been requested.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement
The project is required to provide a minimum of two parking spaces per dwelling unit. In addition, the project is required to provide one guest space for every six dwelling units. The proposed project is a 56 unit development which would require 10 guest spaces, the site has 11 guest spaces. Each unit is proposed to have a minimum of a two car garage. This meets Title 19.10 parking requirements.

ANALYSIS

The proposed residential planned development is requesting that 2,059 square feet of open space be permitted where 40,259 square feet is the minimum required, which is a 95 percent deviation from standards. The open space that has been provided within the 56-lot single-family attached units is located within one interior landscape area. No common open space recreation facility has been provided within the subject property.

However, Rafael Rivera Park is south of the proposed residential project across Stewart Avenue. The minimum site lot size for the proposed development is 1,206 square feet. For the applicant to meet the open space standards for an R-PD (Residential Planned Development) the site would result in a loss of approximately 33 units.

Staff recommends denial of the requested Variance to allow the reduction of open space requirements because it is a self-imposed hardship.

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. Alternative design with less number of units or subterranean parking would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 88 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-20190 APN: 139-36-603-001

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: LARRY S DAVIS / URBAN LOFTS XIV, LTD

Name of Representative: Trinity Schlottman

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: Douglas Selby

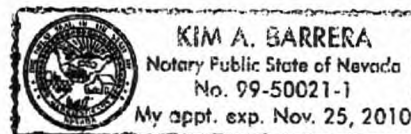
Print Name: Douglas Selby

Subscribed and sworn before me

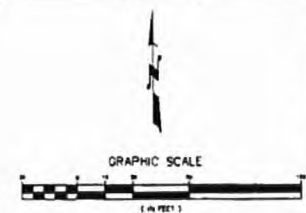
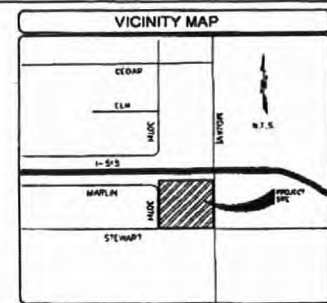
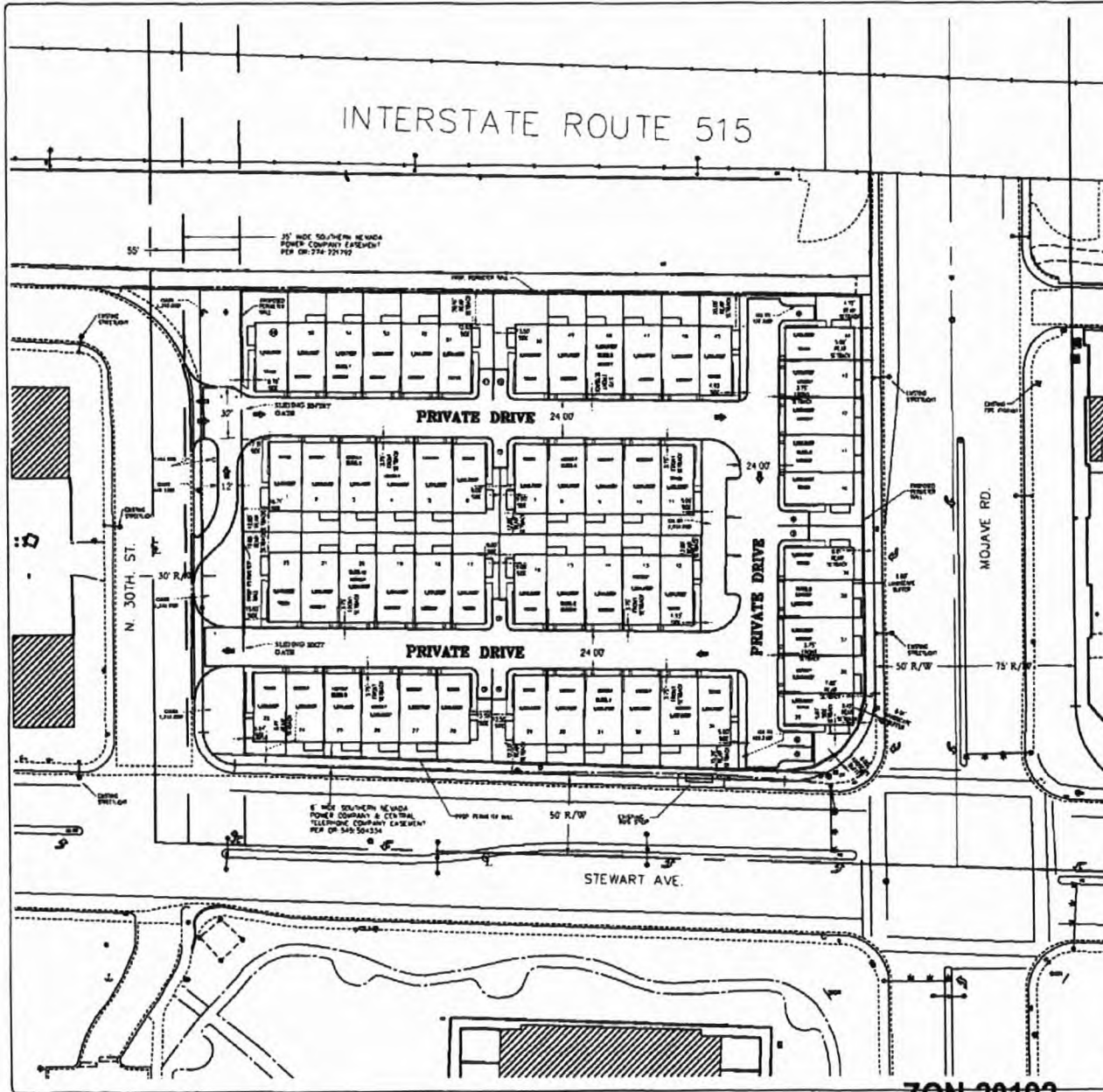
This 28 day of February, 2007

Kim A. Barrera

Notary Public in and for said County and State



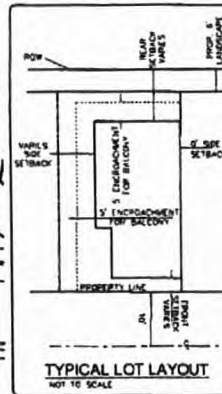
2001-07



LEGEND	
Existing	Proposed
--- EASEMENT	--- EASEMENT
--- PROPERTY LINE	--- PROPERTY LINE
--- DRIVE & ENTRY	--- DRIVE & ENTRY
--- OPEN SPACE	--- OPEN SPACE
--- GUEST PARKING	--- GUEST PARKING
--- 15' TRUCK LANE	--- 15' TRUCK LANE
--- 5' SIDE SETBACK	--- 5' SIDE SETBACK

OWNER
 URBAN LOFTS INC. LTD.
 CONTACT: LARRY DAVIS
 4312 HIGHTOWER BOULEVARD
 HOUSTON, TEXAS 77060

SITE DATA
 PROPOSED 56 LOT SINGLE FAMILY
 RESIDENTIAL SUBDIVISION
 APN: 130-36-003-001
 EXISTING ZONING: D-2
 PROPOSED ZONING: RPD 14
 PROPOSED BUILDING SFL: 7200 SF
 LOT AREA (GROSS) APPROX. 3.98 ACRES
 LOT AREA (NET) 3.83 ACRES
 DENSITY OF THE SUBDIVISION: 14 UNITS/AC
 MAX HEIGHT OF DISTRICT: 3 STORIES/33'
 OPEN SPACE REQUIRED: 40,240 SF
 OPEN SPACE PROVIDED: 11,300 SF
 O.S. #1 = 1,393 SF
 O.S. #2 = 490 SF
 O.S. #3 = 1,347 SF
 O.S. #4 = 5,716 SF
 O.S. #5 = 532 SF
 O.S. #6 = 485 SF
 O.S. #7 = 2,017 SF
 TOTAL = 11,300 SF



SETBACK PROVIDED
 FRONT: 3.75'
 REAR: 3.42'-18.80'
 SIDE: 0'-17.31'

NOTE
 - ALL STREETS ARE PRIVATE DRIVE AND TO BE MAINTAINED BY H.O.A.
 - LANDSCAPE WITHIN THE COMMON AREA TO BE MAINTAINED BY H.O.A.

PARKING	
PARKING REQUIRED: 112 (BASED ON 2:1 SINGLE FAMILY)	
PARKING PROVIDED: 112 PRIVATE	
TOTAL: 112 GUEST PARKING	

INTERURBAN CONSTRUCTION, LLC
 1500 W. 10TH ST. SUITE 200
 P.O. BOX 1077 817-881-8811 FAX 817-881-8812

HAUTECH
 300 NORTH HASTON BOULEVARD SUITE 200
 FORT WORTH, TEXAS 76102
 817-335-1111 FAX 817-335-1112

SITE PLAN
STEWART AVENUE LOFTS
SINGLE FAMILY TOWNHOMES
 CITY OF LAS VEGAS, NEVADA

PROJECT:
 DESIGNER: JAH
 DRAWN BY: JAH

JOB NO:
 0001-07

SHEET NO.:
 1
 OF 1

ZON-20192 WVR-20191
VAR-20193 VAR-20190
SDR-20187 REVISED
04/12/07 PC

RECEIVED
MAR 13 2007

HAUNTEC

800 North Rainbow Boulevard, Suite 208
Las Vegas, Nevada 89107
702-948-5180 / FAX 702-948-5181

January 29, 2007

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

Subject: Stewart Avenue Lofts – Justification Letter for Variance to Reduce
Open Space

Dear Sir or Madam:

This letter is provided to justify a Variance for Reducing the Open Space requirement for the proposed development of 56 single-family three-story Townhomes on the vacant site located in the northeast corner of Mojave Road and Stewart Avenue. The site is currently planed P-F and will need to be categorized to a minimum of R-PD 14 to allow for the higher density of residential properties. Due to the density of residential dwellings, the developer is seeking to reduce the Open Space requirement.

Through a review process of several developer proposals, the developer's product has been selected by the City of Las Vegas as the best development type for the currently undeveloped parcel. The Urban Lofts is a unique product that is well suited for the urban environment, which offers modern ascetics and stimulates additional growth in a community. These proposed residential homes are suitable for the ±3.98 acre site and will not have a negative impact to the existing developments adjacent to the site. To develop the 56 town homes on the site the allowable residential density will need to be updated to 14 dwellings per acre. According to the City of Las Vegas Standards, the required open space is 40,249 square feet. The proposed design will provide only 11,521 square feet. The revised open space requirement will allow the developer to construct the intended project as presented to the City of Las Vegas.

Although the developer's site plan will not provide the required open space for the site, the site is surrounded by numerous public facilities. The site is bordered to the north by I-515, which is elevated well above the proposed height of the townhomes. Northeast of the property is the Desert Pines Golf Course. A Correctional facility is located east of the site, a Sport Center and Community Center are located south of the site, and a community center, Riveria Park and Hadland Park are southwest. In addition, an apartment complex is west of the site. Although the proposed site design does not provide the required open space requirement, the site is surrounded by parks and community centers.

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC

February 26, 2007

As with the previous projects by the Developer in the downtown area, the developer is willing to contribute funds to the City of Las Vegas in Lieu of providing the open space. Because the development will have a positive impact on the neighborhood, the developer wishes at this time to submit the Variance for Reduce Open Space for review by the City of Las Vegas. If you have any questions or need additional information, please contact me

Sincerely,



Joe Alvin Haun, PE, MSE
HAUNTEC

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC

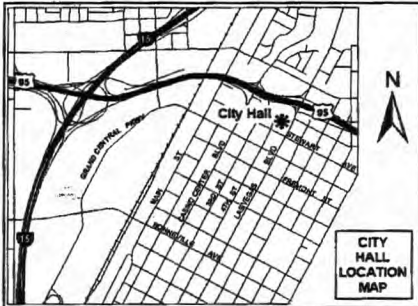
City of Las Vegas
City Clerk
City Hall, First Floor
30 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK



Official Notice of Public Hearing

2007 MAY -8 A 10:53

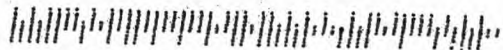


If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

STIEB CANDIE
6583 MCKINLEY SUMMIT CT
LAS VEGAS NV 89110-6804

☒ I SUPPORT
this Request
VAR-20190 & VAR-20193

☐ I OPPOSE
this Request



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



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

DATE: 11 April 2007 PHONE: (702) 877-2438
FAX: 877-2438

TO: DOUG RANKIN
REGARDING: 12 April 2007—agenda items # 50-55

ZON-20192-for PD15 must NOT be used for the intent of being "home" to fellow residents of this ward. Have any of you, councilpersons/planning commissioners, been to observe that locale?

Too few neighborhood services (parks/stores),
too little access (1 in/2 out ONLY on 30th St.),
too little emergency access (private roads 13 feet more narrow than required),

too high density (many 2 story apt. complex adjacent to the West),
too little air/visual space (aprox. 6-8 story embankment of US95-515 and industrial bldgs),

too little open/green space (1/20th of required space requested),

too many people for the space (56 THREE STORY units planned),

too confusing proposals (RPD 14 minimum in letter from PE, MSE, Joe Haun, but RPD 15 under ZON-20188!),

too much stretch of imagination for "lofts" (how about cubicles?),

too demeaning a plan for a resident to feel respected and raise healthy children (although under a large bill board of our honorable mayor,

too short is this list because disgusting is a 'kind' description of items 50-55 (surely our council persons are human AND humane owners of U. Lofts).

REMINDER~~ commercial to 15 units per acre?

allow 24' w. streets where 37' is required?

allow 3.98 acres where 5 acres MIN is required?

allow 2,059 sq ft Open Space where 40,249 is required?

allow 56 THREE STORY units on 3.98 acres?

Are you insulted that the above plan would even be placed in print on City of Las Vegas PLANNING MEETING agenda? (and this property is OWNED by our city!!!!!!!!!!!!!!!!!!!!!! Well, new lows can originate in high places.

We request that you DENY all 5 Urban Lofts items.

We suggest that a TENT STYLE CORRECTIONAL FACILITY be placed in this location.

June Ingram

JUNE INGRAM, President of Charleston Neighborhood Preservation

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Ean - Marcus Gobel - Rose Honrath - June Ingram - Rick Johnson
Gene & Pearl Lenardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pamela Standiford

ZON-20192
VAR-20191
VAR-20193
VAR-20190
VAR-20187

ITEM # 50-55

CASE # GCA-20188

PC MTG 4-12-07

f

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-20188, ZON-20192, WVR-20191, VAR-20193 AND VAR-20190

SDR-20187 - PUBLIC HEARING - APPLICANT: URBAN LOFTS XIV, LTD - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 56-UNIT SINGLE-FAMILY ATTACHED RESIDENTIAL SUBDIVISION OF THREE-STORY (38.5-FOOT HIGH) HOMES ON 3.98 ACRES, located on the northeast corner of Stewart Avenue and Mojave Road (APN 139-36-603-001), C-1 (Limited Commercial) Zone, under a Resolution of Intent to C-V (Civic) Zone, [PROPOSED: R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE) Zone], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (3-3 tie vote on a motion for approval) NO RECOMMENDATION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (3-3 tie vote on a motion for approval) NO RECOMMENDATION.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 04-12-07 Planning Commission Meeting Item 55

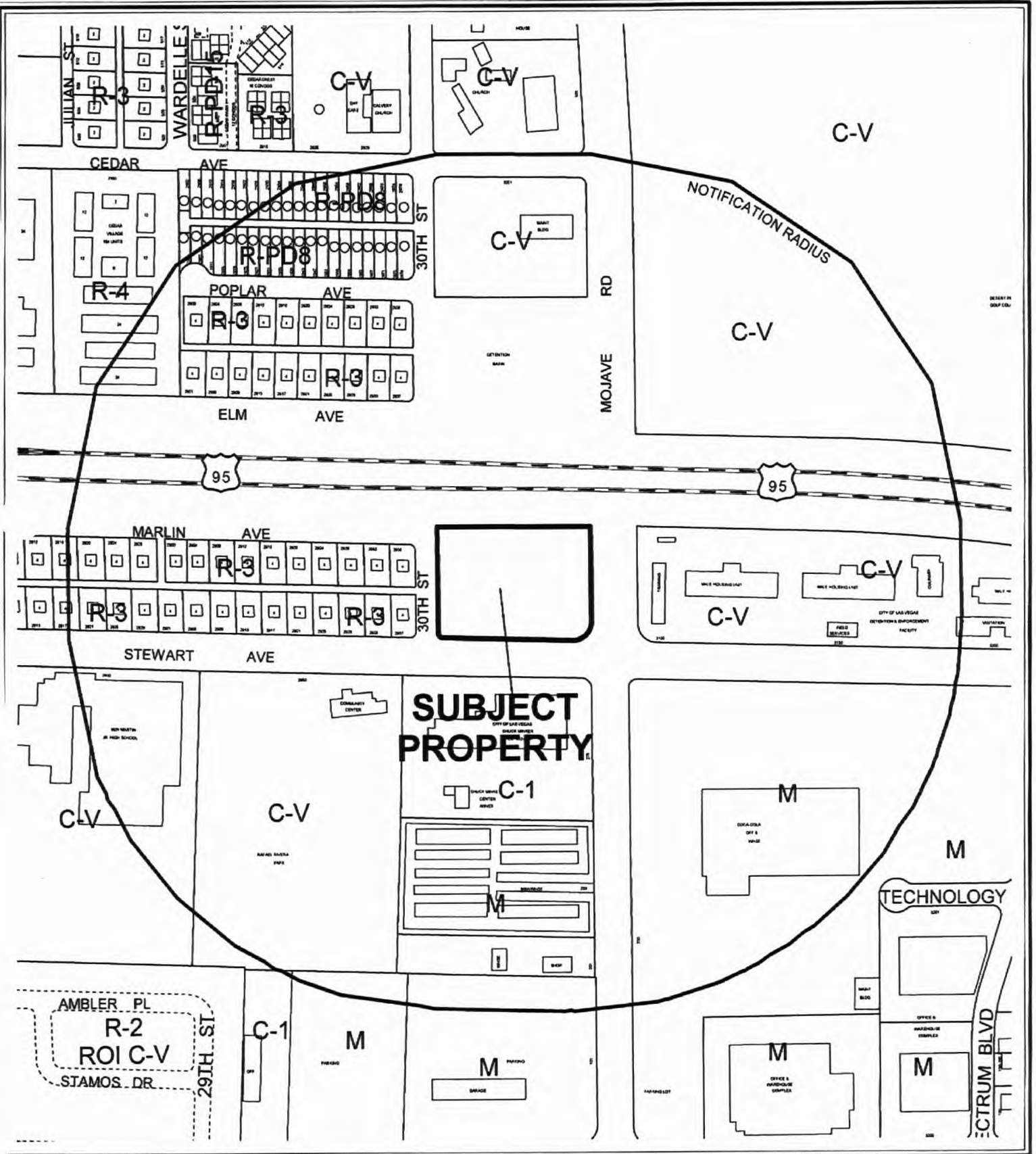
Motion made by GARY REESE to Approve Subject to Conditions

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

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

Minutes:

See Item 125 for related discussion.



CASE: SDR-20187

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO C-V (CIVIC)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE)

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-20187 - APPLICANT: URBAN LOFTS XIV, LTD -
OWNER: CITY OF LAS VEGAS**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (3-3 tie vote on a motion for denial) NO RECOMMENDATION.

Planning and Development

1. Conformance to the conditions for General Plan (GPA-20188), Rezoning (ZON-20192), Variance (VAR-20190), Variance (VAR-20193), and Waiver (WVR-20191), 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 date stamped 03/13/07, and landscape plan and building elevations, date stamped 02/27/07, except as amended by conditions herein.
4. The standards for this development shall include a Minimum lot size of 1,206 square feet and Building height shall not exceed three stories or 38.5 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 3.75 feet to the front of the house (garage), zero feet on the side, zero feet on the corner side, and 3.25 feet in the rear.
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 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.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. 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.

9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from North 30th Street.
14. Landscape and maintain all unimproved rights-of-way, if any, on Stewart Avenue, Mojave Road, and 30th Street adjacent to this site.
15. Submit an Encroachment Agreement for all landscaping, if any, located in the Stewart Avenue, Mojave Road, and 30th Street public rights-of-way adjacent to this site prior to occupancy of this site.
16. 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.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. Site development to comply with all applicable conditions of approval for ZON-20192, WVR-20191 and all other site-related actions.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

20. 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Site Development Plan Review for a proposed 56-unit single-family attached residential subdivision of three-story homes on 3.98 acres, located on the northeast corner of Stewart Avenue and Mojave Road

Based on gross acre property size the proposed project has 15 units to the acre. This residential development is contingent upon approval of a General Plan Amendment (GPA-20188) to M (Medium Density Residential), Rezoning (ZON-20192) to R-PD15 (Residential Planned Development – 15 Units per Acre) , Waiver (WVR-20191) of private street width, Variance (VAR-20190) of open space and a Variance (VAR-20193) of minimum acreage permitted for a R-PD (Residential Planned Development).

The proposed project is not compatible with other R-PD projects where open space supporting both recreational and landscape amenities are provided for the resident. The proposed project lacks open space requirements as required by the code. Thus, the proposed project is incompatible with the adjacent development and surrounding development in the area; therefore, staff recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/04/04	The City Council approved a request to Amend (GPA-4523) a portion of the Southeast Sector Plan of the Master Plan from SC (Service Commercial) to PF (Public Facilities), a Rezoning (ZON-4524) from C-1 (Limited Commercial) Zone to C-V (Civic) Zone and a Site Development Plan Review (SDR-4525) for a proposed government facility (East Las Vegas Business Incubator), on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue Action. Planning Commission and staff recommended approval.
04/12/07	The Planning Commission recommended approval of companion items ZON-20192; VAR-20193 and WVR-20191. The Planning Commission had no recommendation of companion item VAR-20190. The Planning Commission voted 4-2/ld/sd which failed to obtain a super majority vote which is tantamount to DENIAL of companion item GPA-20188 concurrently with this application. The Planning Commission voted 3-3 on a motion for denial NO RECOMMENDATION (PC Agenda Item #55/jm).

<i>Related Building Permits/Business Licenses</i>	
10/04/05	Code Enforcement (#35102) cited the property for weeds and debris. The case was closed on 10/06/05.

<i>Pre-Application Meeting</i>	
02/14/07	A pre-application meeting was held with regard to the proposed project. Issues related to the General Plan, Rezoning, Site Development Plan, Waiver and Variances were discussed. General process, code requirements and application submittal requirements were explained to the applicant.

<i>Neighborhood Meeting</i>	
03/14/07	A neighborhood meeting was held at 5:30pm at the East Las Vegas Community Senior Center, 250 N. Eastern Ave. No neighbors attended.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 units per acre)
North	I-515	I-515	I-515
South	Community Recreational Center	PF (Public Facilities)	C-1 (Service Commercial)
East	Multi-Family	PF (Public Facilities)	R-3 (Medium Density Residential)
West	Correctional Facility	M (Medium Density Residential)	C-V (Civic)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Provided
Min. Lot Size	1,206 SF
Min. Lot Width	20 Feet
Min. Setbacks • Front • Side • Rear	3.75 Feet 0 – 17.31 Feet 3.42 – 16.80 Feet
Max. Building Heights	3 stories, 38.5 feet

Existing Zoning	Permitted Density	Units Allowed
C-1	NA	NA
Proposed Zoning	Permitted Density	Units Allowed
R-PD15	14.07 Units per Acre	59
Proposed General Plan	Permitted Density	Units Allowed
M (Medium Density Residential)	25.49 Units per Acre	97

Pursuant to Title 19.12, the following Landscape Standards apply:

Landscape and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer: Min. Trees	1 Tree/30 Linear Feet	31 Trees	31 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	8 Feet		Height not shown	NA

Open Space – R-PD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
3.98	14.1 du/acre	1.65	23%	40,249	1.1%	2,059	N*

*A Variance (VAR-20190) has been requested.

Pursuant to Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>
The project is required to provide a minimum of two parking spaces per dwelling unit. In addition, the project is required to provide one guest space for every six dwelling units. The proposed project is a 56 unit development which would require 10 guest spaces, the site has 11 guest spaces. Each unit is proposed to have a minimum of a two car garage. This meets Title 19.10 parking requirements.

ANALYSIS

- Zoning

In separate applications, the applicant is proposing to Rezone (ZON-20192) the property from C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 units per acre), and Amend the General Plan (GPA-20188) from PF (Public Facilities) to M (Medium Density Residential).

- Site Plan

The proposed project includes 56 lots with attached single family homes. The size of the lots range in area from 1,206 square feet to 2,147 square feet. The lots will be accessed from a main entry located along 30th Street. The interior of the project includes a private street with a width of 24 feet which provide access to each residential parking garage and guest parking space areas. A Waiver (WVR-20190) of Title 18.12.100 to allow private streets to be 24 feet wide where 37 feet is the minimum for a proposed 56-unit single-family attached residential subdivision has been requested by the applicant as a companion item to this application.

The applicant is proposing three-story town homes (loft homes) that will measure approximately 1,800 to 2,000 square feet in area. Each of the homes will have a balcony and rear yard area. In addition, each of the units includes an attached two car garage.

- Waivers

A Waiver (WVR-20191) of Title 18.12.100 to allow private streets to be 24 feet wide where 37 feet is the minimum for a proposed 56-unit single-family attached residential subdivision has been requested by the applicant as a companion item to this application. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended.

- Landscape Plan

Title 19.12 requires 31 trees along the landscape buffer of the project. A total of 31 trees have been provided. Therefore, the proposed landscape plan is sufficient per Title 19.12 standards.

- Elevation

The applicant is requesting to allow a three-story attached residential townhouse unit within five and six-unit residential structures. The residential units are designed in a townhouse development style located on a separate lot for each. The applicant is proposing to incorporate Galvalume exterior material, a patented sheet-metal product. The applicant indicates that Galvalume's coating is composed of aluminum and zinc, which combines long-term corrosion resistance, high-temperature oxidation resistance, and heat reflectivity. The sheet metal is especially good for use on air-conditioned structures. And Galvalume has excellent paint adhesion, with a wide variety of colors and finishes available. Properly installed, Galvalume requires no special maintenance and reduces the hazard of fire.

The building elevations include balconies along the yard areas of the project and sky lights within various areas of the roof plans.

- Floor Plan

The applicant proposes two floor plans, the Lester F that measures approximately 2,000 square feet, and the Tower, which measures approximately 1,800 square feet in area. The floor plans include a ground floor with a two-car attached garage, bedroom with bathroom, laundry room and study area. The main entrance is also located on the ground floor. The second floor includes dining, kitchen and living room. There is a fireplace option for each of the units. The third floor includes a master bedroom loft.

FINDINGS

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

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

The proposed project is not compatible with other R-PD projects where open space supporting both recreational and landscape amenities are provided for the resident. The proposed project lacks open space requirements as required by the code. Thus, the proposed project is incompatible with the adjacent development and surrounding development in the area.

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

The proposed project does not meet the open space requirements and is contingent upon approval of a General Plan Amendment from PF (Public Facilities) to M (Medium Density Residential) land use designation to allow the proposed Residential Planned Development.

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

The proposed project gains access from 30th Street. In addition, the applicant is requesting a Waiver (WVR-20191) of private street width to allow a 24-foot private street where 37 feet is the minimum required by code. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended

4. **“Building and landscape materials are appropriate for the areas and for the City;”**

The building materials are appropriate for residential construction purposes. The project is contingent upon approval of companion applications related to this 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;”**

The proposed building elevations are a modern architecture with sheet metal material on the exterior. The proposed project lacks common open space areas and includes very small yard areas within some of the lots.

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

The applicant will be required to complete a building plan and civil improvements plan review for construction of the project. Inspection of the project will be required that will enforce the minimum code requirements and conditions of approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 89 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR - 20187 APN: 139-36-603-001

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: LARRY S DAVIS / URBAN LOFTS XIV, LTD

Name of Representative: Trinity Schlottman

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

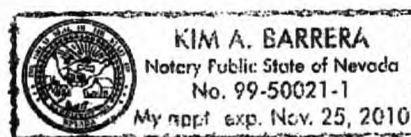
Signature of Property Owner: Douglas Selby

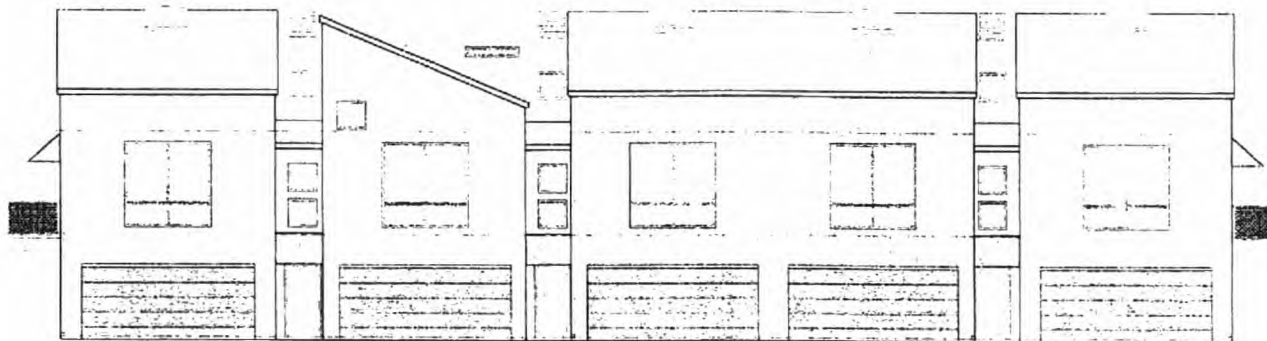
Print Name: Douglas Selby

Subscribed and sworn before me

This 28 day of February, 2007

Kim A. Barrera
Notary Public in and for said County and State





URBAN LOFTS TOWNHOMES LAS VEGAS, NEVADA

GENERAL INFORMATION

VICINITY MAP

TABLE OF CONTENTS

TOWER UNIT

LIVING AREA

FIRST FLOOR LIVING 467 sf
SECOND FLOOR LIVING 827 sf
THIRD FLOOR LIVING 504 sf

TOTAL LIVING 1,798 sf

BALCONY AREA 60 sf
GARAGE AREA 393 sf
FOUNDATION AREA 860 sf

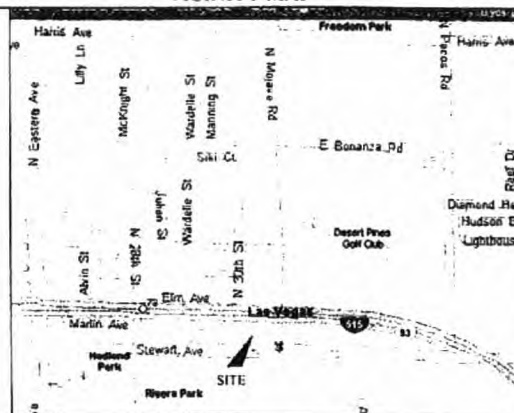
LESTER F UNIT

LIVING AREA

FIRST FLOOR LIVING 511 sf
SECOND FLOOR LIVING 916 sf
THIRD FLOOR LIVING 579 sf

TOTAL LIVING 2,006 sf

BALCONY AREA (if has it) 60 sf
GARAGE AREA 373 sf
FOUNDATION AREA 883 sf



- A-0.0 COVER SHEET
- A-0.1 SITE LAY-OUT
- A-1.1 FLOOR PLANS TOWER UNIT
- A-1.2 FLOOR PLANS LESTER F UNIT
- A-3.0 EXTERIOR ELEVATIONS ALONG STREETS

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187

04/12/07 PC

COPYRIGHT © 2007, LARRY S. DAVIS & ASSOC.



STEWART AVENUE LOFTS

CITY OF LAS VEGAS, NEVADA

LARRY S. DAVIS & ASSOCIATES

4512 MIDWINTER, HOUSTON, TEXAS 77066

TEL. 713 532 6441 FAX 713 539 2126

www.urbanloftshomes.com

DATE REVISIONS

STEWART & MOJAVE
LAS VEGAS, NV 89101
BLOCKS 1 THRU 10

PROJECT NUMBER

2006.02

PRINTED 02-13-2007

DESIGNED BY AN

CHECKED BY RJC

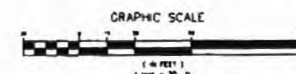
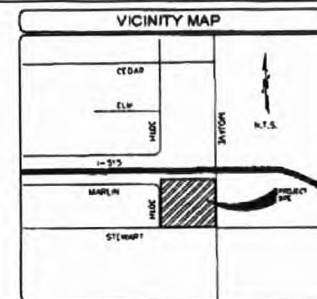
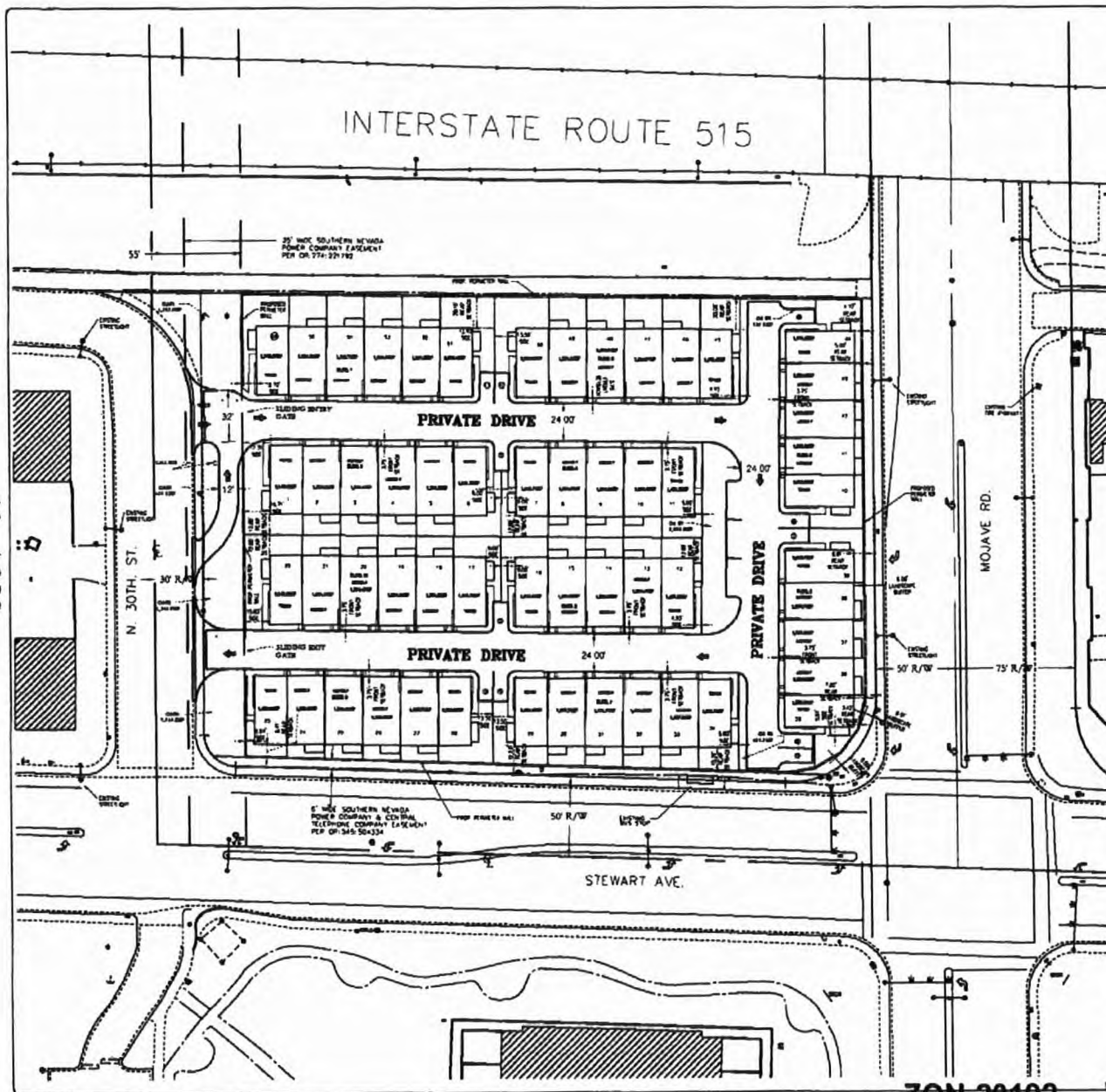
FILE NAME

A-0.0

COVER SHEET

RECEIVED

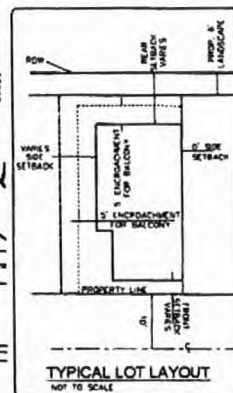
2001-07



LEGEND	
EXISTING	PROPOSED
Centerline	Centerline
Property Line	Property Line
Open Space	Open Space
Guest Parking	Guest Parking
Setback Line	Setback Line
Right-of-Way Line	Right-of-Way Line

OWNER
 URBAN LOFTS, LTD.
 CONTACT: LARRY BAYES
 4512 MONTROSE BOULEVARD
 HOUSTON, TEXAS 77008

SITE DATA
 PROPOSED 56 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION
 APN: 139-36-003-001
 EXISTING ZONING: C-2
 PROPOSED ZONING: RPD 14
 PROPOSED BUILDING SEC: 2200 SF
 LOT AREA (GROSS) APPROX: 3.98 ACRES
 LOT AREA (NET): 2.83 ACRES
 DENSITY OF THE SUBDIVISION: 14 UNITS/AC
 MAX HEIGHT OF DISTRICT: 3 STOREYS/25'
 OPEN SPACE REQUIRED: 40,249 SF
 OPEN SPACE PROVIDED: 11,301 SF
 O.S. #1 = 1,381 SF
 O.S. #2 = 489 SF
 O.S. #3 = 1,341 SF
 O.S. #4 = 5,714 SF
 O.S. #5 = 1,535 SF
 O.S. #6 = 889 SF
 O.S. #7 = 2,058 SF
 TOTAL = 11,501 SF



SETBACK PROVIDED	
FRONT: 3.75'	
REAR: 3.42'-10.80'	
SIDE: 0'-17.31'	

NOTE
 - ALL STREETS ARE PRIVATE DRIVE AND TO BE MAINTAINED BY M.O.A.
 - LANDSCAPE WITHIN THE COMMON AREA TO BE MAINTAINED BY M.O.A.

PARKING	
PARKING REQUIRED: 112 (BASED ON 2.1 SINGLE FAMILY)	
PARKING PROVIDED:	
112 PRIVATE	
13 GUEST PARKING	
TOTAL: 125	

INTERURBAN CONSTRUCTION, LLC
 1414 GLEN VIEW, SUITE 100
 P.O. BOX 1001, DALLAS, TEXAS 75201
 PHONE: (214) 343-1111 FAX: (214) 343-1112

HAUNTEC
 800-444-1111 FAX: (214) 343-1112

SITE PLAN
STEWART AVENUE LOFTS
SINGLE FAMILY TOWNHOMES
 CITY OF LAS VEGAS, NEVADA

DESIGNER: JAC
 DATE: 07-01-07

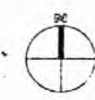
RECEIVED
 MAR 13 2007

SHEET NO.
 1
OF 1

ZON-20192 WVR-20191
VAR-20193 VAR-20190
SDR-20187 REVISED
04/12/07 PC



STEWART AVENUE LOFTS
CITY OF LAS VEGAS, NEVADA
LARRY S. DAVIS & ASSOCIATES
4512 KENTWOOD, HOUSTON, TEXAS 77066
TEL 713 522 6441 FAX 713 529 2126
www.urbanidwellings.com



MOJAVE RD

PLANTING LEGEND

- 12 PINEAPPLE DACTYLTERA
- 10 WASHINGTON REDBUD'S

LEGEND UNIT

TOWER 20 UNITS
LOFTS 1 24 UNITS
TOTAL 44 UNITS
GUEST PARKING 14 CARS
22,640 SF 2.83 ACRES
7,308 TO SPREAD

RECEIVED

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187

1 SITE PLAN
SC = 1:20

04/12/07 PC

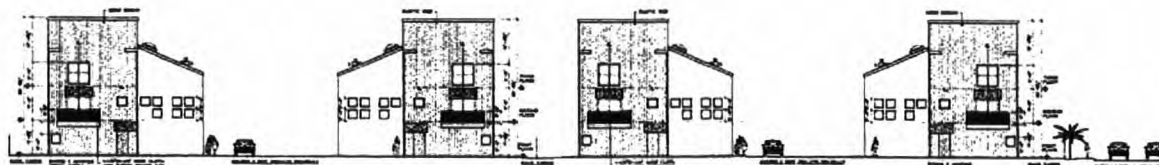
STEWART & MOJAVE	
LAS VEGAS, NV 89101	
BUDG 1 THRU 10	
PROJECT NUMBER	2006.02
PRINTED	02-13-2007
DRAWN BY	AN
CHECKED BY	RJC
FILE NAME	
A-0.1	
SITE LAYOUT	



③ ELEVATION AT STEWART AVENUE
1/16" = 1'-0"



② ELEVATION AT MOJAVE ROAD
1/16" = 1'-0"



① ELEVATION AT N. 30TH STREET
1/16" = 1'-0"

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187
04/12/07 PC

NOTE
FISH USED IN BALCONY GUARDS
SMALL NOT BE SIZED TO WHERE
A CHILD COULD CLIMB IT LIKE A
FISH

RECEIVED
FEB 27 2007

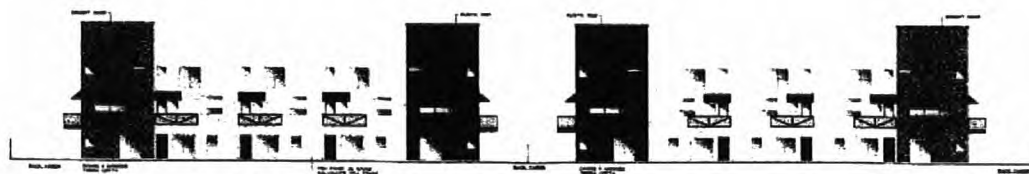
STEWART AVENUE LOFTS
CITY OF LAS VEGAS, NEVADA
LARRY S. DAVIS & ASSOCIATES
4512 MONTEROSE HOUSTON, TEXAS 77056
TEL 713 522 6441 FAX 713 528 2128
www.urbanistdesign.com

DATE	REVISIONS
07-13-07	△ COLOR CORRECT

STEWART & MOJAVE LAS VEGAS, NV 89101 BLDG# 1 THRU 10	PROJECT NUMBER 2004 03
	DATE 02-13-2007
	DRAWN BY AN
	CHECKED BY RJC
	FILE NAME
	A-3.0
	EXT. ELEVATIONS



③ ELEVATION AT STEWART AVENUE
1/16" = 1'-0"



② ELEVATION AT MOJAVE ROAD
1/16" = 1'-0"



① ELEVATION AT N. 30TH STREET
1/16" = 1'-0"

NOTE:
MESH USED IN BALCONY GUARDS
SHALL NOT BE SIZED TO WHERE
A CHILD COULD CLIMB IT LIKE A
LADDER

RECEIVED
FEB 27 2007

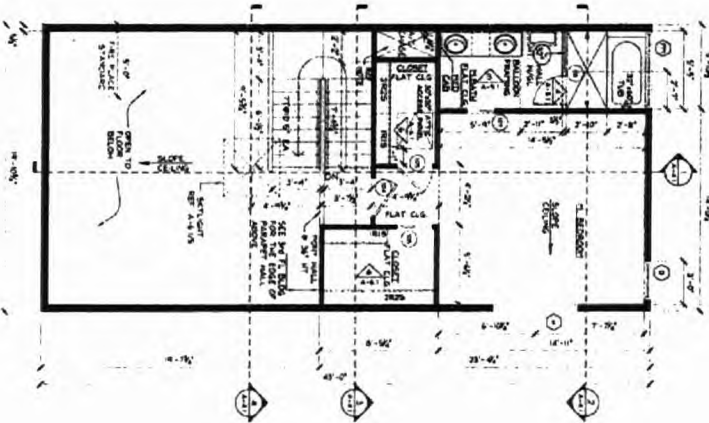
GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187

04/12/07 PC

COPYRIGHT © 2007 LARRY S. DAVIS & ASSOC

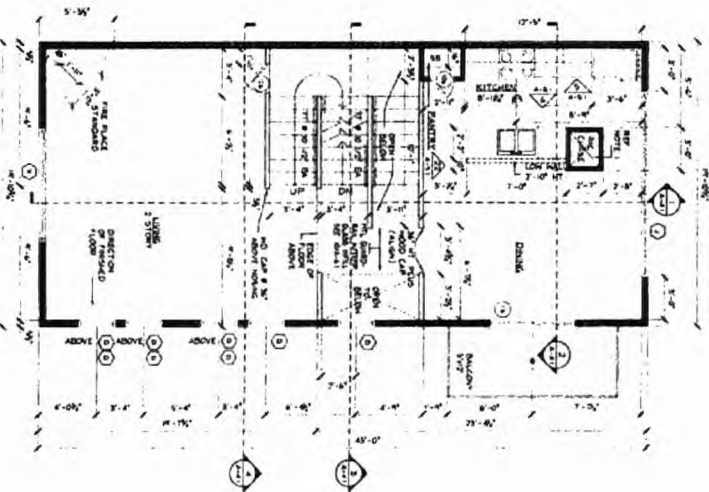
STEWART & MOJAVE	
LAS VEGAS, NV 89101	
BLDG#S 1 THRU 10	
PROJECT NUMBER	2004 03
DATE	02-13-2007
DESIGNED BY	AN
CHECKED BY	RJC
FILE NAME	
A-3.0-1	
COLOR ELEVATIONS	

RANDOM SCHEDULE TONER UNIT	
TYPE	DESCRIPTION
0	2'-0" X 2'-0" FIXED GLASS METAL
PM	FURN. WALLS - 1'-0" FIXED GLASS MTL
W	2 # 3000 SINGLE USING METAL



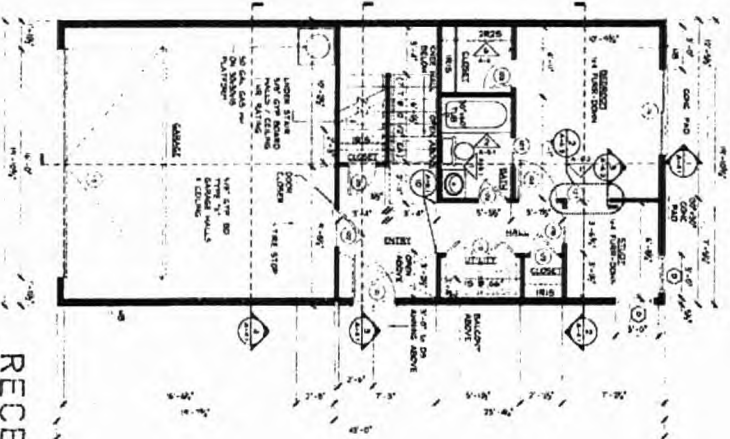
DOOR SCHEDULE TONER UNIT	
TYPE	QUANTITY DESCRIPTION
00	1 1'-8" X 6'-8" FLUSH WOOD
04	1 6'-0" X 6'-8" SLIDING GLASS DOOR TEMPERED GLASS
05	1 2'-0" X 3'-6" JOB BUILT DOOR

WINDOOR SCHEDULE TOWER UNIT	
TYPE	DESCRIPTION
D	2'-8" X 2'-8" FIXED GLASS METAL
J	19'-0" X 2'-0" FIXED GLASS METAL
X	2 X 4000 SINGLE HUNG METAL



DOOR SCHEDULE "TOWER UNIT"

TYPE	DOOR SCHEDULE	FINISH	UNIT
06	3'-0" X 6'-8"	FLUSH TRIM	100
07	2'-0" X 6'-8"	FLUSH TRIM	100
08	2'-0" X 6'-8"	1/2" SOLID CORE W/SLIPSET	100
09	2'-0" X 6'-8"	FLUSH WOOD	100
10	2'-0" X 6'-8"	FLUSH WOOD	100
11	2'-0" X 6'-8"	FLUSH WOOD	100
12	2'-0" X 6'-8"	POCKET WOOD	100
13	2'-0" X 6'-8"	POCKET WOOD	100
14	6'-0" X 7'-0"	OVERHEAD DOOR	100
15	6'-0" X 7'-0"	BUILDING GLASS	100
16	3'-0" X 6'-8"	BUILDING GLASS	100
17	3'-0" X 6'-8"	POCKET WOOD	100



1st FLOOR PLAN

RECEIVED

GPA-20188	ZON-20192
WVR-20191	VAR-20190
VAR-20193	SDR-20187

04/12/07 PC

1 FLOOR PLANS TOWER UNIT
1/4" = 1'-0"
REVISED 01/15/2007

NOTE:
1- DRYSTONING SHALL BE REQUIRED PARALLEL
TO THE FLOOR FINISHING A MINIMUM OF 60" ABOVE
STRUCTURAL FLOOR (SEE SECTION 05721)
COPYRIGHT © 2012 LARRY S DAVIS & ASSOC

STEWART AVENUE LOFTS
CITY OF LAS VEGAS, NEVADA

LARRY S. DAVIS & ASSOCIATES
4512 MONTROSE, HOUSTON, TEXAS 77006

TEL 713 522 6441, FAX 713 529 2126
www.urbanloftstownhomes.com

STEWART & MOJAVE

LOS ANGELES, April 10 (U.P.)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

2004 02

02-13-2007

Original Size

200

RUC

INTRODUCTION

A-11

1111

FLOOR PLANS



GPA-20188, ZON-20192, WVR-20191, VAR-20190, VAR-20193 AND SDR-20187 - APPLICANT: URBAN
LOFTS XIV, LTD - OWNER: CITY OF LAS VEGAS
THE NORTHWEST CORNER OF STEWART AVENUE AND MOJAVE ROAD
APRIL 12, 2007 PLANNING COMMISSION

03/12/07



GPA-20188, ZON-20192, WVR-20191, VAR-20190, VAR-20193 AND SDR-20187 - APPLICANT: URBAN
LOFTS XIV, LTD - OWNER: CITY OF LAS VEGAS
THE NORTHWEST CORNER OF STEWART AVENUE AND MOJAVE ROAD
APRIL 12, 2007 PLANNING COMMISSION

03/12/07



GPA-20188, ZON-20192, WVR-20191, VAR-20190, VAR-20193 AND SDR-20187 - APPLICANT: URBAN
LOFTS XIV, LTD - OWNER: CITY OF LAS VEGAS
THE NORTHWEST CORNER OF STEWART AVENUE AND MOJAVE ROAD
APRIL 12, 2007 PLANNING COMMISSION

03/12/07

HAUNTEC

800 North Rainbow Boulevard, Suite 208
Las Vegas, Nevada 89107
702-948-5180 / FAX 702-948-5181

January 29, 2007

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

Subject: Stewart Avenue Lofts – Site Development Justification Letter

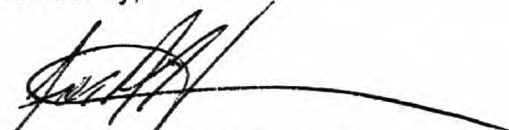
Dear Sir or Madam:

This letter is provided to justify the development of 56 single-family three-story Townhomes on the vacant site located in the northeast corner of Mojave Road and Stewart Avenue. The site is currently zoned C-1 and will need to be rezoned to a minimum of RPD-14 to allow for the higher density of residential properties. This will be the fourth such project for Urban Lofts Townhomes within the City of Las Vegas downtown area. The developer, which is based out of Houston, Texas, has introduced a new project that has been recognized by the City of Las Vegas as a suitable fit for the redevelopment of the downtown. As an indication of the acceptance of this product by the community, one only needs to look at the sold signs on the current project under construction on Carson Avenue and Maryland Parkway. In addition, the developer has a waiting list for the additional lots on Fremont Street.

The developer's product is suitable for the ±3.98 acre site and will not have a negative impact to the existing developments adjacent to the site. The site is bordered to the north by I-515, which is elevated well above the proposed height of the townhomes. A Correctional facility is located east of the site, and a YMCA is located south of the site. In addition, an apartment complex is west of the site. The proposed development fits the current use in the immediate area.

Because the development will have a positive impact on the neighborhood, the developer wishes at this time for the proposed Site Design to be reviewed by the City of Las Vegas. If you have any questions or need additional information, please contact me.

Sincerely,



Joe Alvin Haun, PE, MSE
HAUNTEC

RECEIVED

GPA-20188 ZON-20192
WVR-20191 VAR-20190
VAR-20193 SDR-20187

04/12/07 PC

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



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

DATE: 11 April 2007 PHONE: (702) 877-2438
FAX: 877-2438

TO: DOUG RANKIN
REGARDING: 12 April 2007—agenda items # 50-55

ZON-20192-for PD15 must NOT be used for the intent of being "home" to fellow residents of this ward. Have any of you, councilpersons/planning commissioners, been to observe that locale?
Too few neighborhood services (parks/stores),
too little access (1 in/2 out ONLY on 30th St.),
too little emergency access (private roads 13 feet more narrow than required),
too high density (many 2 story apt. complex adjacent to the West),
too little air/visual space (approx. 6-8 story embankment of US95-515 and industrial bldgs),
too little open/green space (1/20th of required space requested),
too many people for the space (56 THREE STORY units planned),
too confusing proposals (RPD 14 minimum in letter from PE, MSE, Joe Haun, but RPD 15 under ZON-20188!),
too much stretch of imagination for "lofts" (how about cubicles?),
too demeaning a plan for a resident to feel respected and raise healthy children (although under a large bill board of our honorable mayor,
too short is this list because disgusting is a 'kind' description of items 50-55 (surely our council persons are human AND humane owners of U.Lofts).

REMINDER~~ commercial to 15 units per acre?
allow 24'w.streets where 37'is required?
allow 3.98 acres where 5 acres MIN is required?
allow 2,059 sq ft Open Space where 40,249 is required?
allow 56 THREE STORY units on 3.98 acres

Are you insulted that the above plan would even be placed in print on City of Las Vegas PLANNING MEETING agenda? (and this property is OWNED by our city!!!!!!!!!!!!!!!!!!!!!! Well, new lows can originate in high places.

We request that you DENY all 5 Urban Lofts items.

We suggest that a TENT STYLE CORRECTIONAL FACILITY be placed in this location.

JUNE INGRAM, President of Charleston Neighborhood Preservation

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Eon - Marcus Gobel - Rose Honrath - June Ingram - Rick Johnson
Gene & Pearl Lenardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pamela Stanciford

ITEM # 50-55
CASE # 6PA-20188
PC MTG 4-12-07

ZON-20192
VAR-20191
VAR-20193
VAR-20190
VAR-20188

f

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**
REZONING

ZON-19210 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION CO. - OWNER: TOWNE VISTAS, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION] on 4.62 acres on the south side of Echelon Point Drive, 350 feet east of Campbell Road (APN 125-20-301-015), Ward 6 (Ross). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

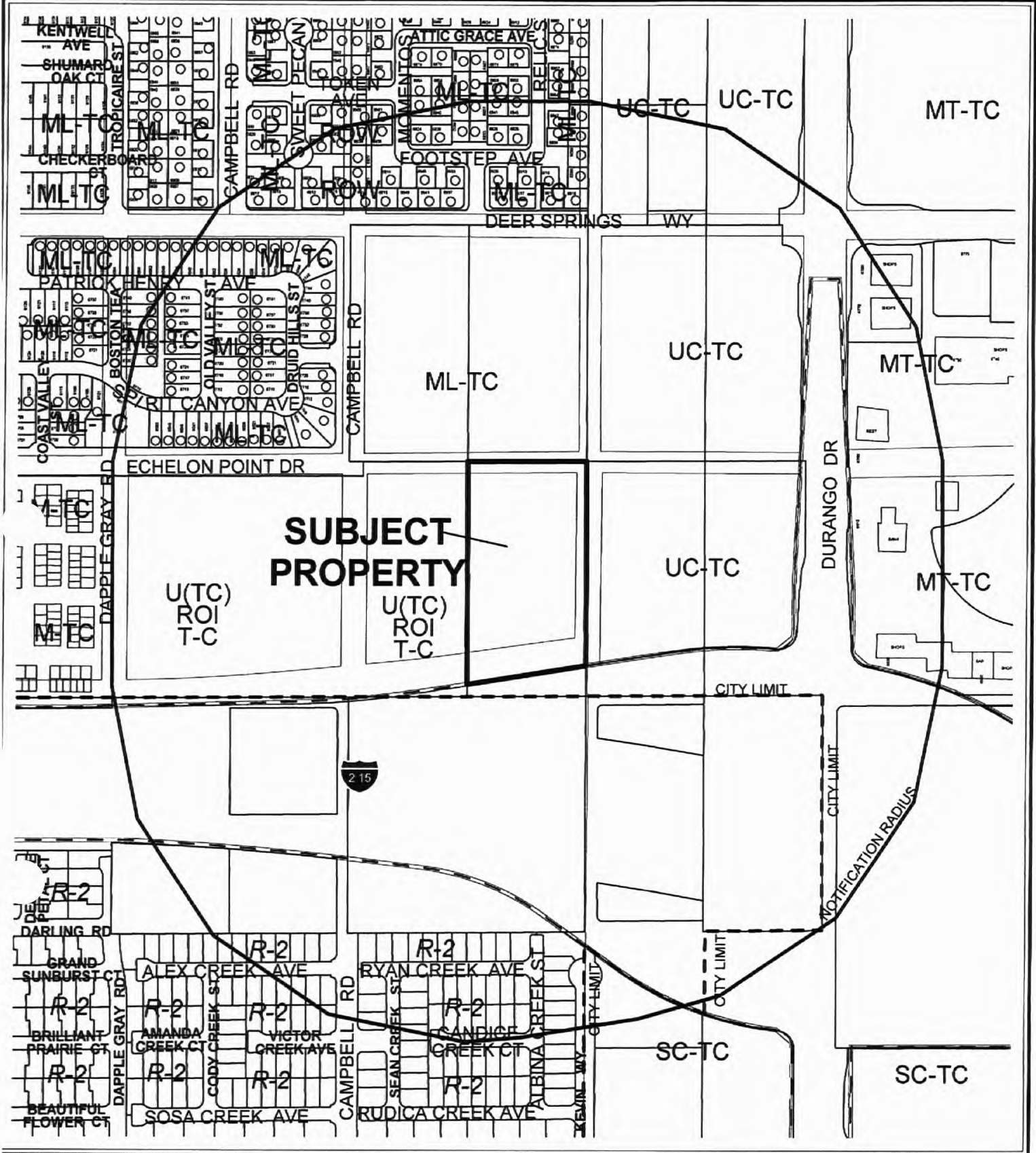
BRENDA J. WILLIAMS, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-STEVE WOLFSON); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Items 131-133.

ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and appreciated staff's recommendation.

MAYOR GOODMAN declared the Public Hearing closed on Items 131-133.



CASE: ZON-19210

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

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

SPECIAL LAND USE DESIGNATION]

0 500 Feet





CASE: ZON-19210

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 500 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-19210 - APPLICANT: ROYAL CONSTRUCTION CO. -
OWNER: TOWNE VISTAS, LLC**

**** CONDITIONS ****

The Planning Commission (5-0-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Site Development Plan Review (SDR-19211) and a Variance (VAR-19853) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.
2. A Rezoning from the U (Undeveloped – Town Center) zoning classification to the TC (Town Center) Zoning District is hereby granted.

Public Works

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/17/01	The City Council approved the Annexation [A-19-02(A)] of this property. The annexation became effective on January 31, 2001.
11/05/03	The City Council approved the request for a Rezoning (ZON-2970) from U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to T-C (Town Center) and the related Site Development Plan Review (SDR-2971) for a proposed 39-lot single-family cluster development on 5.06 acres. The Planning Commission and staff recommended approval on 10/9/03.
06/8/04	The Planning Commission approved the request for a Tentative Map (TMP-3791) for a proposed 39-lot single-family residential development. Staff recommended approval.
10/20/04	The City Council approved a Site Development Plan Review (SDR-4992) for a proposed 94-lot single family residential development on 15.17 acres. The Planning Commission and staff recommended approval on 9/23/04.
11/4/04	The Planning Commission approved the request for a Tentative Map (TMP-5118) for a proposed 94-lot single family residential development on 15.17 acres. Staff recommended approval.
04/12/07	The Planning Commission recommended approval of companion items VAR-19853 and SDR-19211 concurrently with this application.
	The Planning Commission voted 5-0-1/rt to recommend APPROVAL (PC Agenda Item #63/mh).
<i>Related Building Permits/Business Licenses</i>	
There are no licenses or permits related to this request.	

Pre-Application Meeting	
11/15/06	A pre-application meeting was held to discuss the Town Center design standards and allowable uses as required for a 125-unit multi-family development. Staff had the applicant submit revised plans showing the appropriate density of 115 units for 4.62 acres.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	
Details of Application Request	
Site Area	
Gross Acres	4.62 acres

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

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

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

DEVELOPMENT STANDARDS

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

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

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

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

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

ANALYSIS

- Zoning/Land Use**

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

- **Town Center**

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

- **Beltway Trail**

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 187 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-19210** APN: 125-20-301-015

Name of Property Owner: Towne Vistas, LLC

Name of Applicant: Royal Construction Company

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

Yes ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

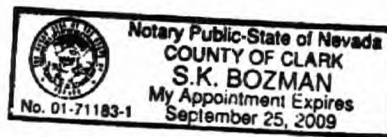
Signature of Property Owner: [Signature]

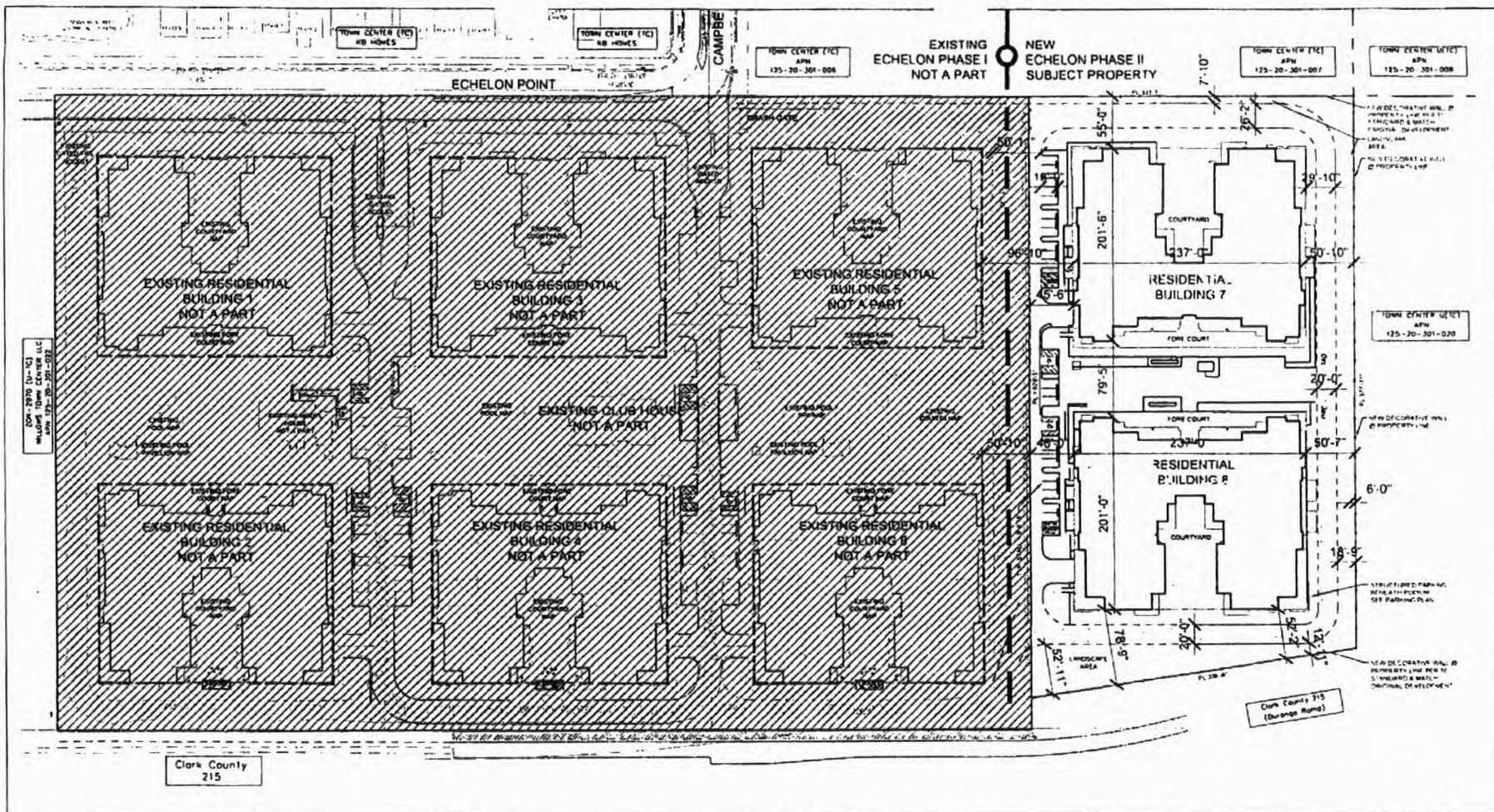
Print Name: Stephen B. AIZENBERG

Subscribed and sworn before me

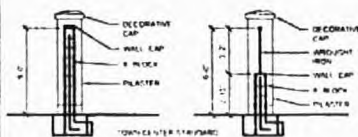
This 22 day of November, 2006

Notary Public in and for said County and State





WALL DETAILS



PROJECT SUMMARY

DESCRIPTION
 5-story Phase II, 1-story of 100,000 sq. ft. of new residential buildings (Phase I is a 10-story, 100,000 sq. ft. of new residential buildings).

DATE SUMMARY
 Project Site Area: 201,041 sq. ft.
 100,000 sq. ft. of new residential buildings (Phase I is a 10-story, 100,000 sq. ft. of new residential buildings).

DEVELOPER
 Echelon Point LLC
 100,000 sq. ft. of new residential buildings (Phase I is a 10-story, 100,000 sq. ft. of new residential buildings).

ARCHITECT
 Echelon Point LLC
 100,000 sq. ft. of new residential buildings (Phase I is a 10-story, 100,000 sq. ft. of new residential buildings).

ENGINEER
 Echelon Point LLC
 100,000 sq. ft. of new residential buildings (Phase I is a 10-story, 100,000 sq. ft. of new residential buildings).

KEY PLAN



VICINITY MAP



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

RECEIVED
FEB 13 2007

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE

aceleste@kkbri.com
702 693 4215SUMMERLIN 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

February 12, 2007

VIA HAND DELIVERYCity of Las Vegas
PLANNING & DEVELOPMENT
731 S. Fourth Street
Las Vegas, NV 89101**Re: REVISED Justification Letter for Zone Change & Site Development Review
APN: 125-20-301-015**

To Whom It May Concern:

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

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

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

Very truly yours,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Anthony J. Celeste

AJC/dmf



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO ZON-19210

VAR-19853 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION CO. - OWNER: TOWNE VISTAS, LLC - Request for a Variance TO ALLOW A PROPOSED CONDOMINIUM BUILDING TO BE 55 FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 173 FEET on 4.62 acres on the south side of Echelon Point Drive, 350 feet east of Campbell Road (APN 125-20-301-015), U (Undeveloped) Zone [M-TC (Medium Density Residential- Town Center) General Plan Designation] To: T-C (Town Center) [M-TC (Medium Density Residential - Town Center)] Special Land Use Designation] Ward 6 (Ross). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Returned postcard protests
6. Submitted after final agenda – Returned postcard protests and support

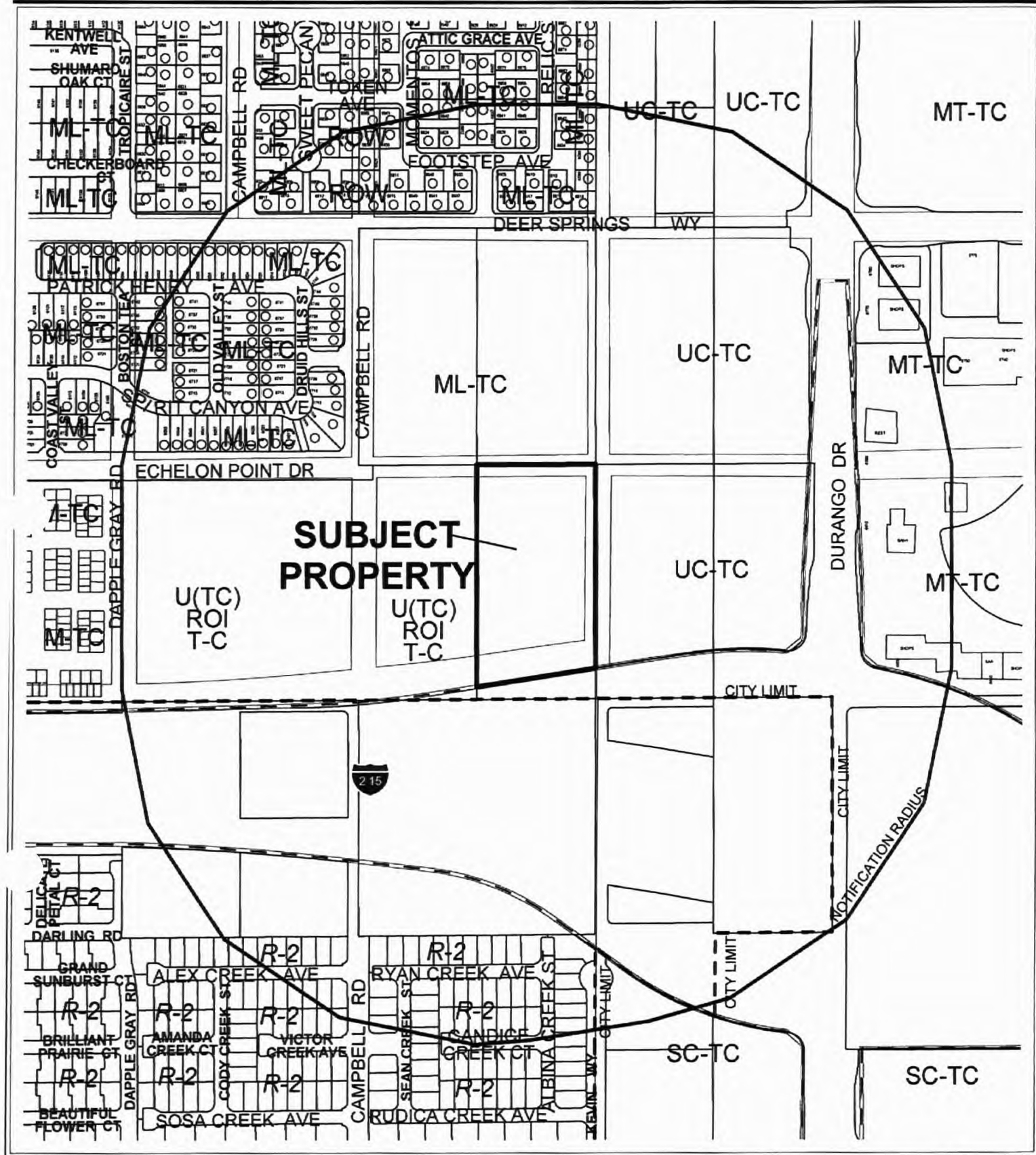
Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

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

Minutes:

See Item 131 for related discussion.



CASE: VAR-19853

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 500 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-19853 - APPLICANT: ROYAL CONSTRUCTION CO. -
OWNER: TOWNE VISTAS, LLC**

**** CONDITIONS ****

The Planning Commission (5-0-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/17/01	The City Council approved the Annexation [A-19-02(A)] of this property. The annexation became effective on January 31, 2001.
11/05/03	The City Council approved the request for a Rezoning (ZON-2970) from U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to T-C (Town Center) and the related Site Development Plan Review (SDR-2971) for a proposed 39-lot single-family cluster development on 5.06 acres. The Planning Commission and staff recommended approval on 10/9/03.
06/8/04	The Planning Commission approved the request for a Tentative Map (TMP-3791) for a proposed 39-lot single-family residential development. Staff recommended approval.
10/20/04	The City Council approved a Site Development Plan Review (SDR-4992) for a proposed 94-lot single family residential development on 15.17 acres. The Planning Commission and staff recommended approval on 9/23/04.
11/4/04	The Planning Commission approved the request for a Tentative Map (TMP-5118) for a proposed 94-lot single family residential development on 15.17 acres. Staff recommended approval.
04/12/07	The Planning Commission recommended approval of companion items ZON-19210 and SDR-19211 concurrently with this application.
	The Planning Commission voted 5-0-1/rt to recommend APPROVAL (PC Agenda Item #64/mh).
<i>Related Building Permits/Business Licenses</i>	
There are no licenses or permits related to this request.	
<i>Pre-Application Meeting</i>	
11/15/06	A pre-application meeting was held to discuss the Town Center design standards and allowable uses as required for a 125-unit multi-family development. Staff had the applicant submit revised plans showing the appropriate density of 115 units for 4.62 acres.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	4.62 acres

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

DEVELOPMENT STANDARDS

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

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

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

ANALYSIS

Zoning Code Compliance

- **Residential Adjacency Standards**

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

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

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

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 187 by City Clerk

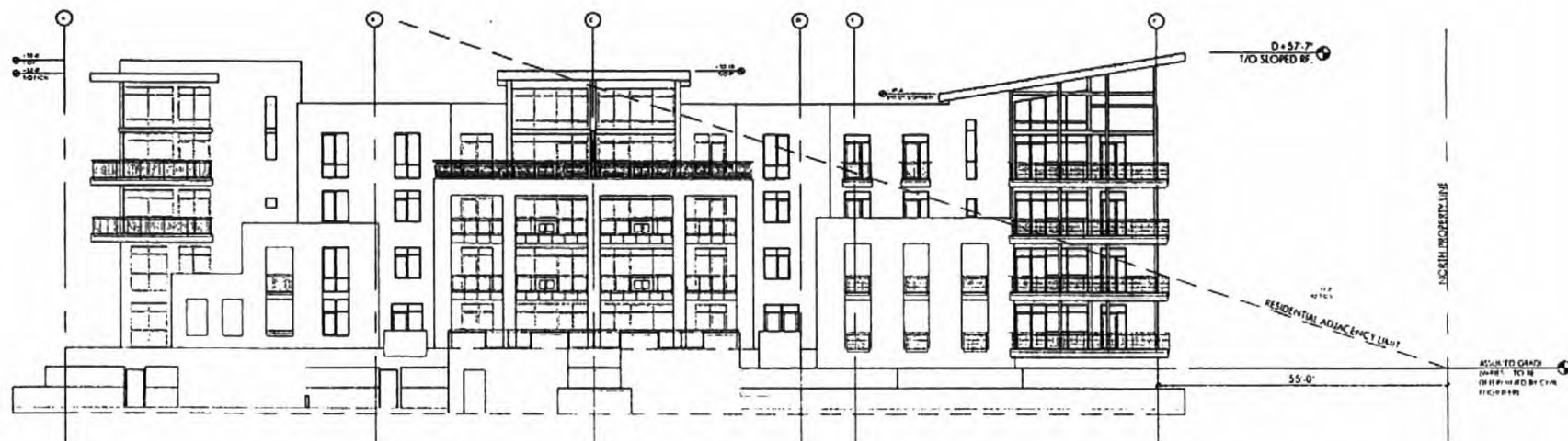
APPROVALS 0

PROTESTS 0





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



RESIDENTIAL ADJACENCY HEIGHT LINE

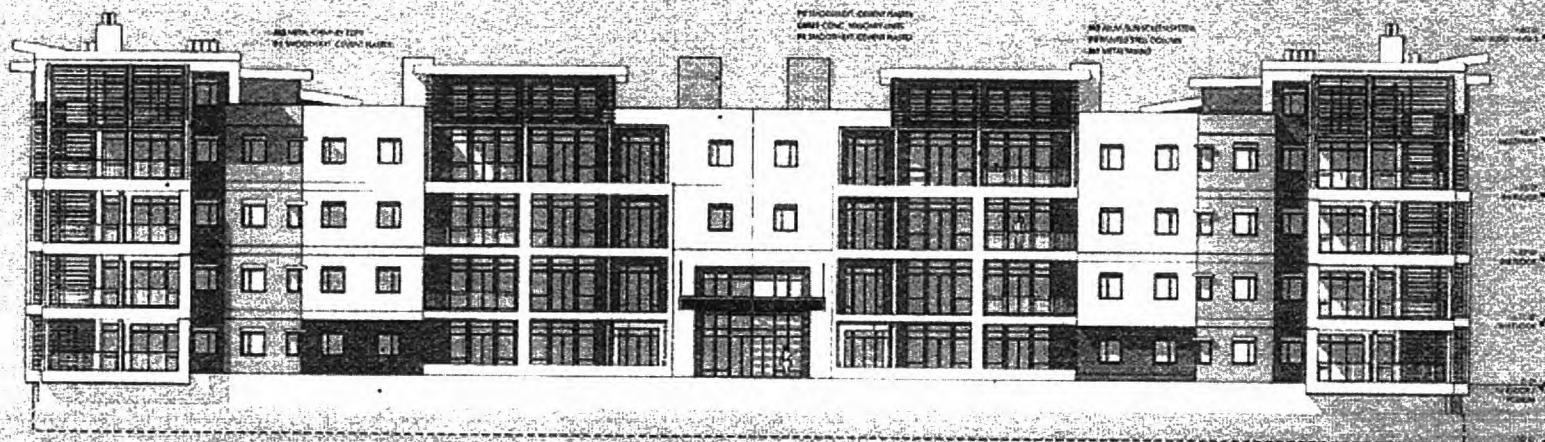
FORM NO. 101-101
E
ECCHELON
1001 BAYVIEW BLVD
LOS ANGELES, CA 90015
TEL: 213.467.1000 FAX: 213.467.1001
WWW.ECCHELON.COM

DATE: 02/06/07
BY: [Signature]
CHECKED: [Signature]
RESIDENTIAL ADJACENCY

A 0.00

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

RECEIVED
FEB 13 2007



1 BUILDING ELEVATION
NORTH + SOUTH

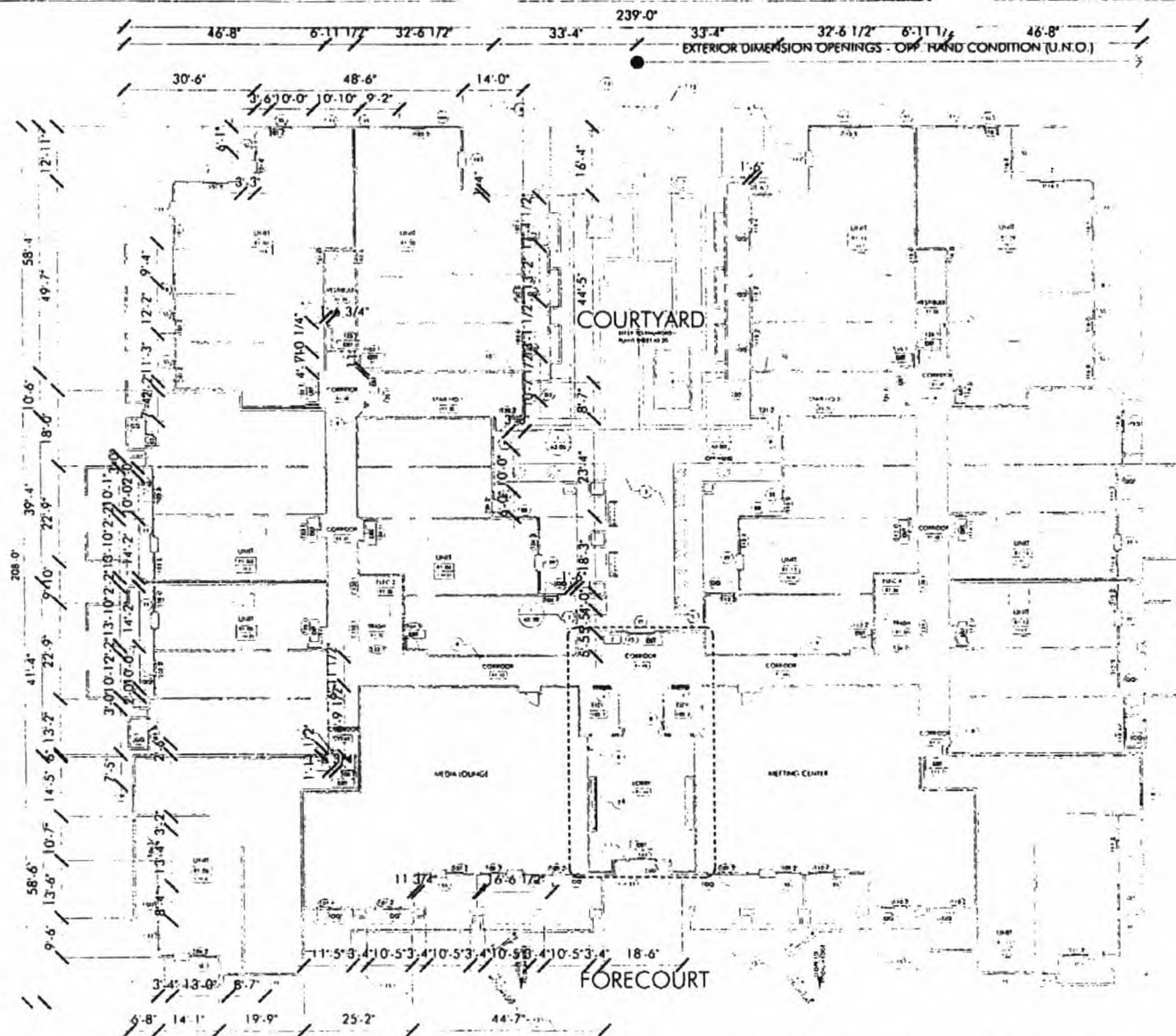
studio eleven
a Perichon-Ross Company
1101 West 10th
Suite 100
Portland, OR 97204
503.227.1111
www.studioeleven.com
PR
ARCHITECTS



1101 West 10th
Suite 100
Portland, OR 97204
503.227.1111
www.studioeleven.com

RECEIVED
ELEVATIONS

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



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

FLOOR PLAN - LEVEL R1 (58 UNIT BLDG.)

1

PLAN WITH BUILDINGS

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



KEY PLAN

RECEIVED
FEB 14 2007

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

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE

aceleste@kkbrf.com
702.693.4215LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181RENO OFFICE
5585 Kietzke 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

February 12, 2007

VIA HAND DELIVERYCity of Las Vegas
PLANNING & DEVELOPMENT
731 S. Fourth Street
Las Vegas, NV 89101**Re: REVISED Justification Letter for Zone Change & Site Development Review
APN: 125-20-301-015**

To Whom It May Concern:

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

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

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

Very truly yours,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Anthony J. Celeste

AJC/dmf



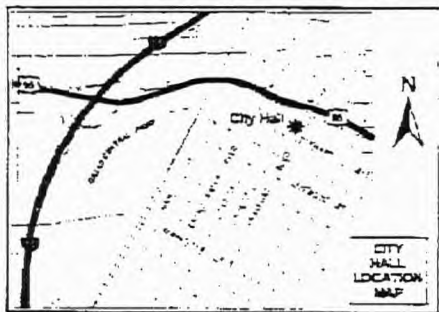
283501_1 DOC

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

6933 30

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

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of card to (702) 382-4803.

NOLA CHARLES & CAROL
3022 ALEX CREEK AVE
LAS VEGAS NV 89149-3285

RECEIVED
CITY CLERK

2007 MAY -7 A 8:00

☐ I SUPPORT
this Request

☒ I OPPOSE this Request

VAR-19853

protest

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

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

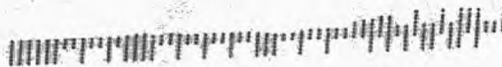
VAR-19853



2007 MAY -8 A 10:51



DANIELIAN EDWARD L
6827 MOMENTOS ST
LAS VEGAS NV 89149-3000



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

RECEIVED
CITY CLERK



Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

BRANLEY BRENT
VIGGIANO DARLENE
3175 BOATHOUSE WY
SACRAMENTO CA 95833-9619



I SUPPORT
this Request



I OPPOSE
this Request

VAR-19853

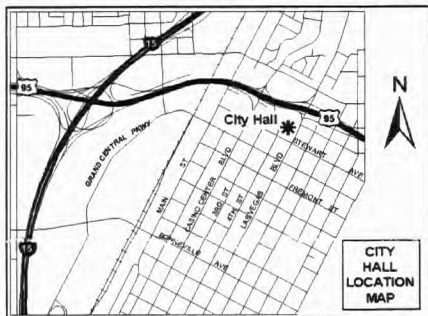


City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK



Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

PARKER BRANDIE & WESLEY
6736 DRUID HILLS ST
LAS VEGAS NV 89149-3238



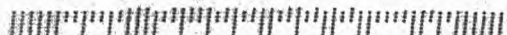
I SUPPORT
this Request



I OPPOSE
this Request

VAR-19853

Date 5-14-07 Rem #132

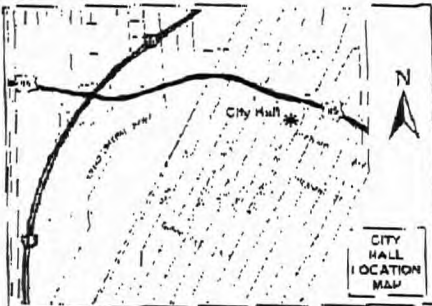


RECEIVED
CITY CLERK

2007 MAY 16 A 10:35

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

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.



I SUPPORT
this Request



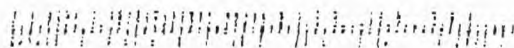
I OPPOSE
this Request

VAR-19853

NYON PAMELA
6740 DRUID HILLS ST
LAS VEGAS NV 89149-3238

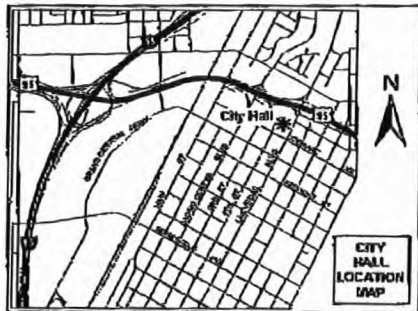
Submitted after final agenda

Date 5-16-07 Item # 132



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

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

☒ I SUPPORT
this Request

☐ I OPPOSE
this Request

VAR-19853

RECEIVED
CITY CLERK

2007 MAY 10 P 2:05

Info 5/10/07 Item #132

05/10/2007 THU 13:01 [TX/RX NO 9804] 001

KKBRF

MAY. 10. 2007 1:56PM

NO. 219

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-19210 AND VAR-19853

SDR-19211 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION CO. - OWNER: TOWNE VISTAS LLC - Request for a Site Development Plan Review FOR A 115-UNIT CONDOMINIUM DEVELOPMENT COMPOSED OF TWO FIVE-STORY BUILDINGS on 4.62 acres on the south side of Echelon Point Drive, 350 feet east of Campbell Road (APN 125-20-301-015), U (Undeveloped) Zone [M-TC (Medium Density Residential- Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [M-TC (Medium Density Residential - Town Center)] Special Land Use Designation], Ward 6 (Ross). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

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

Minutes:

See Item 131 for related discussion.



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-19211 - APPLICANT: ROYAL CONSTRUCTION CO. -
OWNER: TOWNE VISTAS LLC

**** CONDITIONS ****

The Planning Commission (5-0-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. Site development to comply with all applicable conditions of approval for ZON-19210 and all other site-related actions.
16. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/17/01	The City Council approved the Annexation [A-19-02(A)] of this property. The annexation became effective on January 31, 2001.
11/05/03	The City Council approved the request for a Rezoning (ZON-2970) from U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to T-C (Town Center) and the related Site Development Plan Review (SDR-2971) for a proposed 39-lot single-family cluster development on 5.06 acres. The Planning Commission and staff recommended approval on 10/9/03.
06/8/04	The Planning Commission approved the request for a Tentative Map (TMP-3791) for a proposed 39-lot single-family residential development. Staff recommended approval.
10/20/04	The City Council approved a Site Development Plan Review (SDR-4992) for a proposed 94-lot single family residential development on 15.17 acres. The Planning Commission and staff recommended approval on 9/23/04.
11/4/04	The Planning Commission approved the request for a Tentative Map (TMP-5118) for a proposed 94-lot single family residential development on 15.17 acres. Staff recommended approval.
04/12/07	The Planning Commission recommended approval of companion items ZON-19210 and VAR-19853 concurrently with this application.
	The Planning Commission voted 5-0-1/rt to recommend APPROVAL (PC Agenda Item #65/mh).
<i>Related Building Permits/Business Licenses</i>	
There are no licenses or permits related to this request.	
<i>Pre-Application Meeting</i>	
11/15/06	A pre-application meeting was held to discuss the Town Center design standards and allowable uses as required for a 125-unit multi-family development. Staff had the applicant submit revised plans showing the appropriate density of 115 units for 4.62 acres.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	4.62 acres

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

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

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

DEVELOPMENT STANDARDS

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

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

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

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

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

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

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	
2-BR	72 units	1.75 space/ unit	126				
3-BR	43 units	2.0 spaces/ unit	86				
subtotal			212		224	2	Y
Visitor parking		1 space/ 6 units	20		24	2	Y
TOTAL	115 units	1	232	4	248	4*	Y

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

ANALYSIS

- Zoning**

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

- Site Plan**

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

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

- **Residential Adjacency**

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

- **Beltway Trail**

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

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

- **Landscape Plan**

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

- **Elevations**

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

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

- **Floor Plans**

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

FINDINGS

The following findings must be made for an SDR:

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

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

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

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 187 by Planning Department

APPROVALS 0

PROTESTS 0



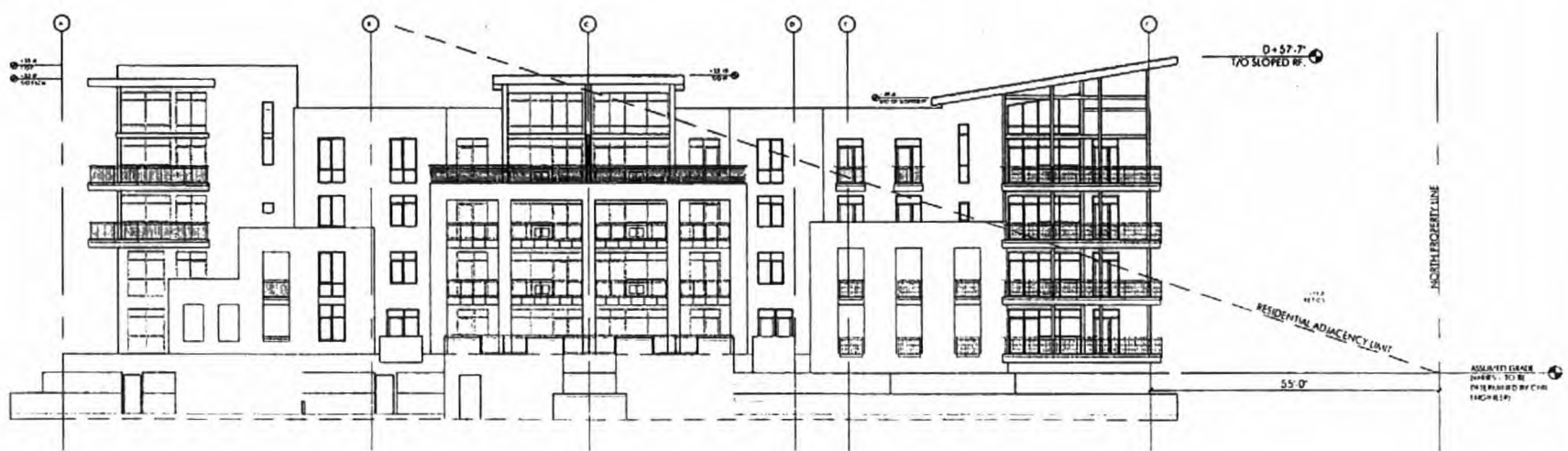
APR 3 2007

A 1.00



RECEIVED
JAN 12 2007

ZON-19210
SDR-19211
04/12/07 PC

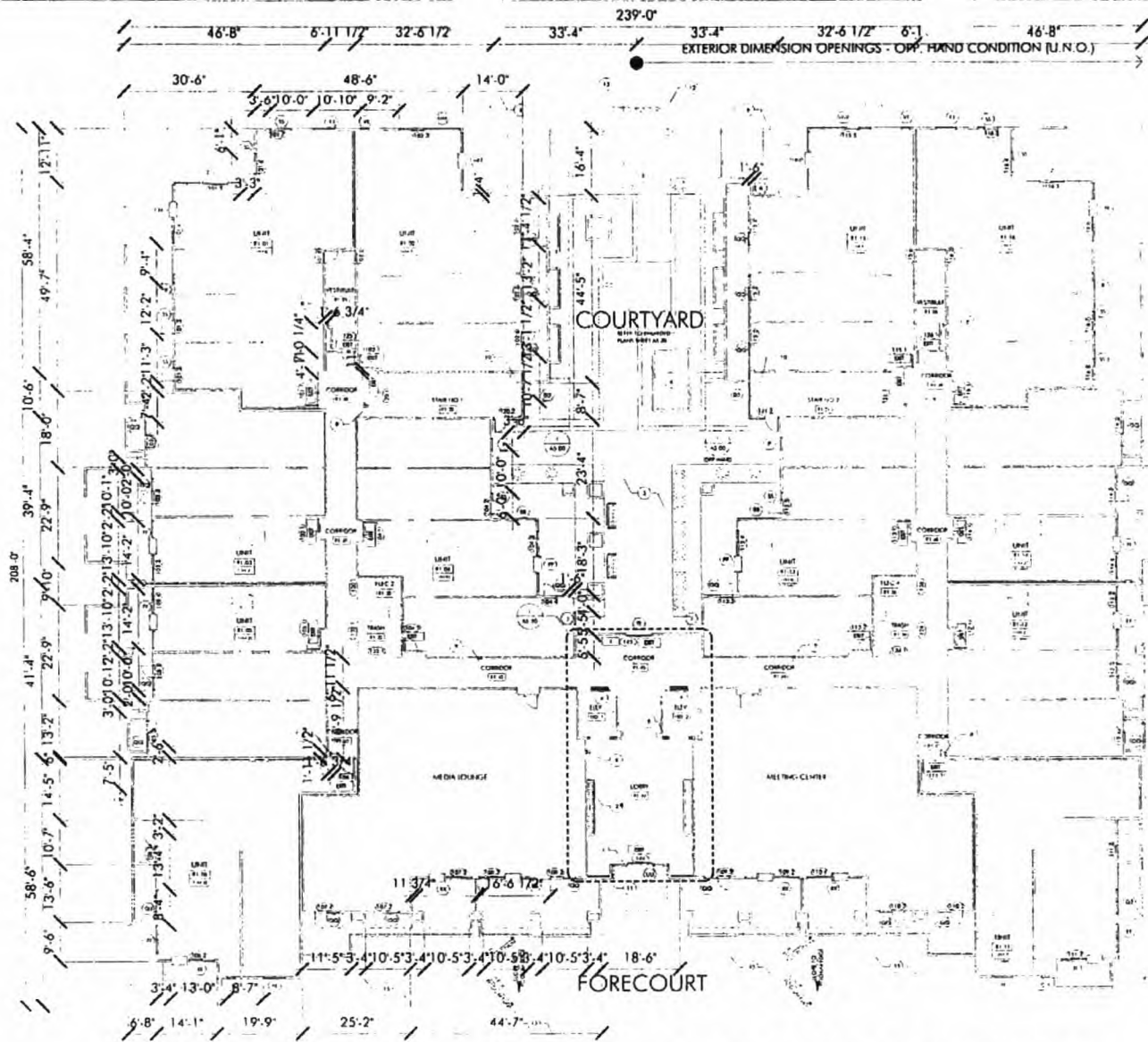


RESIDENTIAL ADJACENCY HEIGHT LINE

A 0.00

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

RECEIVED
FEB 18 2007



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

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

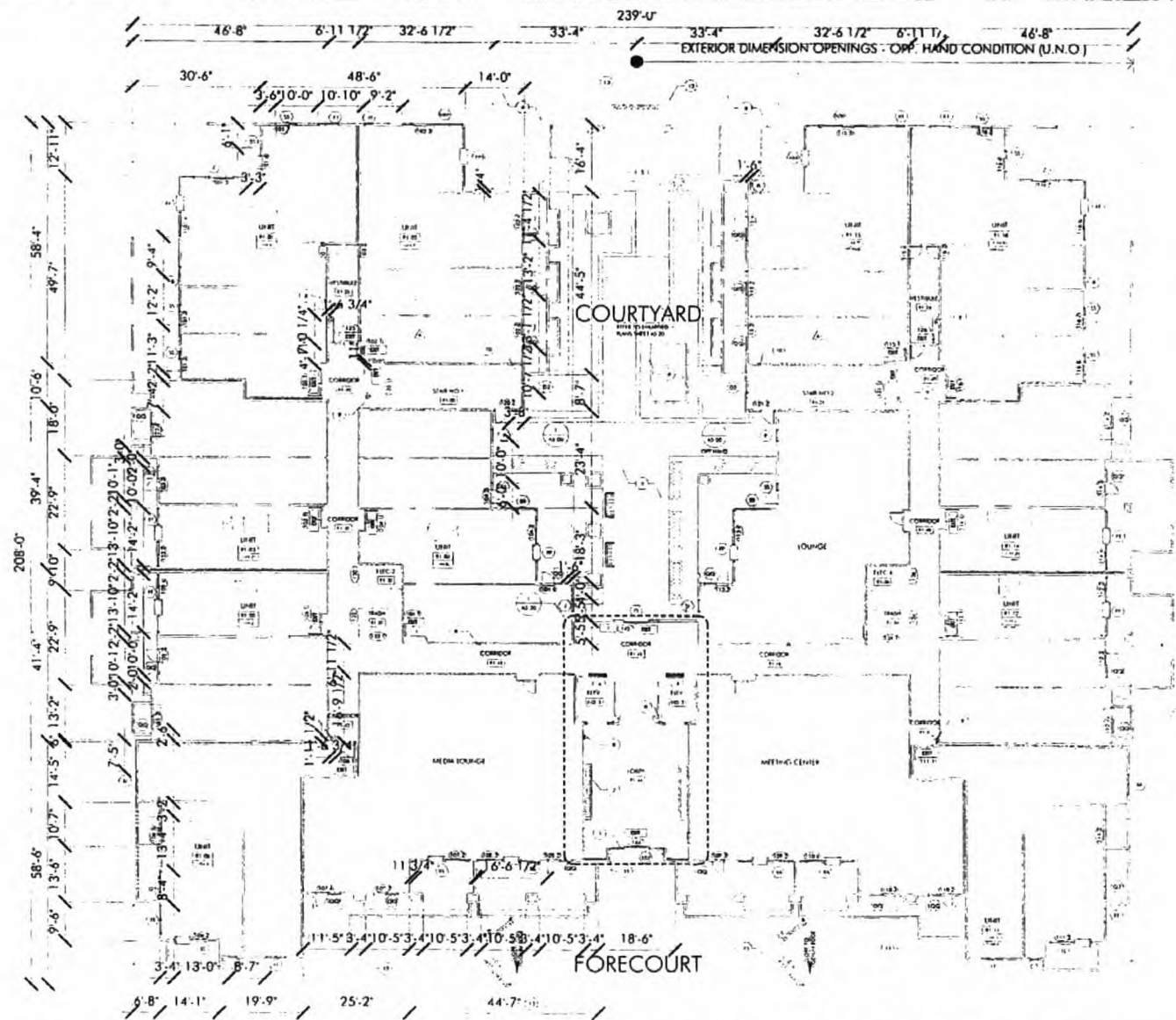
SCALE: 3/32" = 1'-0"



KEY PLAN

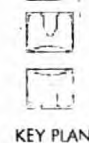
RECEIVED
FEB 15 2007

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



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

FLOOR PLAN - LEVEL R1 (57 UNIT BLDG.) 1
REVISION: 04/12/07



RECEIVED
FEB 15 2007

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



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

01/31/07



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

01/31/07

**KUMMER
KAEMPFER**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kkbrf.com
702.693.4215

**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel 702.792.7000
Fax 702.796.7181

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

SUMMERLIN OFFICE
3425 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89129
Tel 702.693.4260
Fax 702.939.8457

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

February 12, 2007

VIA HAND DELIVERY

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

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

To Whom It May Concern:

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

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

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

Very truly yours,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Anthony J. Celeste

AJC/dmf



283501_1 DOC

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

6933 30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
REZONING

ZON-19647 - PUBLIC HEARING - APPLICANT: PLATINUM REALTY AND DEVELOPMENT - OWNER: CRAIG 95 LLC C/O ABRAR MANAGEMENT - Request for a Rezoning FROM: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL) on 3.53 acres on the south side of Craig Road, west of U.S. 95 (APN 138-03-701-003), Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

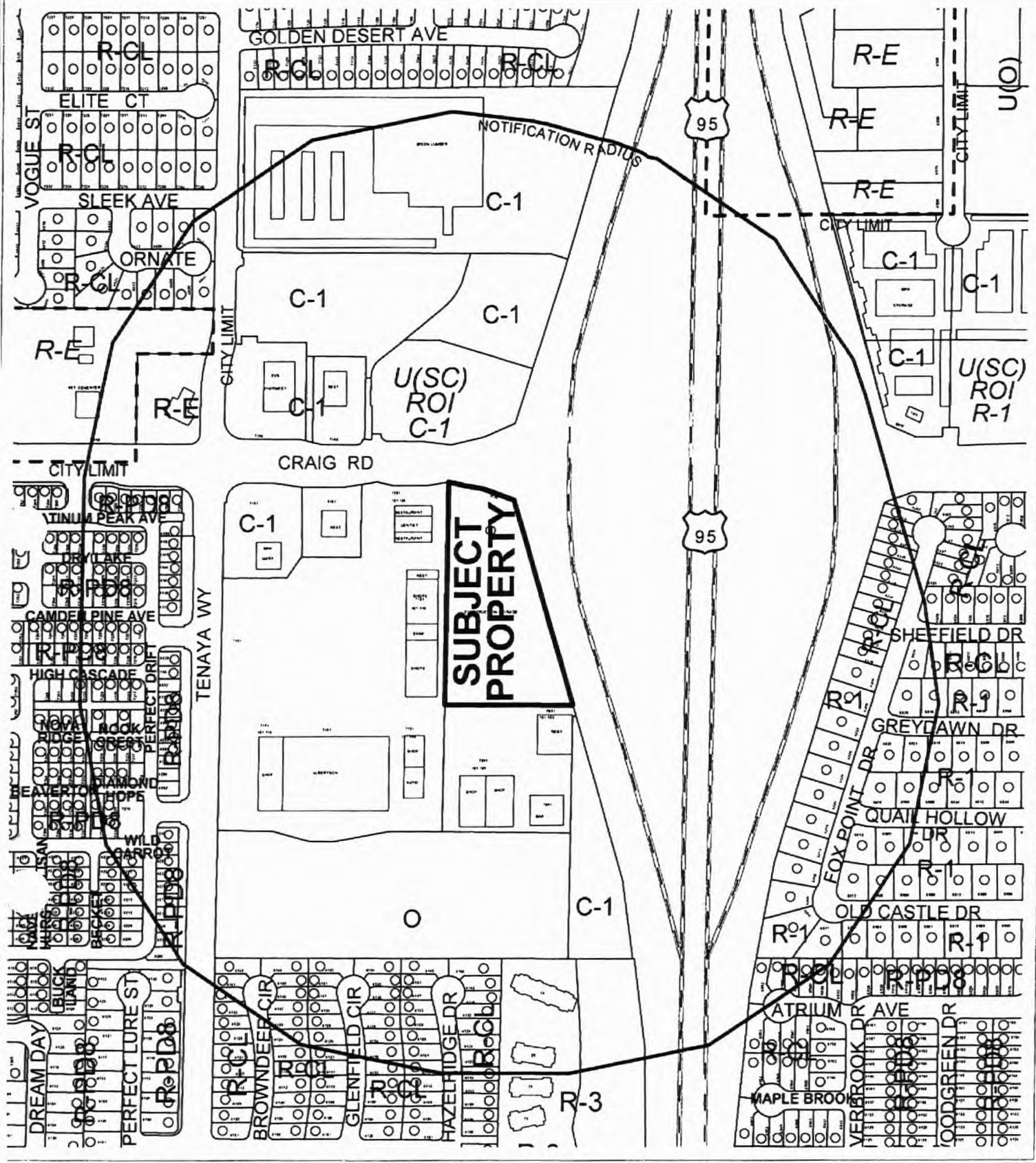
BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Hold in Abeyance Items 64, 114-117, 122, 134-139, 157, 162, 164 and 167-170 to 6/06/2007; Items 155, 156, 163, 165 and 166 to 6/20/2007; Strike Item 106; Table Items 111-113; and Withdraw Without Prejudice Item 158

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

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



CASE: ZON-19647

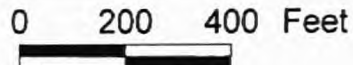
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U(SC) UNDEVELOPED (SERVICE COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-19647 - APPLICANT: PLATINUM REALTY AND DEVELOPMENT - OWNER: CRAIG 95 LLC C/O ABRAR MANAGEMENT

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-19643) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate additional rights-of-way necessary for a right turn lane on the southwest corner of Craig Road and U.S. 95 prior to the issuance of any permits, unless specifically noted as not required in an approved Traffic Impact Analysis.
4. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. 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.
5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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.

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for 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 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 Final Map, whichever may occur first, if allowed by the City Engineer. We note that this site is within a FEMA "AE" Flood Zone.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on 3.53 acres on the south side of Craig Road, west of U.S. 95

The proposed C-1 (Limited Commercial) zoning of the site will be consistent with the existing zoning of surrounding parcels to the north, south and west, and will allow a range of permissible uses compatible with the surrounding development in the area.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/06/96	The City Council accepted a request to Withdraw without prejudice an application for General Plan Amendment (GPA-42-96) to GC (General Commercial) and a Rezoning (Z-94-96) to C-2 (General Commercial) on the subject site as part of a larger request.
01/12/98	The City Council voted to Withdraw without prejudice a Rezoning (Z-0115-97) from U (Undeveloped) to PD (Planned Development) for a proposed commercial development on the subject site. The Planning Commission recommended denial of the Rezoning request.
12/20/01	The Planning Commission voted to Table a Rezoning from U (Undeveloped) to C-1 (Service Commercial) (Z-0074-01) and a Site Development Plan Review [Z-0074-01(1)] for a proposed office/retail complex on the subject site. The staff recommended approval of the requests on 10/18/01.
01/21/04	The City Council approved a Rezoning (ZON-3197) to C-1 (Service Commercial) for the subject site. A condition of approval specified a two year time limit, which expired on 01/21/06. The staff recommended approval on 11/20/03 and the Planning Commission recommended approval on 12/18/03.
11/17/94	The City Council approved a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premise (Billboard) Sign. Staff and the Planning Commission recommended approval.
04/12/07	The Planning Commission recommended approval of companion item SDR-19643 concurrently with this application.
	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #30/ar).
<i>Pre-Application Meeting</i>	
12/06/06	Staff explained the requirements for a zone change application
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application.

Details of Application Request	
Site Area	
Gross Acres	3.53 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped with existing billboard	SC (Service Commercial)	U (Undeveloped) SC (Service Commercial) General Plan Designation
North	Undeveloped	SC (Service Commercial)	SC (Service Commercial) General Plan Designation
South	Retail/restaurants	SC (Service Commercial)	SC (Service Commercial) General Plan Designation
East	U.S. 95	U.S. 95	U.S. 95
West	Retail/restaurants	SC (Service Commercial)	SC (Service Commercial) General Plan Designation

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	
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

ANALYSIS

The proposed C-1 (Limited Commercial) zoning of the site will be consistent with the existing zoning of surrounding parcels to the north, south and west, and will allow a range of permissible uses compatible with the surrounding development in the area. The Department of Public Works has indicated that this site is within a FEMA "AE" Flood Zone; therefore development of this parcel may be significantly impacted by the flood zone

FINDINGS

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

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

The proposed C-1 (Limited Commercial) zoning conforms to the SC (Service Commercial) General Plan Designation.

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

The uses allowed by the C-1 (Limited Commercial) zoning will be compatible with the surrounding area, which are within the C-1 (Limited Commercial) zoning district.

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

The proposed C-1 (Limited Commercial) zone will allow for appropriate commercial uses on the subject site and will provide commercial businesses to serve the immediate area.

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

The only access to the subject site will be via a shared access drive within the adjacent commercial center to Craig Road, a 100-foot primary arterial. The applicant will be required to copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 37

SENATE DISTRICT 4

NOTICES MAILED 196 by Planning Department

<u>APPROVALS</u>	0
-------------------------	---

<u>PROTESTS</u>	0
------------------------	---



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-19647** APN: 138-03-701-003

Name of Property Owner: Craig 95 LLC c/o Abrar Mgmt

Name of Applicant: Platinum Realty and Development

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: _____

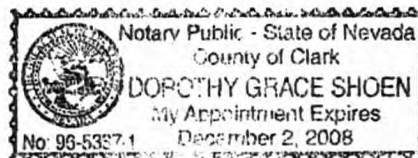
Signature of Property Owner: _____

Print Name: _____

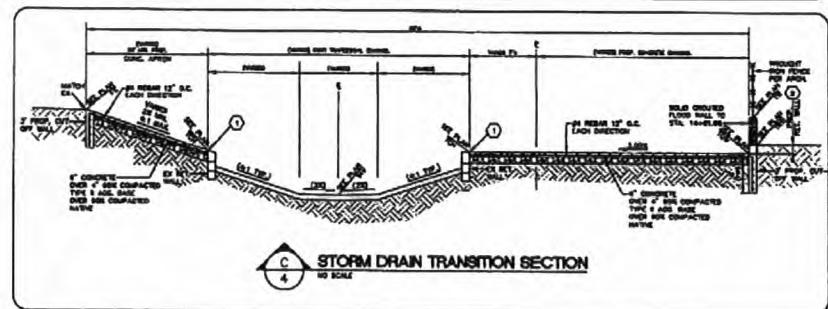
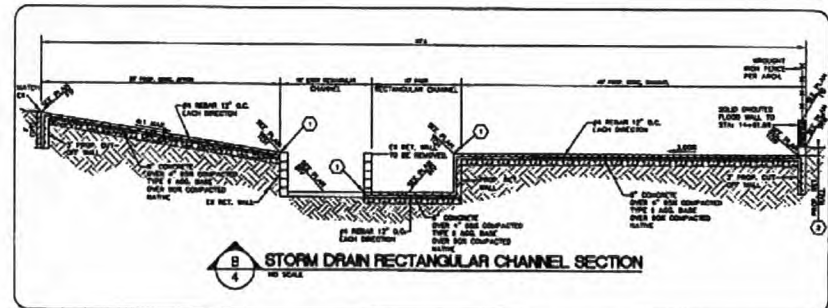
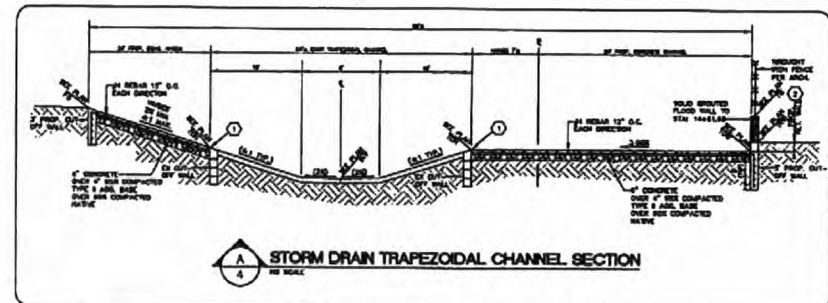
Subscribed and sworn before me

This 12th day of Sept., 2006

Dorothy Grace Shoem
Notary Public in and for said County and State



RECEIVED



- NOTES**
1. APPLY CONCRETE REINFORCING AGENT TO EX WALL, USE AS NEAR DOUBLE BARRELS IF WALL WITH NEW CHANNEL WITH SPACING AGENT. CHANNELS TO BE SPACED 12" MAX. ALONG CONNECTION.
 2. STRUCTURAL DESIGN BY OTHER.
 3. PATCH AND REPLACE MISSING TOP-SLAB AS REQUIRED.

RECEIVED

MAR 14 2007

ZON-19647 VAR-19646
SDR-19643 04/12/07
REVISED

DATE	BY	REVISION



PRELIMINARY SITE PLAN
CRAIG & US 95 COMMERCIAL SITE
CITY OF LAS VEGAS
PROJECT
DATE: 04/12/07
BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]

DATE	BY	REVISION

NOTICE TO CONTRACTOR

EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES NOT SHOWN IN THEIR PROPER LOCATION.

CALL before you Dig

1-800-227-2600
www.callbeforeyoudig.com



PLANNING • MAPING • DEVELOPMENT

March 13, 2007

Mr. Andy Reed
City of Las Vegas Planning
731 South Fourth Street
Las Vegas, NV 89101

**Re: Craig and 95 – Revised Justification Letter
Rezoning, Site Development Plan Review, and Waiver
SWE Ref. No. 060509**

Dear Andy:

On behalf of our client, Platinum Realty, Inc., please accept the Rezoning, Site Development Plan Review, and Perimeter Landscape Waiver for property located at the southwest corner of Craig Road and US 95 on approximately 3.53 acres. APN: 138-03-701-003

Rezoning:

The Rezoning is being submitted to rezone the property from Undeveloped, Service Commercial (General Plan Designation) to Limited Commercial (C-1). The major tenant on this site will be Smart and Final; with approximately 18,025 square feet. Other buildings are proposed within the Retail Shopping Development; consisting of 19,900 square feet.

Site Development Plan Review:

The site is a Commercial Retail shopping center consisting of approximately 37,925 square footage of building area. The site is adjacent to the Craig Marketplace and is compatible with the surrounding development.

Perimeter Landscape Waiver:

Perimeter Landscape is required along the south and east boundary. We are requesting the City of Las Vegas to waive this requirement as the south and east boundary are presenting landscaped with the existing Craig Marketplace development. We are requesting a waiver to the requirement for planter fingers (normally required every 6 parking spaces) due to the configuration of our site and the drainage channel that is required through this project.

RECEIVED
MAR 14 2007

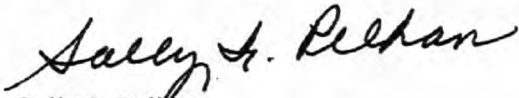
**ZON-19674
04/12/07 PC
REVISED**

Our Retail Shopping Center will make a positive contribution to the surrounding area and will provide distinctive architecture design. The project will provide a harmonious architectural character and will contribute to the residential character of Las Vegas Retail Commercial developments.

Thank you for your consideration.

Very truly yours,

SOUTHWEST ENGINEERING



Sally I. Pelham
Director of Processing

RECEIVED
MAR 14 2007

**ZON-19674
03/22/07 PC
REVISED**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-19647

SDR-19643 - PUBLIC HEARING - APPLICANT: PLATINUM REALTY AND DEVELOPMENT - OWNER: CRAIG 95 LLC C/O ABRAR MANAGEMENT - Request for a Site Development Plan Review FOR A 37,925 SQUARE FOOT COMMERCIAL CENTER AND WAIVERS OF PERIMETER LANDSCAPE BUFFER STANDARD TO ALLOW NO LANDSCAPING ALONG THE SOUTH AND EAST PROPERTY LINES WHERE AN 8-FOOT WIDE BUFFER IS REQUIRED AND A 2-FOOT WIDE BUFFER ALONG A PORTION OF THE NORTH PROPERTY LINE WHERE AN 8-FOOT WIDE BUFFER IS REQUIRED on 3.53 acres on the south side of Craig Road, west of U.S. 95 (APN 138-03-701-003), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

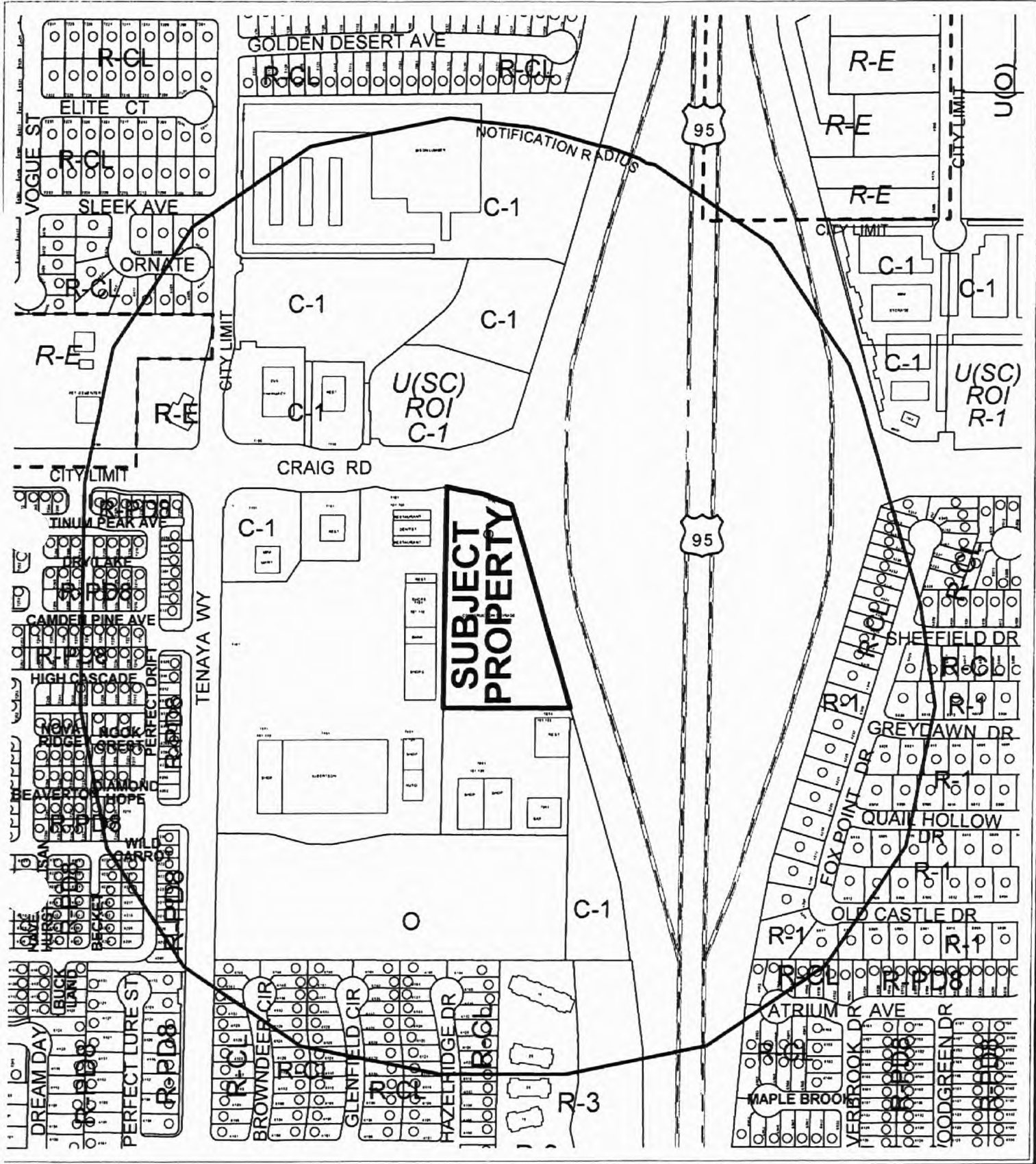
BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Hold in Abeyance Items 64, 114-117, 122, 134-139, 157, 162, 164 and 167-170 to 6/06/2007; Items 155, 156, 163, 165 and 166 to 6/20/2007; Strike Item 106; Table Items 111-113; and Withdraw Without Prejudice Item 158

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

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



CASE: SDR-19643

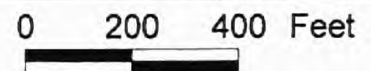
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U(SC) UNDEVELOPED (SERVICE COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-19643 - APPLICANT: PLATINUM REALTY AND DEVELOPMENT - OWNER: CRAIG 95 LLC C/O ABRAR MANAGEMENT

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-19647) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, date stamped 03/14/07 and landscape plan and building elevations, 02/06/06, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow no landscaping along the south and east property lines where an eight foot buffer is required, and to allow a two foot wide buffer along the north property line where eight feet is required
5. An Exception from Title 19.12 is hereby approved, to allow 14 parking lot trees where 25 are required.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

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

Public Works

15. 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.
16. Provide a copy of a recorded joint access agreement between this site and Assessor's Parcel No. 138-03-715-004 prior to the issuance of any permits.
17. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-19647 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a 37,925 square foot commercial center and waivers of perimeter landscape buffer standard to allow no landscaping along the south and east property lines where an 8-foot wide buffer is required and a 2-foot wide buffer along a portion of the north property line where an 8-foot wide buffer is required on 3.53 acres on the south side of Craig Road, west of U.S. 95.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/06/96	The City Council accepted a request to Withdraw without prejudice an application for General Plan Amendment (GPA-42-96) to GC (General Commercial) and a Rezoning (Z-94-96) to C-2 (General Commercial) on the subject site as part of a larger request.
01/12/98	The City Council voted to Withdraw without prejudice a Rezoning (Z-0115-97) from U (Undeveloped) to PD (Planned Development) for a proposed commercial development on the subject site. The Planning Commission recommended denial of the Rezoning request.
12/20/01	The Planning Commission voted to Table a Rezoning from U (Undeveloped) to C-1 (Service Commercial) (Z-0074-01) and a Site Development Plan Review [Z-0074-01(1)] for a proposed office/retail complex on the subject site. The staff recommended approval of the requests on 10/18/01.
01/21/04	The City Council approved a Rezoning (ZON-3197) to C-1 (Service Commercial) for the subject site. A condition of approval specified a two year time limit, which expired on 01/21/06. The staff recommended approval on 11/20/03 and the Planning Commission recommended approval on 12/18/03.
11/17/94	The City Council approved a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot Off-Premise (Billboard) Sign. Staff and the Planning Commission recommended approval.
04/12/07	The Planning Commission recommended approval of companion item zon-19647 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #31/ar).
<i>Pre-Application Meeting</i>	
12/06/06	Staff explained the requirements for a zone change application
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.53

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped with existing billboard	SC (Service Commercial)	U (Undeveloped) [SC (Service Commercial) General Plan Designation]
North	Undeveloped	SC (Service Commercial)	SC (Service Commercial) General Plan Designation
South	Retail/restaurants	SC (Service Commercial)	SC (Service Commercial) General Plan Designation
East	U.S. 95	U.S. 95	U.S. 95
West	Retail/restaurants	SC (Service Commercial)	SC (Service Commercial) General Plan Designation

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

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	3.53 acres	Y
Min. Lot Width	100 Feet	350 Feet	Y
Min. Setbacks			
• Front	• 20 Feet	• 23 Feet	• Y
• Side	• 10 Feet	• 21 Feet	• Y
• Rear	• 20 Feet	• 65 Feet	• Y
Max. Lot Coverage	50 %	25 %	Y
Max. Building Height	N/A	40 Feet	Y

Per Title 19.08.060, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	120 Feet	850 Feet	Y
Trash Enclosure	50 Feet	850 Feet	

Per Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree /6 Spaces	25 Trees	14	N
Buffer: Min. Trees	1 Trees/30 Linear Feet	58 Trees	32	N
Min. Zone Width				
North prop line	8 feet		2 feet	N
South prop line	8 feet		0 feet	N
East prop line	8 feet		0 feet	N
West prop line	8 feet		8 feet	Y

In regard to the parking lot trees, the applicant is proposing to place additional trees along the west property line, adjacent to the main parking lot. Staff finds this to be an acceptable alternative and recommends approval.

In regard to the property line buffers, staff notes that the east and north property lines are adjacent to a raised freeway, and has no objection to a waiver of the buffer requirement along those property lines. The applicant is also proposing no landscaping along the south property line. Because this will allow better vehicular circulation with the commercial development to the south, staff has no objection to this waiver as well.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping center	37, 925 sf	1/250 sf	152	6	152	6	Y
TOTAL			152	6	152	6	Y

Waivers		
Request	Requirement	Staff Recommendation
Min. Zone Width		
Two feet along north prop line	8 feet	Approval
Zero feet along south prop line	8 feet	Approval
Zero feet along east prop line	8 feet	Approval

ANALYSIS

This site is currently undeveloped. The applicant proposes to construct a 19,900 square foot retail building in the north portion of the site, and an 18,025 square foot grocery store in the south. The site plan indicates that both buildings comply with the setback requirements of the zoning code. Access is provided by a 30 foot wide driveway to Craig Road which is shared with the existing shopping center immediately to the west. The majority of the parking spaces are located west of the buildings, with some spaces also shown on the remaining sides of the structures. An eight foot wide landscape buffer with 32 trees is shown along the west property line. Additional planting areas with trees, shrubs and ground cover are depicted in the parking lot. The amount of parking lot trees does not comply with city standards; however, staff finds that the applicants' provision of additional trees within the west property line buffer is an acceptable alternative. In regard to the north and east property line buffers, staff notes that these property lines are adjacent to a raised freeway, and has no objection to a waiver of the buffer requirement along those property lines. The applicant is also proposing no landscaping along the south property line. Because this will allow better vehicular circulation with the commercial development to the south, staff has no objection to this waiver as well.

The elevations for both structures depict a stucco exterior with a decorative stone veneer. A flat roof is shown for both structures, with peaked standing seam metal roofs providing articulation.

FINDINGS

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

1. The proposed development is compatible with adjacent development and development in the area;
2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;
3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
4. Building and landscape materials are appropriate for the area and for the City;

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;
6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

In regard to “1”:

The proposed development is compatible with the commercial uses occurring along this portion of Craig Road.

In regard to “2”:

The proposed development complies with the General Plan. The applicant has requested waivers of certain landscape requirements. Because this site is adjacent to a freeway, staff has no objection to the waivers.

In regard to “3”:

The site is adjacent to Craig Road, which is designated by the Master Plan of Streets and Highways as a Primary Street and will not be adversely impacted by this request.

In regard to “4”:

The submitted building elevations are typical of commercial development in this portion of the city. The substantial landscape buffer along the west property line will provide an aesthetically pleasing streetscape when viewed from Craig Road.

In regard to “5”:

The elevations for the new buildings are compatible with the existing shopping center to the west and other development in the area.

In regard to “6”:

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 37

SENATE DISTRICT 4

NOTICES MAILED 196 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-19643** APN: 138-03-701-003

Name of Property Owner: Craig 95 LLC c/o Abrar Mgint

Name of Applicant: Platinum Realty and Development

Name of Representative: Southwest Engineering

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: Alireza Karch

Print Name: Alireza Karch

Subscribed and sworn before me

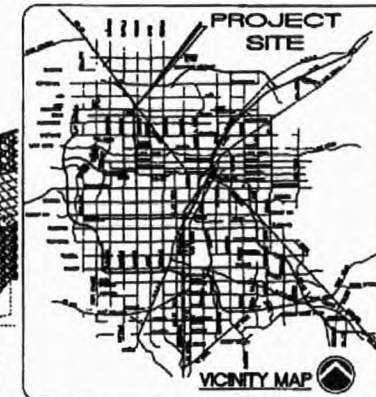
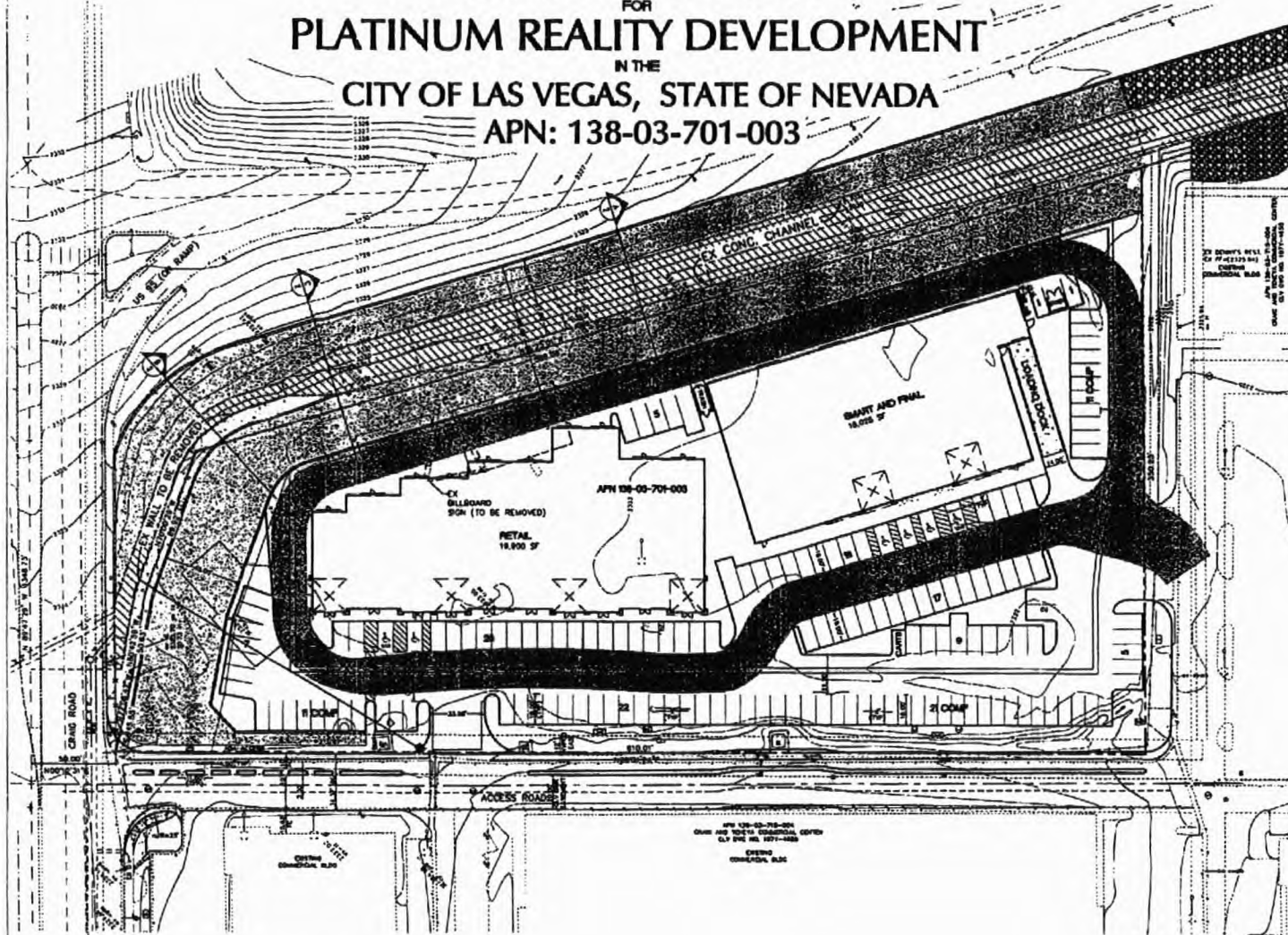
This 13th day of December, 2006

Darwin Haei Shon

Notary Public in and for said County and State

RECEIVED

CRAIG & US 95
PRELIMINARY SITE PLAN
 FOR
PLATINUM REALITY DEVELOPMENT
 IN THE
CITY OF LAS VEGAS, STATE OF NEVADA
APN: 138-03-701-003



LEGEND

- FIRE LANE
- EXISTING DRAINAGE EASEMENTS
- PROPOSED DRAINAGE EASEMENTS

US 95 AND CRAIG RETAIL CENTER

TOTAL BLDG. SQ. FT.	27,900 SF
EXIST. BLDG. SQ. FT.	0
NEW BLDG. SQ. FT.	27,900 SF
ADDITIONAL PARKING	150 EA.
EXISTING PARKING	0
PROPOSED PARKING	150 EA.
TOTAL PARKING	150 EA.
PROPOSED SIDEWALK	150' EA.
PROPOSED BIKEWAY	150' EA.
PROPOSED TRAIL	150' EA.
PROPOSED PATH	150' EA.
PROPOSED BIKEWAY	150' EA.
PROPOSED TRAIL	150' EA.
PROPOSED PATH	150' EA.
PROPOSED BIKEWAY	150' EA.
PROPOSED TRAIL	150' EA.
PROPOSED PATH	150' EA.

PROPOSED PARKING AND BIKEWAY

- 1. PARKING LOT
- 2. PARKING LOT
- 3. PARKING LOT
- 4. PARKING LOT
- 5. PARKING LOT
- 6. PARKING LOT
- 7. PARKING LOT
- 8. PARKING LOT
- 9. PARKING LOT
- 10. PARKING LOT



GRAPHIC SCALE



RECEIVED

MAR 14 2007

SDR-19643
04/12/07 PG
REVISED

PRELIMINARY SITE PLAN
CRAIG & US 95 COMMERCIAL SITE

APN: 138-03-701-003

DATE: 04/12/07

BY: [Signature]

FOR: [Signature]

PROJECT: [Signature]

REVISIONS:

NO.	DATE	DESCRIPTION
1	04/12/07	PRELIMINARY SITE PLAN

NOTICE TO CONTRACTOR

EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXACT LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. NO CONSTRUCTION SHALL BE UNDERTAKEN UNTIL ALL UTILITIES HAVE BEEN LOCATED AND DEPTHS HAVE BEEN DETERMINED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES NOT SHOWN ON THESE PLANS.

CALL before you Dig

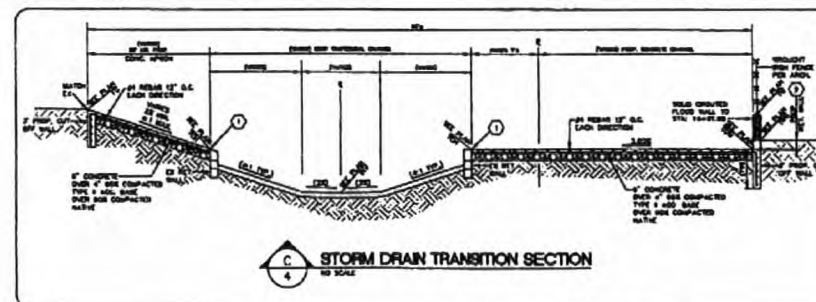
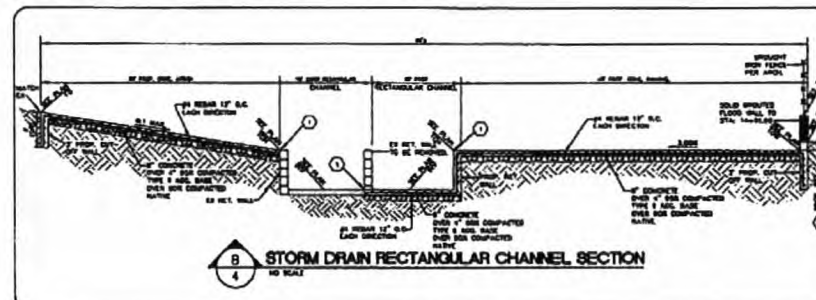
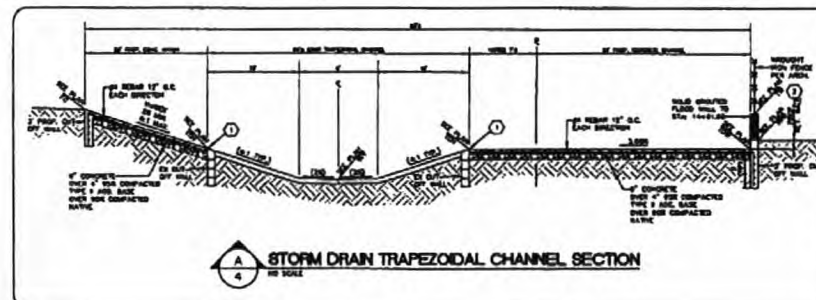
1-800-227-2800

UNDERGROUND UTILITY LOCATIONS

NOTICE TO CONTRACTOR:

EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT DEPTH, LOCATION AND MATERIALS OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES NOT SHOWN ON THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES NOT SHOWN ON THIS PLAN.

CALL before you Dig
1-800-727-2400
UTILITY LOCATING SERVICE



- NOTES:**
1. APPLY CONCRETE REPAIRS TO EX. WALLS AND TO REPAIR SHOULD BE SPACED 12" MAX. ALONG CONNECTION.
 2. STRUCTURAL DESIGN BY OTHER.
 3. PATCH AND REPAIR MISSING TOP-UP AS REQUIRED.

RECEIVED

MAR 4 2007

ZON-19647 VAR-19646

SDR-19643 04/12/07 PC

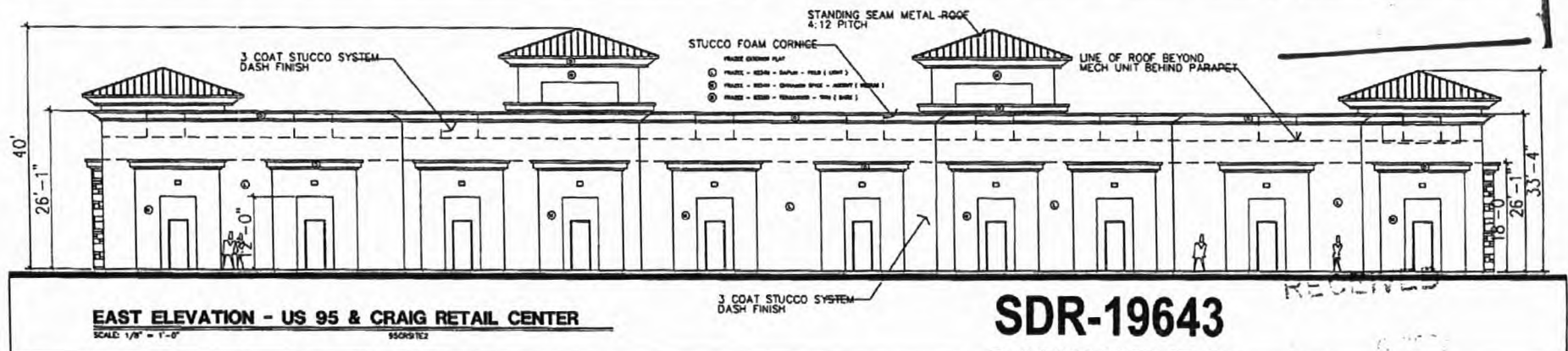
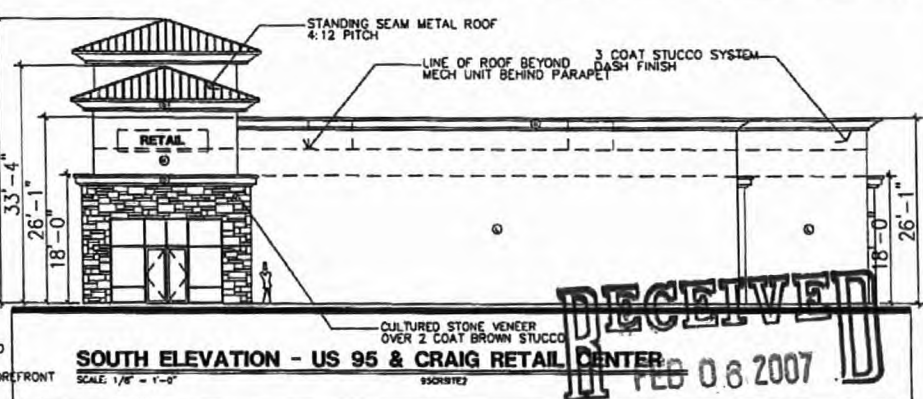
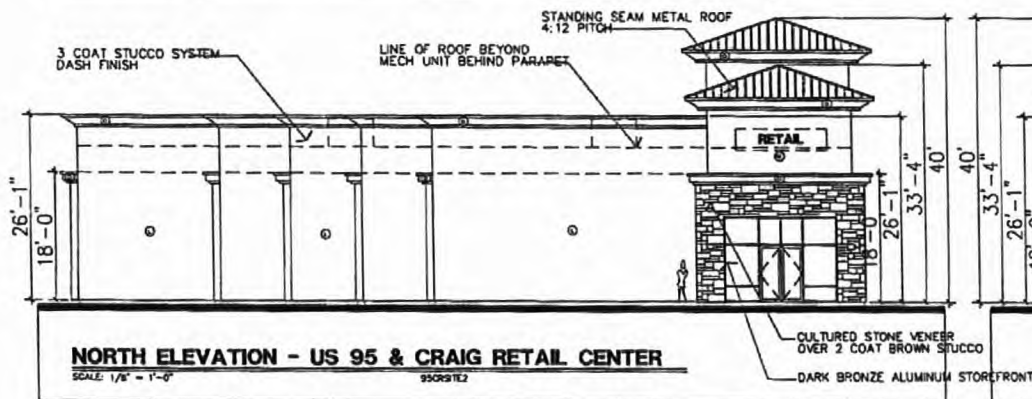
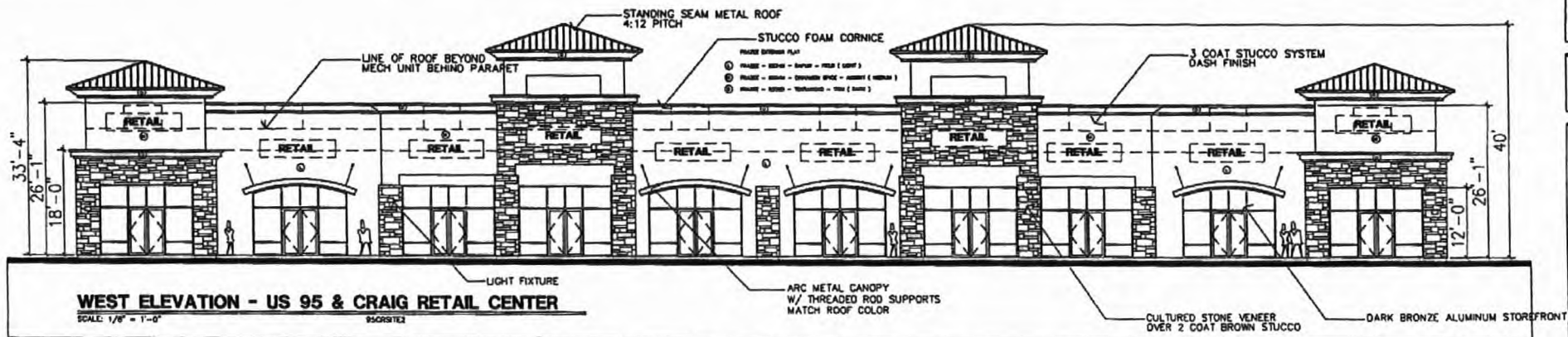
REVISED

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	04/12/07



PRELIMINARY SITE PLAN
CRAIG & US 95 COMMERCIAL SITE
PROJECT
CITY OF LAS VEGAS
100000000

PRELIMINARY SITE PLAN
CRAIG & US 95 COMMERCIAL SITE
PROJECT
CITY OF LAS VEGAS
100000000



SDR-19643
04/12/07 PC

14-00
RETAIL
RETAIL
RETAIL

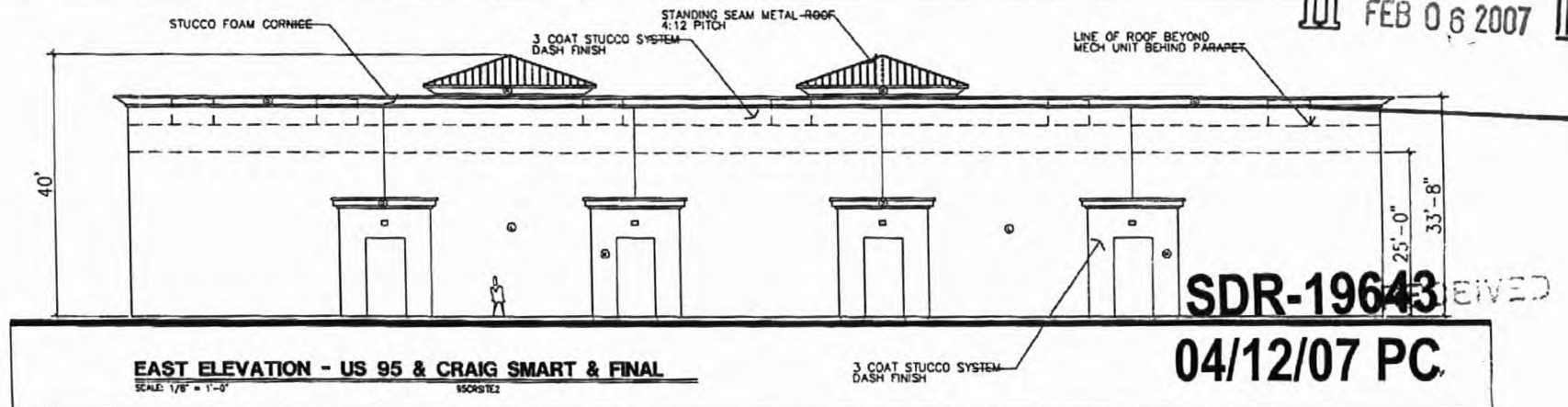
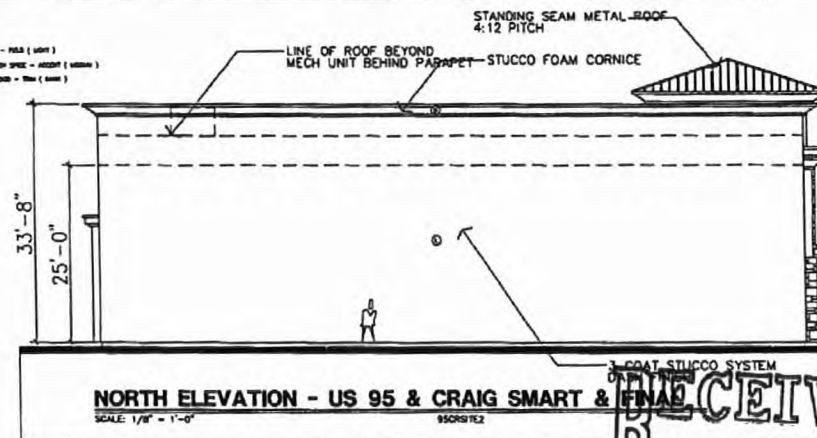
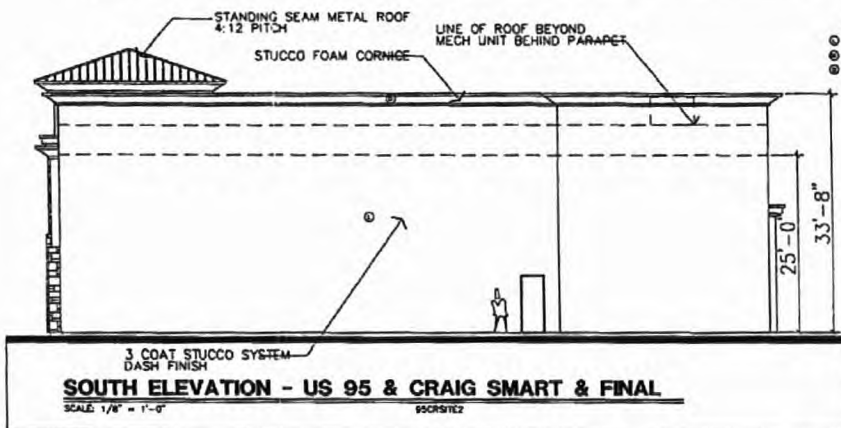
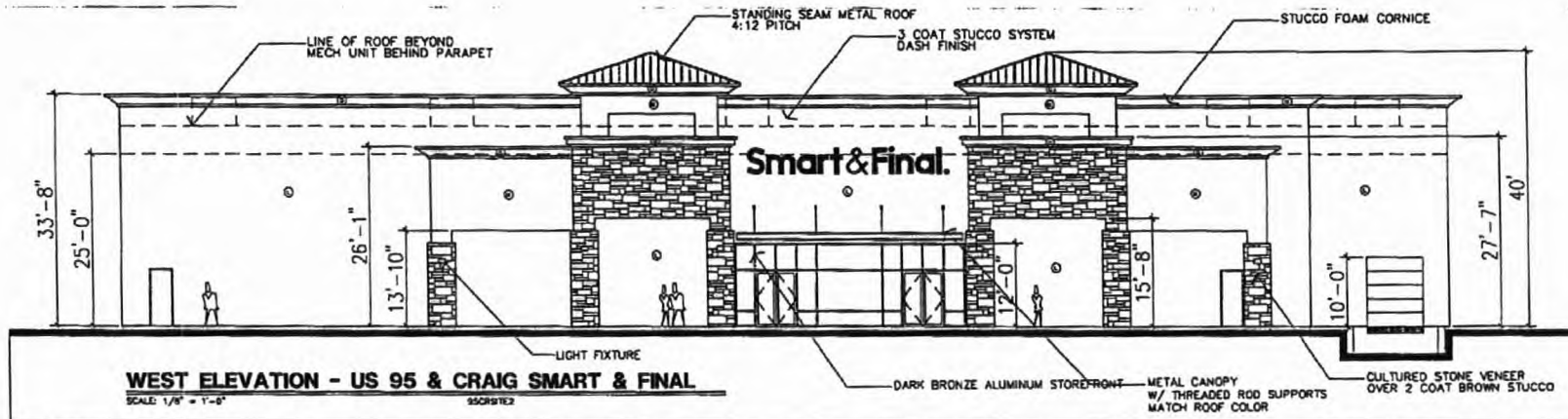
EXTERIOR ELEVATIONS
OWNER / DEVELOPER
PLANNING ARCHITECT
14-00
14-00
14-00

14-00
RETAIL
RETAIL
RETAIL

GREGORY J MOORE
ARCHITECT
14-00
14-00
14-00

US 95 & CRAIG ROAD
RETAIL CENTER
14-00
14-00
14-00

A-2



SDR-19643

04/12/07 PC

144-47
METAL
STUCCO
FOAM
CORNICE

STUCCO
FOAM
CORNICE

EXTERIOR ELEVATIONS
OWNER / DEVELOPER
PATRICK KELLY - SDR
144-47 METAL
STUCCO
FOAM
CORNICE

STUCCO
FOAM
CORNICE

STUCCO
FOAM
CORNICE

GREGORY J MOORE
ARCHITECT
144-47 METAL
STUCCO
FOAM
CORNICE

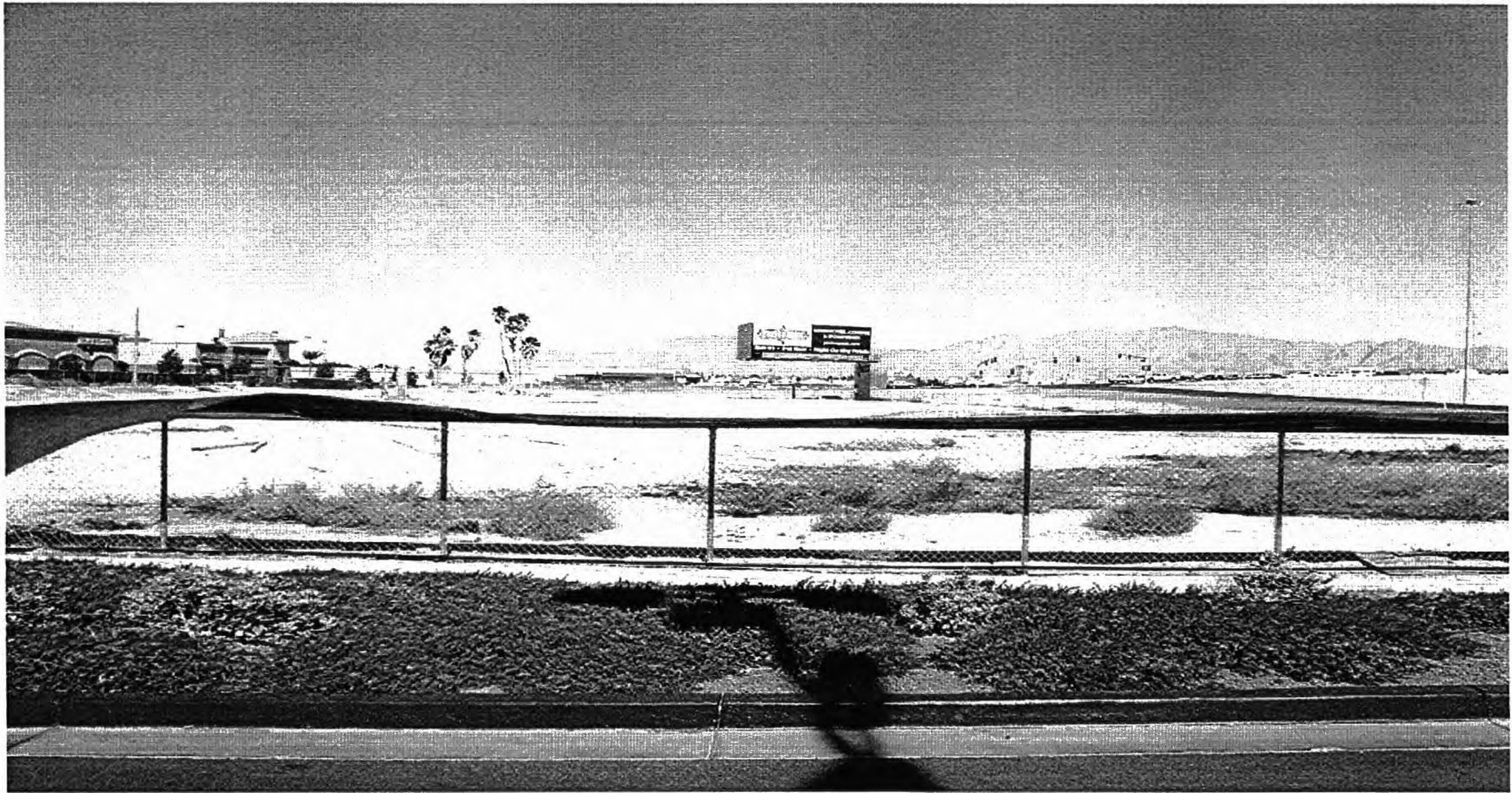
RECEIVED

FEB 06 2007

US 95 & CRAIG ROAD
RETAIL CENTER
144-47 METAL
STUCCO
FOAM
CORNICE

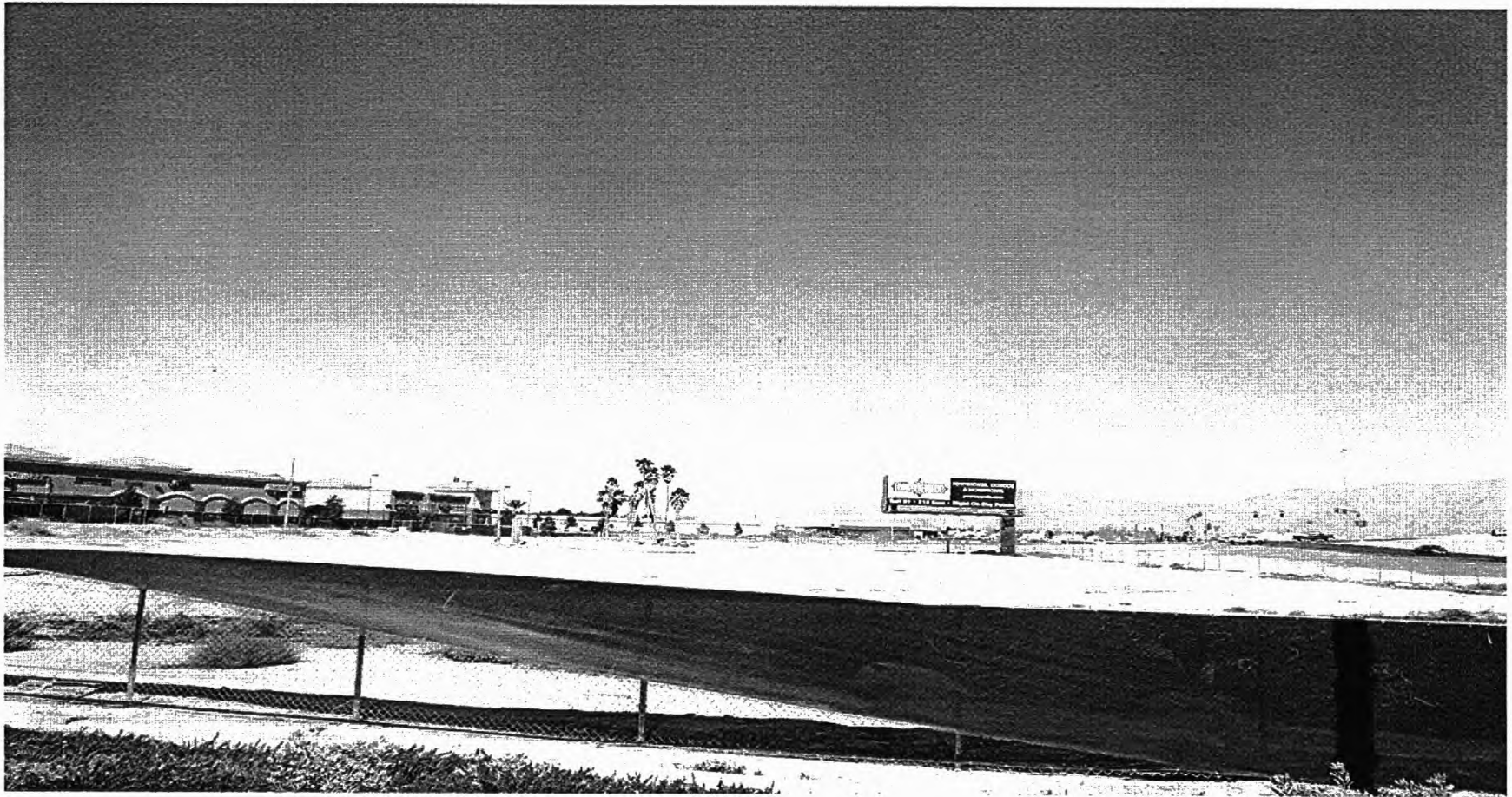
STUCCO
FOAM
CORNICE

A-3



ZON-19647 & SDR-19643 - APPLICANT: PLATINUM REALTY AND DEVELOPMENT - OWNER: CRAIG 95
LLC C/O ABRAR MANAGEMENT
SOUTH SIDE OF CRAIG ROAD, WEST OF U.S. 95
APRIL 12, 2007 PLANNING COMMISSION

02/16/07



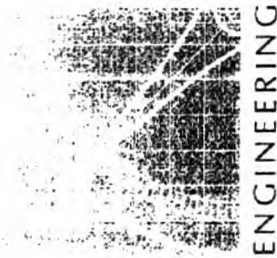
ZON-19647 & SDR-19643 - APPLICANT: PLATINUM REALTY AND DEVELOPMENT - OWNER: CRAIG 95
LLC C/O ABRAR MANAGEMENT
SOUTH SIDE OF CRAIG ROAD, WEST OF U.S. 95
APRIL 12, 2007 PLANNING COMMISSION

02/16/07



ZON-19647 & SDR-19643 - APPLICANT: PLATINUM REALTY AND DEVELOPMENT - OWNER: CRAIG 95
LLC C/O ABRAR MANAGEMENT
SOUTH SIDE OF CRAIG ROAD, WEST OF U.S. 95
APRIL 12, 2007 PLANNING COMMISSION

02/16/07



• • • • •

March 13, 2007

Mr. Andy Reed
City of Las Vegas Planning
731 South Fourth Street
Las Vegas, NV 89101

**Re: Craig and 95 – Revised Justification Letter
Rezoning, Site Development Plan Review, and Waiver
SWE Ref. No. 060509**

Dear Andy:

On behalf of our client, Platinum Realty, Inc., please accept the Rezoning, Site Development Plan Review, and Perimeter Landscape Waiver for property located at the southwest corner of Craig Road and US 95 on approximately 3.53 acres. APN: 138-03-701-003

Rezoning:

The Rezoning is being submitted to rezone the property from Undeveloped, Service Commercial (General Plan Designation) to Limited Commercial (C-1). The major tenant on this site will be Smart and Final; with approximately 18,025 square feet. Other buildings are proposed within the Retail Shopping Development; consisting of 19,900 square feet.

Site Development Plan Review:

The site is a Commercial Retail shopping center consisting of approximately 37,925 square footage of building area. The site is adjacent to the Craig Marketplace and is compatible with the surrounding development.

Perimeter Landscape Waiver:

Perimeter Landscape is required along the south and east boundary. We are requesting the City of Las Vegas to waive this requirement as the south and east boundary are presenting landscaped with the existing Craig Marketplace development. We are requesting a waiver to the requirement for planter fingers (normally required every 6 parking spaces) due to the configuration of our site and the drainage channel that is required through this project.

RECEIVED
MAR 14 2007

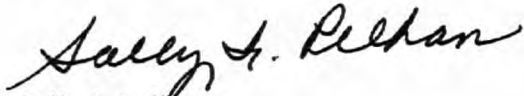
**SDR-19643
04/12/07 PC
REVISED**

Our Retail Shopping Center will make a positive contribution to the surrounding area and will provide distinctive architecture design. The project will provide a harmonious architectural character and will contribute to the residential character of Las Vegas Retail Commercial developments.

Thank you for your consideration.

Very truly yours,

SOUTHWEST ENGINEERING



Sally I. Pelham
Director of Processing

RECEIVED
MAR 14 2007

**SDR-19643
04/12/07 PC
REVISED**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
REZONING

ZON-20397 - PUBLIC HEARING - APPLICANT/OWNER: LUIS ROJAS - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 802 East Bonneville Avenue (APN 139-34-810-050), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

RECOMMENDATION:

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

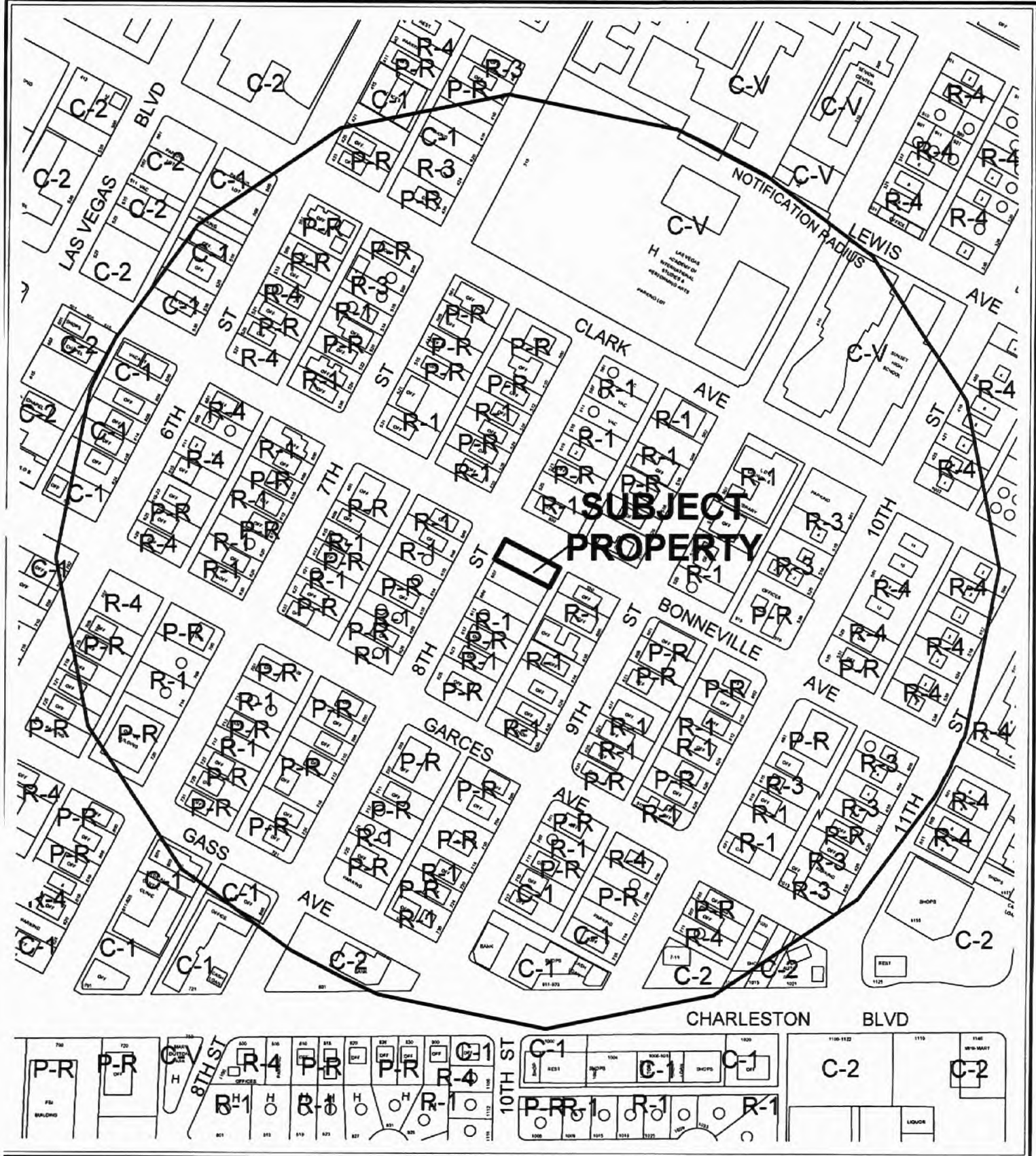
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Abeyance request by Stephen Stein for Items 136-139
6. Backup referenced from the 04-12-07 Planning Commission Meeting Item 66

Motion made by GARY REESE to Hold in Abeyance Items 64, 114-117, 122, 134-139, 157, 162, 164 and 167-170 to 6/06/2007; Items 155, 156, 163, 165 and 166 to 6/20/2007; Strike Item 106; Table Items 111-113; and Withdraw Without Prejudice Item 158

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

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



CASE: ZON-20397

RADIUS: 1000 FT

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

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



CASE: ZON-20397

RADIUS: 1000 FT

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

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-20397 - APPLICANT/OWNER: LUIS ROJAS

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-19675) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate a 10 foot radius on the southeast corner of Bonneville Avenue and 8th Street prior to the issuance of any permits.
4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site of this site.
5. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
6. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
7. Coordinate improvements adjacent to this site along Bonneville Avenue with the Engineering Design Section of the Department of Public Works to mitigate conflicts between this site and the Bonneville/Clark One Way Couplet project.

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/25/05	The City Council accepted a withdrawal without prejudice of a Variance (VAR-6937) to allow a five-foot setback where residential adjacency standards require 105 feet, a Variance (VAR-6938) to allow 24 parking spaces where 43 spaces are required, and a Site Development Plan Review (SDR-6934) for a 12,857 square-foot office building, and a Rezoning (ZON-7254) of this property and the adjacent two parcels to the south from R-1 (Single-family Residential) to P-R (Professional Office & Parking). These applications were for the two adjacent parcels to the south. Staff recommended approval of the Rezoning and denial of the Variances and Site Development Plan Review. The Planning Commission recommended approval of all applications.
04/12/07	The Planning Commission recommended approval of companion items VAR-20398; VAR-20399 and SDR-19675 concurrently with this application. The Planning Commission voted 5-1/sd to recommend APPROVAL (PC Agenda Item #66/jk).

<i>Related Building Permits/Business Licenses</i>	
11/19/04	Demolition permit 31045-R-04 was approved by Planning & Development and by Building & Safety.
<i>Pre-Application Meeting</i>	
01/5/07	At the pre-application meeting the applicant was informed about the setback and landscape requirements for the proposed development. The applicant was also informed about the parking requirements and was asked by Public Works to revise their parking layout to meet ADA requirements.
<i>Neighborhood Meeting</i>	
A pre-application meeting is not required for this application type, nor was one held.	

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

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

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

ANALYSIS

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

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

There were four speakers in opposition at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

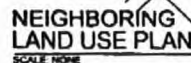
ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 191 by Planning Department

APPROVALS 2

PROTESTS 0



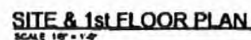
APN: 139-34-810-050
EXISTING ZONING: R-1
GROSS LAND AREA 7,000 S.F. (160 AC)
TOTAL BUILDING AREA 4,268 S.F.
LOT COVERAGE: 60%

1st FLOOR	
LOBBY / ATRIUM:	
ELEV / STAIR #1:	426 S.F.
STAIRWAY #2:	120 S.F.
STORAGE #A:	72 S.F.
STORAGE #B:	72 S.F.
STORAGE #C:	265 S.F.
STORAGE #D:	42 S.F.
TOTAL:	937 S.F.

REQUIRED PARKING	
1st FLOOR	937 S.F.
2nd FLOOR	4,430 S.F.
TOTAL:	5,376 S.F.
5,376 S.F. / 300 SF = 17.92 OR 18 SPACES	
PROVIDED PARKING	
COVERED PARKING:	3 FULL SIZE 1 H.C. VAN 1 COMPACT
ALLEY PARKING:	2 FULL SIZE 1 COMPACT
TOTAL:	8 SPACES

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

DECOMPOSED COLORED GRAVEL
3/4" MINUS SCREEN DESERT GOLD
IN ALL PLANTING AREAS



04/12/07 PC

RECEIVED

BRYAN CONSTRUCTION INC.

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

12/26/2008
S-O-W
111 213

C



March 8, 2007

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

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

SUBJECT: Justification Letter For Proposed New Law Office
Building

To Whom it May Concern:

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

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

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

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

ZON-20397 VAR-20398

VAR-20399 SDR-19675

04/12/07 PC

308 South 11th Street • Las Vegas, NV 89101 • 702-362-7127 • Fax 702-362-7079

E-Mail bryanconstructioninc@cox.net

State License No. 770311

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

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

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

3. Landscaping waivers:

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

South: Building being built along the property line.

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

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

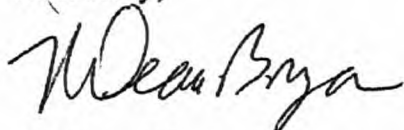
4. Lot Coverage:

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

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

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

Sincerely,



R. Dean Bryan

Enclosures (1) Agreement from southern neighbor.

RECEIVED

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

LAW OFFICES

*Stephen Stein, Chartered*TELEPHONE
(702) 384-5563A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593FAX
(702) 598-1425

May 15, 2007

VIA FACSIMILE (702) 385-7268Mr. Doug Rankin
Development Services Center
731 South Fourth St
Las Vegas, NV 89101**VIA FACSIMILE (702) 382-4803**Ms. Beverly Bridges
City Clerk
City Hall, First Floor
400 Stewart Ave
Las Vegas, NV 89101RECEIVED
CITY CLERK
2007 MAY 15 A 10:20

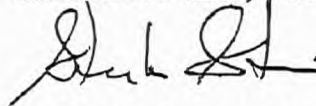
RE: City Council Agenda for May 16, 2007

Dear Mr. Rankin and Ms. Bridges:

Please be informed that I represent Applicant/Owner Luis J. Rojas, Esq., in the building of Stein & Rojas. I thought I would be unavailable to attend the City Council Meeting set for May 16, 2007, as I anticipated being in India at the request of another client. As such, I respectfully request that items 136-139 of the agenda be continued to the first Wednesday of June 2007. Furthermore, I have contacted Councilman Gary Reese regarding this request.

Sincerely,

STEPHEN STEIN, CHTD.



STEPHEN STEIN, ESQ.

SS/lmf
Enclosure

5-15-07 Item # 136-139

LAW OFFICES

Stephen Stein, Chartered

A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE
(702) 384-5593

FAX
(702) 598-1425

2007 MAY 14 P 3:28

RECEIVED
CITY CLERK

May 8, 2007

Councilman Gary Reese, Ward 3
400 Stewart Ave
Las Vegas, NV 89101

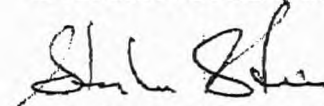
RE: Variances 20398 and 20399

Dear Councilman Reese:

I formally request that the public hearings currently set for May 16, 2007, for Variances 20398 and 20399 be abated until the next regularly scheduled hearing. This request is being made because I was just informed I am required to travel out of the country to assist a client.

Sincerely,

STEPHEN STEIN, CHTD.



STEPHEN STEIN, ESQ.

SS/lmf

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

September 20, 2005

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

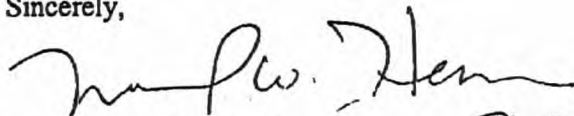
RE: Letter of Approval for 802 E. Bonneville

Dear Mr. Rojas:

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

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

Sincerely,



MICHAEL HERRON

9-20-05



MICKEY VACA

RECEIVED

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

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

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

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

I own the property at 520 South Seventh Street.

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

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

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

OBJECTION: VAR-20399 –

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

OBJECTION: SDR-19675

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

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

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

Very truly yours,
Marlene Walshin
Marlene Walshin

A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 16, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO ZON-20397

VAR-20398 - PUBLIC HEARING - APPLICANT/OWNER: LUIS ROJAS - Request for a Variance to ALLOW EIGHT PARKING SPACES WHERE 18 PARKING SPACES ARE REQUIRED on 0.16 acres at 802 East Bonneville Avenue (APN 139-34-810-050), R-1 (Single Family Residential) Zone, [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

8

City Council Meeting

8

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

5

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to conditions.

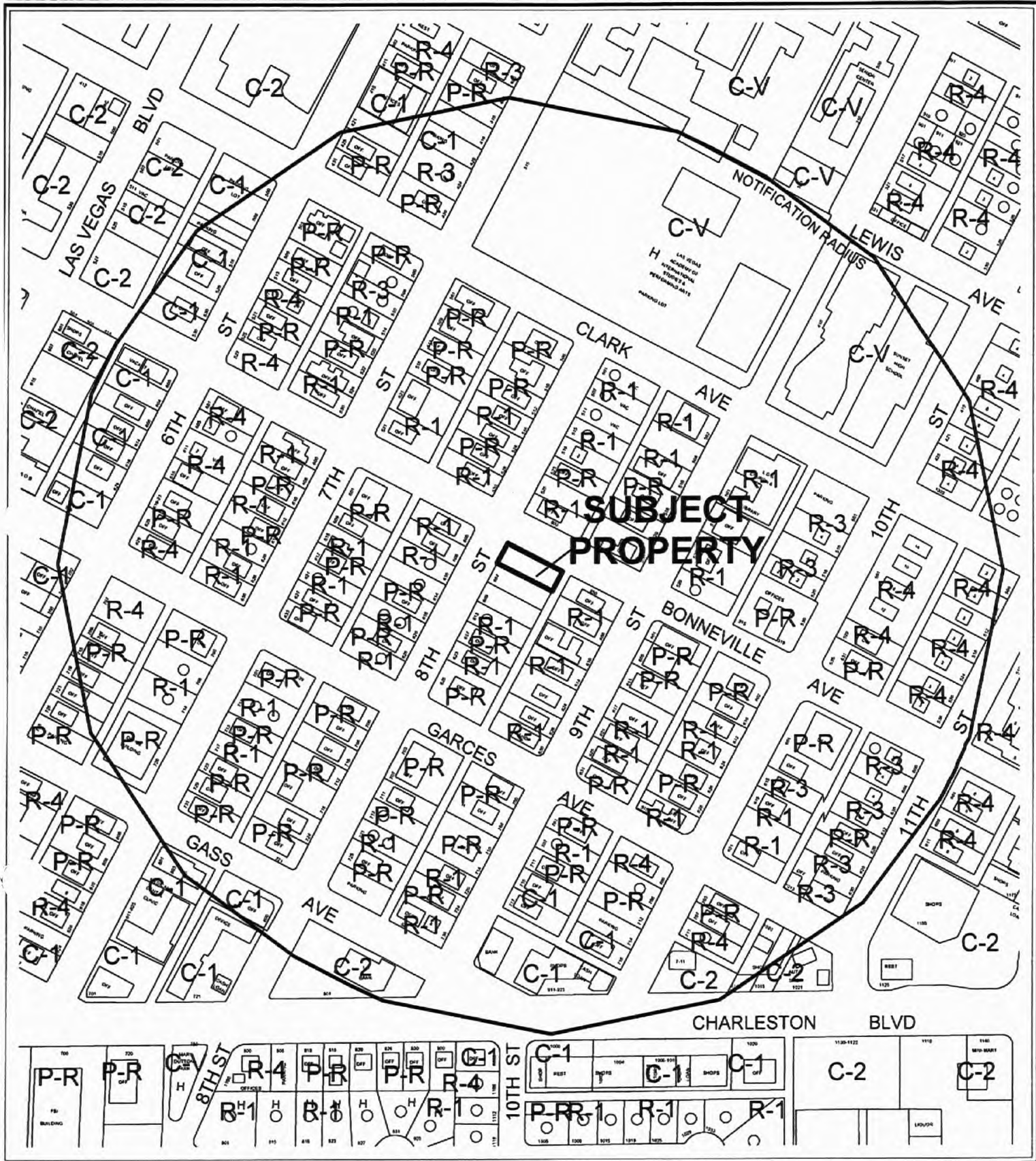
BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Returned postcard protests and support
6. Submitted after final agenda – Returned postcard protests, supports and protest letters from Layton Layton & Tobler, LLP for Items 137 and 138
7. Backup referenced from the 04-12-07 Planning Commission Meeting Item 67

Motion made by GARY REESE to Hold in Abeyance Items 64, 114-117, 122, 134-139, 157, 162, 164 and 167-170 to 6/06/2007; Items 155, 156, 163, 165 and 166 to 6/20/2007; Strike Item 106; Table Items 111-113; and Withdraw Without Prejudice Item 158

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

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

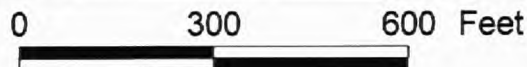


CASE: VAR-20398

RADIUS: 1000 FT

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

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-2/gt/sd vote) recommends APPROVAL. If Approved, subject to:

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/25/05	The City Council accepted a withdrawal without prejudice of a Variance (VAR-6937) to allow a five-foot setback where residential adjacency standards require 105 feet, a Variance (VAR-6938) to allow 24 parking spaces where 43 spaces are required, and a Site Development Plan Review (SDR-6934) for a 12,857 square-foot office building, and a Rezoning (ZON-7254) of this property and the adjacent two parcels to the south from R-1 (Single-family Residential) to P-R (Professional Office & Parking). These applications were for the two adjacent parcels to the south. Staff recommended approval of the Rezoning and denial of the Variances and Site Development Plan Review. The Planning Commission recommended approval of all applications.
04/12/07	The Planning Commission recommended approval of companion items ZON-20397; VAR-20399 and SDR-19675 concurrently with this application. The Planning Commission voted 4-2/gt/sd to recommend APPROVAL (PC Agenda Item #67/jk).

<i>Related Building Permits/Business Licenses</i>	
11/19/04	Demolition permit 31045-R-04 was approved by Planning & Development and by Building & Safety.
<i>Pre-Application Meeting</i>	
01/5/07	At the pre-application meeting the applicant was informed about the setback and landscape requirements for the proposed development. The applicant was also informed about the parking requirements and was asked by Public Works to revise their parking layout to meet ADA requirements.
<i>Neighborhood Meeting</i>	
A pre-application meeting is not required for this application type, nor was one held.	

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

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

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

Pursuant to Title 19.08, the following development standards apply:

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

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

Pursuant to Title 19.12, the following development standards apply:

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

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

Pursuant to Title 19.10, the following parking standards apply:

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

ANALYSIS

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by overdeveloping a lot that can't adequately accommodate the size of the building and parking necessary for said building. An alternative design reducing the size of the building would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 189 by City Clerk

APPROVALS 1

PROTESTS 5

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20398** APN: 139-34-810-050

Name of Property Owner: Luis Rojas

Name of Applicant: Luis Rojas

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: [Signature]

Print Name: F. Luis Rivera

Subscribed and sworn before me

This 8th day of March, 2007

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



RECEIVED



PROJECT INFORMATION

A.P.N.: 139-34-410-080
EXISTING ZONING: R-1
GROSS LAND AREA: 7,000 S.F. (1.60 AC.)
TOTAL BUILDING AREA: 4,378 S.F.
LOT COVERAGE: 60%

BUILDING INFORMATION

1st FLOOR	
LOBBY / ATRIUM:	426 S.F.
ELEV. / STAIR #1:	120 S.F.
STAIRWAY #2:	120 S.F.
STORAGE #A:	72 S.F.
STORAGE #B:	72 S.F.
STORAGE #C:	263 S.F.
STORAGE #D:	42 S.F.
TOTAL:	937 S.F.
2nd FLOOR	
OFFICE:	4,439 S.F.
TOTAL:	4,379 S.F.
TOTAL BUILDING:	5,376 S.F.
PARKING:	3,331 S.F.

PARKING ANALYSIS

REQUIRED PARKING	
1st FLOOR	937 S.F.
2nd FLOOR	4,439 S.F.
TOTAL:	5,376 S.F.
5,376 S.F. / 300 SF = 17.92 OR 18 SPACES	
PROVIDED PARKING	
COVERED PARKING:	3 FULL SIZE 1 H.C. VAN 1 COMPACT
ALLEY PARKING:	2 FULL SIZE 1 COMPACT
TOTAL:	8 SPACES

PLANTING LEGEND

	PHOENIX DACTYLOPERA	DATE PALM - FRUITLESS	20"
	SAX TREES	INDOOR - ORNAMENTAL	34" BOX
	PHOTINIA FRASERI	FRASERS PHOTINIA	6 GAL.
	RAPHIOLEPIS INDICA	INDIAN HAWTHORN	5 GAL.
	LANTANA MONTEVIDEENSIS	TRAILING LANTANA	5 GAL.
	LAGERSTROEMIA INDICA	GRAPE MYRTLE	5 GAL.

HARD SCAPE MATERIAL

IMPERVIOUS COLORED GRAVEL
1/4" (1/2" MAX) SPORED, DESERT GOLD
IN ALL PLANTING AREAS

SCALDER - 10' MIN

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

04/12/07 PC

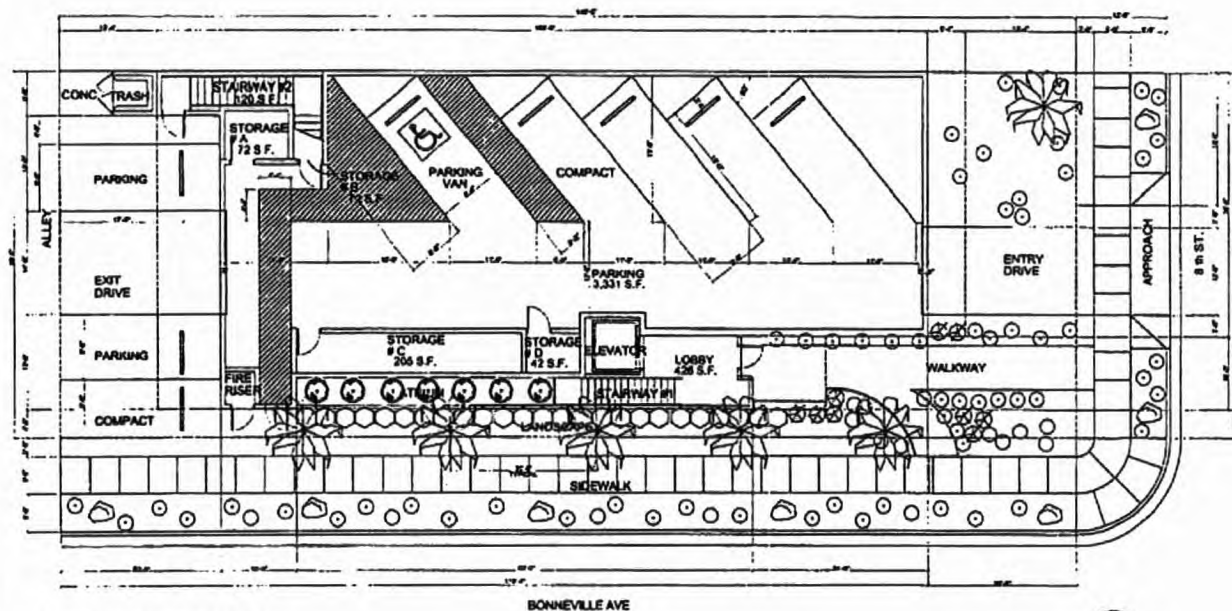
REVISIONS	BY

BRYAN CONSTRUCTION INC.
STATE LICENSE # 23874
308 S. 11th
LAS VEGAS, NEVADA
(702) 362-7127
Fax: (702) 362-7079

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

12 / 25 / 2006
SHOWN
111-293

C1



Bryan

March 8, 2007

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

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

SUBJECT: Justification Letter For Proposed New Law Office
Building

To Whom it May Concern:

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

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

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

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

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

04/12/07 PC

RECEIVED

MAR 08 2007

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

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

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

3. Landscaping waivers:

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

South: Building being built along the property line.

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

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

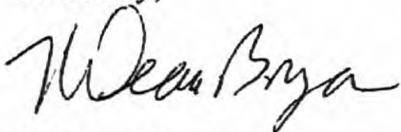
4. Lot Coverage:

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

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

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

Sincerely,



R. Dean Bryan

Enclosures (1) Agreement from southern neighbor.

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

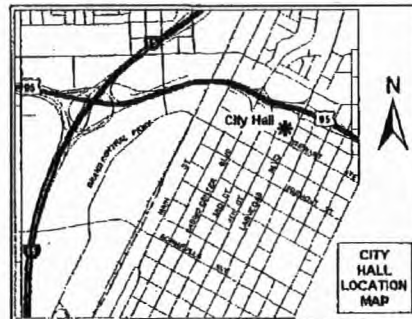
RECEIVED
APR 18 2007

RECEIVED
CITY CLERK

2007 MAY -7 A 8:08

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

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

☐ I SUPPORT
this Request

VAR-20398 & VAR-20399

☒ I OPPOSE
this Request

Protest



SEVENTH STREET L L C
2812 BOTTICELLI DR
HENDERSON NV 89052-3109

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

RECEIVED
CITY CLERK



Official Notice of Public Hearing -8 A 10: 49



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

ROUSE FAMILY PROPERTIES L L C
523 S 8TH ST
LAS VEGAS NV 89101-7002



I SUPPORT
this Request



I OPPOSE *NOT ENOUGH*
this Request: *PARKING*

VAR-20398 & VAR-20399



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

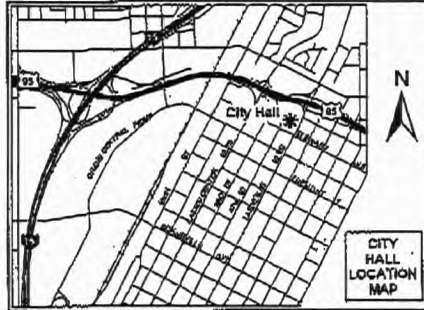
RECEIVED
CITY CLERK

2007 MAY -8 P 2: 24



U.S. POST
00.39
METER 71731

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

BAKER LAW OFFICES P C
5536 AMBROSIA STREAM AVE
LAS VEGAS NV 89131-2050

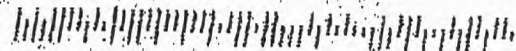


I SUPPORT
this Request

VAR-20398 & VAR-20399



I OPPOSE
this Request



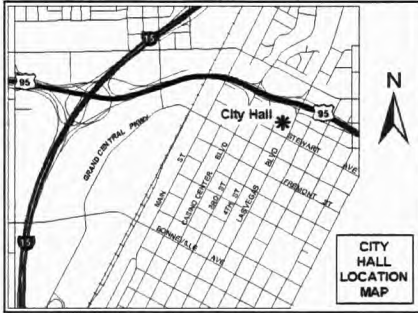
City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK



Official Notice of Public Hearing

2007 MAY 10 A 10:57



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side his card to (702) 382-4803.

MASON DAVID L
1137 SO RANCHO DR #120
LAS VEGAS NV 89102-2259



I SUPPORT
this Request



I OPPOSE
this Request

VAR-20398 & VAR-20399

ONLY THE PARKING
VARIANCE



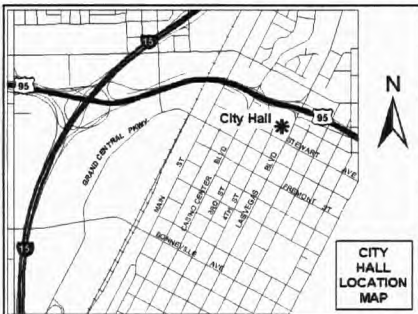
City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
s Vegas, Nevada 89101

RECEIVED
CITY CLERK



Official Notice of Public Hearing

2007 MAY 10 A 10:57



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

LAGUNA CEDAR CLIFF PARTNERSHIP
MASON DAVID L
1137 SO RANCHO DR #120
LAS VEGAS NV 89102-2259



I SUPPORT
this Request

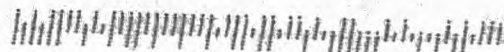


I OPPOSE
this Request

VAR-20398 & VAR-20399

ONLY TO
PARKING REDUCTION

Date 5/10/07 #137-138



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



Official Notice of Public Hearing

2007 MAY -9 A 10:46



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

PAIR-A-DICE HOLDINGS L L C
711 S 9TH ST
LAS VEGAS NV 89101-7014

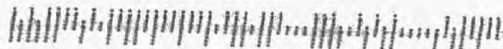


I SUPPORT
this Request



I OPPOSE
this Request

VAR-20398 & VAR-20399



137+
138

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

RECEIVED
CITY CLERK



Official Notice of Public Hearing

MAY 10 10:56



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

LAYTON DONALD R & COLEEN ETAL
606 S 9TH ST
LAS VEGAS NV 89101-7013



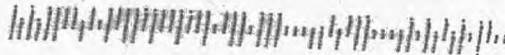
I SUPPORT
this Request



I OPPOSE
this Request

VAR-20398 & VAR-20399

see enclosed copy

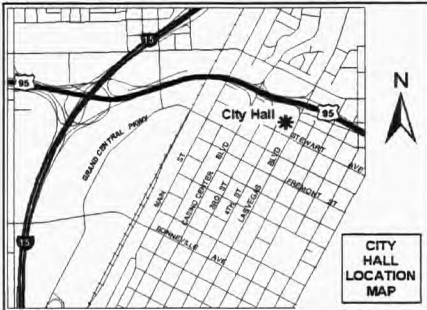


City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK



Official Notice of Public Hearing 2007 MAY 14 A 11:02



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

LAYTON LAYTON & TOBLER L L P
606 S 9TH ST
LAS VEGAS NV 89101-7013

☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

...R-20398 & VAR-20399

*See attached
letter*

Date *5-14-07* Item # *137+138*

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

Official Notice of Public Hearing



RECEIVED
 CITY CLERK

2007 MAY 10 P 1:38

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

KIM WONSON & HAESOOK
 2101 S WATSON ST
 LA HABRA CA 90631-9518



I SUPPORT
 this Request



I OPPOSE
 this Request

VAR-20398 & VAR-20399

90631X9518



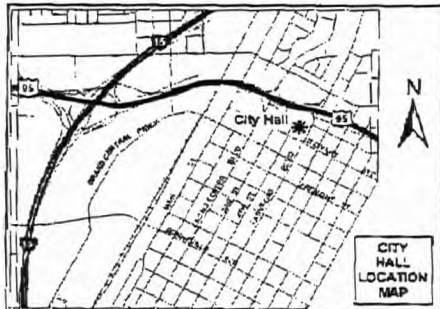
Apr 26 07 03:47p

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

RECEIVED
 CITY CLERK

2007 MAY 10 P 1:38

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

KIM WONSON & HAESOCK
 2101 S WATSON ST
 LA HABRA CA 90631-9518

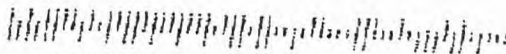


I SUPPORT
 this Request



I OPPOSE
 this Request

VAR-20398 & VAR-20399

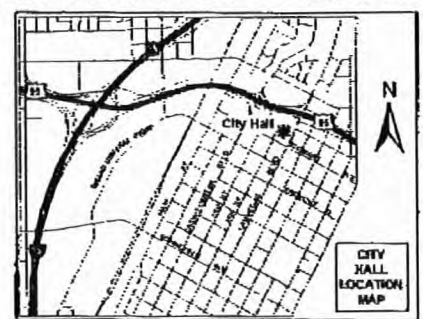


861 05/10/2007 15:22 7024381713
5/13/07
10/01/07
CORPORATE OFFICE
PAGE 01

RECEIVED
CITY CLERK
2007 MAY 10 P 4:10

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

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

518 GARCES AVE LTD
631 LAS VEGAS BLVD S
LAS VEGAS NV 89101-6696

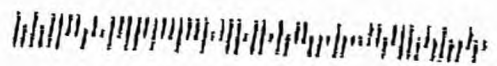


I SUPPORT
this Request



I OPPOSE
this Request

VAR-20398 & VAR-20399



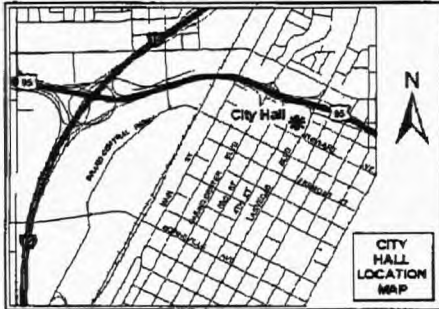
05/10/2007 THU 14:31 [TX/RX NO 9807] 001

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

RECEIVED
CITY CLERK

2007 MAY 16 A 7:58

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.



I SUPPORT
this Request



I OPPOSE
this Request

VAR-20398 & VAR-20399



Submitted after final agenda

Date 5/16/07 Item # 137r
138



Layton Layton & Tobler LLP

Certified Public Accountants

606 South Ninth Street
(702) 384-1995

Las Vegas, Nevada 89101
FAX (702) 384-6949

cpa@lltcpa.com
www.lltcpa.com

Donald R. Layton, CPA
Richard D. Layton, CPA, CFE
Stephen D. Waldron, CPA
Peter G. Gubler, CPA, CVA
Francine M. Miller, CPA

Michael D. Tobler, CPA (Deceased)

COPY

April 4, 2007

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

Dear Planning Members:

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

2007 MAY 10 A 10:56

RECEIVED
CITY CLERK

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

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

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

Sincerely,

Donald R. Layton
Partner

Enclosure: Copy of variance request VAR-20398 opposed

...continued after final agenda...

Date 5/10/07 Item #1307

Members of:

Private Companies Practice Section of the American Institute of Certified Public Accountants
Nevada Society of Certified Public Accountants



Layton Layton & Tobler LLP

Certified Public Accountants

606 South Ninth Street
(702) 384-1995

Las Vegas, Nevada 89101
FAX (702) 384-6949

cpa@lltcpa.com
www.lltcpa.com

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

April 6, 2007

John Korkosz, Planning Supervisor
Planning and Development Department
400 Stewart Avenue
Las Vegas, Nevada 89101

Dear Mr. Korkosz,

**Re:Luis Rojas (APN 139-34-801-050) VAR-20398 at 802 East Bonneville Avenue
Opposition to Variance Request – VAR-20398**

I am a major owner and tenant in the building at 606 South Ninth Street. This property adjoins the subject property through the alley way between our and the applicants real estate locations. I and the other owners of this building **oppose the one variance request of the subject property, specifically the request to "Allow eight parking spaces where 18 parking spaces are required."**

Over the years the owners of property around this location have applied for and been granted parking variances. Initially this was fine due to ample street parking. However, with the conversion or building of several additional professional offices in this neighborhood and the addition of metered street parking around the Lloyd George Federal Court House over the last ten years, it has created a major street parking problem for us and other business owners in this neighborhood. Current metered parking is just across the street from the subject property. Allowing another professional office to minimize their employee parking will only create more street congestion. Not only will a portion of this business's employees have to park on overly congested streets, but also clients visiting their offices will add to the existing over crowded streets.

Therefore, I and the other owners and renters at our offices at 606 South Ninth Street are highly opposed to granting any further parking variances in our neighborhood. Due to the timing and demands of tax season, we will not be able to attend the hearing on this matter, but do strongly voice our objection to this parking variance request.

Sincerely,

Richard D. Layton, CPA & CFE
Partner and Property Owner

Submitted after final agenda

Members of:

Private Companies Practice Section of the American Institute of Certified Public Accountants
Nevada Society of Certified Public Accountants

Date 5/4/07 Item #137+138

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



Layton Layton & Tobler LLP

Certified Public Accountants

606 South Ninth Street
(702) 384-1995

Las Vegas, Nevada 89101
FAX (702) 384-6949

cpa@lltcpa.com
www.lltcpa.com

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

April 6, 2007

John Korkosz, Planning Supervisor
Planning and Development Department
400 Stewart Avenue
Las Vegas, Nevada 89101

Dear Mr. Korkosz,

**Re: Luis Rojas (APN 139-34-801-050) VAR-20398 at 802 East Bonneville Avenue
Opposition to Variance Request – VAR-20398**

I am a major owner and tenant in the building at 606 South Ninth Street. This property adjoins the subject property through the alley way between our and the applicants real estate locations. I and the other owners of this building **oppose the one variance request of the subject property, specifically the request to "Allow eight parking spaces where 18 parking spaces are required."**

Over the years the owners of property around this location have applied for and been granted parking variances. Initially this was fine due to ample street parking. However, with the conversion or building of several additional professional offices in this neighborhood and the addition of metered street parking around the Lloyd George Federal Court House over the last ten years, it has created a major street parking problem for us and other business owners in this neighborhood. Current metered parking is just across the street from the subject property. Allowing another professional office to minimize their employee parking will only create more street congestion. Not only will a portion of this business's employees have to park on overly congested streets, but also clients visiting their offices will add to the existing over crowded streets.

Therefore, I and the other owners and renters at our offices at 606 South Ninth Street are highly opposed to granting any further parking variances in our neighborhood. Due to the timing and demands of tax season, we will not be able to attend the hearing on this matter, but do strongly voice our objection to this parking variance request.

Sincerely,

Richard D. Layton, CPA & CFE
Partner and Property Owner

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

P

ROUSE FAMILY PROPERTIES, LLC

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

LAWRENCE D. ROUSE
MANAGER

March 31, 2007

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

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

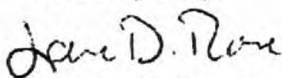
Dear Sir or Madam,

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

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

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

Yours very truly,


Lawrence D. Rouse

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

Telephone Protest/ Approval Log

Meeting Date: 4-12-07 PC

Case Number: VAR-20398

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

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

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

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

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

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

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

P

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

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

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

I own the property at 520 South Seventh Street.

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

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

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

OBJECTION: VAR-20399 –

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

OBJECTION: SDR-19675

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

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

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

Very truly yours,

Marlene Walshin
Marlene Walshin



Layton Layton & Tobler LLP

Certified Public Accountants

606 South Ninth Street
(702) 384-1995

Las Vegas, Nevada 89101
FAX (702) 384-6949

cpa@lltcpa.com
www.lltcpa.com

Donald R. Layton, CPA
Richard D. Layton, CPA, CFE
Stephen D. Waldron, CPA
Peter G. Gubler, CPA, CVA
Francine M. Miller, CPA

Michael D. Tobler, CPA (Deceased)

April 4, 2007

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

Dear Planning Members:

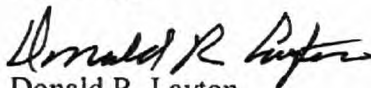
Re: VAR-20398
Applicant Lois Rojas
Variance to allow 8 parking spaces

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

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

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

Sincerely,


Donald R. Layton
Partner

Enclosure: Copy of variance request VAR-20398 opposed

ITEM # 607
CASE # VAR-20398
PC MTG 412 07

Members of:

Private Companies Practice Section of the American Institute of Certified Public Accountants
Nevada Society of Certified Public Accountants

Dorothy Marsili

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

To Whom It May Concern:

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

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

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

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

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

4/10/2007

September 20, 2005

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

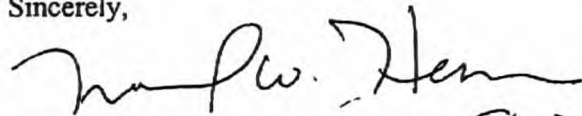
RE: Letter of Approval for 802 E. Bonneville

Dear Mr. Rojas:

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

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

Sincerely,



MICHAEL HERRON

9-20-05



MICKEY VACA

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

RECEIVED

10-28-07

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

VARIANCE RELATED TO ZON-20397 AND VAR-20398

VAR-20399 - PUBLIC HEARING - APPLICANT/OWNER: LUIS ROJAS - Request for a Variance to ALLOW A LOT WIDTH OF 50 FEET WHERE 60 FEET IS REQUIRED, TO ALLOW 60% LOT COVERAGE WHERE A MAXIMUM LOT COVERAGE OF 50% IS REQUIRED, TO ALLOW A REAR YARD SETBACK OF 13.33 FEET WHERE 15 FEET IS REQUIRED, TO ALLOW A SIDE YARD SETBACK OF ZERO FEET WHERE FIVE FEET IS REQUIRED, AND TO ALLOW A SIDE STREET (CORNER) SETBACK OF 6.5 FEET WHERE 15 FEET IS REQUIRED on 0.16 acres at 802 East Bonneville Avenue (APN 139-34-810-050), R-1 (Single Family Residential) Zone, [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

8

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

5

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to conditions.

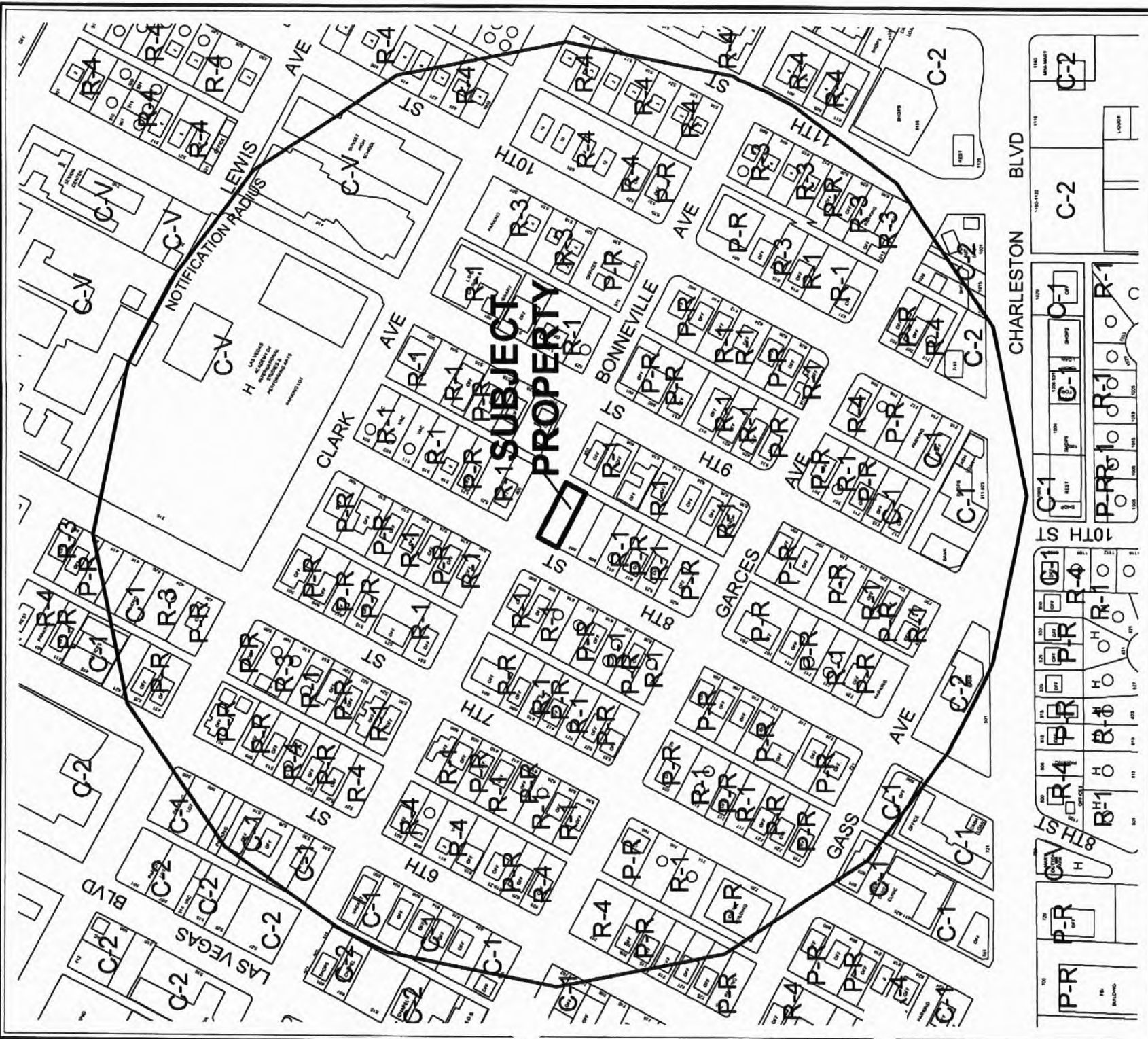
BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Returned postcard protests and support
6. Backup referenced from the 04-12-07 Planning Commission Meeting Item 68

Motion made by GARY REESE to Hold in Abeyance Items 64, 114-117, 122, 134-139, 157, 162, 164 and 167-170 to 6/06/2007; Items 155, 156, 163, 165 and 166 to 6/20/2007; Strike Item 106; Table Items 111-113; and Withdraw Without Prejudice Item 158

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

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



CASE: **VAR-20399**

RADIUS: 1000 FT

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

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20399 - APPLICANT/OWNER: LUIS ROJAS

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-2/gt/sd vote) recommends APPROVAL. If Approved, subject to:

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/25/05	The City Council accepted a withdrawal without prejudice of a Variance (VAR-6937) to allow a five-foot setback where residential adjacency standards require 105 feet, a Variance (VAR-6938) to allow 24 parking spaces where 43 spaces are required, and a Site Development Plan Review (SDR-6934) for a 12,857 square-foot office building, and a Rezoning (ZON-7254) of this property and the adjacent two parcels to the south from R-1 (Single-family Residential) to P-R (Professional Office & Parking). These applications were for the two adjacent parcels to the south. Staff recommended approval of the Rezoning and denial of the Variances and Site Development Plan Review. The Planning Commission recommended approval of all applications.
04/12/07	The Planning Commission recommended approval of companion items ZON-20397; VAR-20398 and SDR-19675 concurrently with this application. The Planning Commission voted 5-2/gt/sd to recommend APPROVAL (PC Agenda Item #68/jk).

<i>Related Building Permits/Business Licenses</i>	
11/19/04	Demolition permit 31045-R-04 was approved by Planning & Development and by Building & Safety.
<i>Pre-Application Meeting</i>	
01/5/07	At the pre-application meeting the applicant was informed about the setback and landscape requirements for the proposed development. The applicant was also informed about the parking requirements and was asked by Public Works to revise their parking layout to meet ADA requirements.
<i>Neighborhood Meeting</i>	
A pre-application meeting is not required for this application type, nor was one held.	

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

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

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

Pursuant to Title 19.08, the following development standards apply:

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

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

Pursuant to Title 19.12, the following development standards apply:

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

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

Pursuant to Title 19.10, the following parking standards apply:

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

ANALYSIS

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a building that greatly exceeds dimensional ability of the lot to physically accommodate the proposed building without seeking variances and waivers. An alternative design that reduces the size of the building would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 189 by City Clerk

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20399** APN: 139-34-810-050

Name of Property Owner: Luis Rojas

Name of Applicant: Luis Rojas

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

Yes _____

No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: 

Print Name: Luis Rojas

Subscribed and sworn before me

This 8th day of March, 2007

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



RECEIVED

MAR 8 3 2007



PROJECT INFORMATION

A.P.N.: 139-34-810-050
EXISTING ZONING: R-1
GROSS LAND AREA: 7,000 S.F. (1.60 AC.)
TOTAL BUILDING AREA: 4,266 S.F.
LOT COVERAGE: 60%

BUILDING INFORMATION

1st FLOOR	
LOBBY / ATRIUM:	426 S.F.
ELEV. / STAIR #1:	120 S.F.
STAIRWAY #2:	72 S.F.
STORAGE #A:	72 S.F.
STORAGE #B:	253 S.F.
STORAGE #C:	58 S.F.
TOTAL:	637 S.F.

2nd FLOOR	
OFFICE:	4,438 S.F.
TOTAL:	4,376 S.F.
TOTAL BUILDING:	5,376 S.F.
PARKING:	3,331 S.F.

PARKING ANALYSIS

REQUIRED PARKING	
1st FLOOR	637 S.F.
2nd FLOOR	4,338 S.F.
TOTAL:	5,376 S.F.
5,376 S.F. / 300 SF = 17.92 OR 18 SPACES	

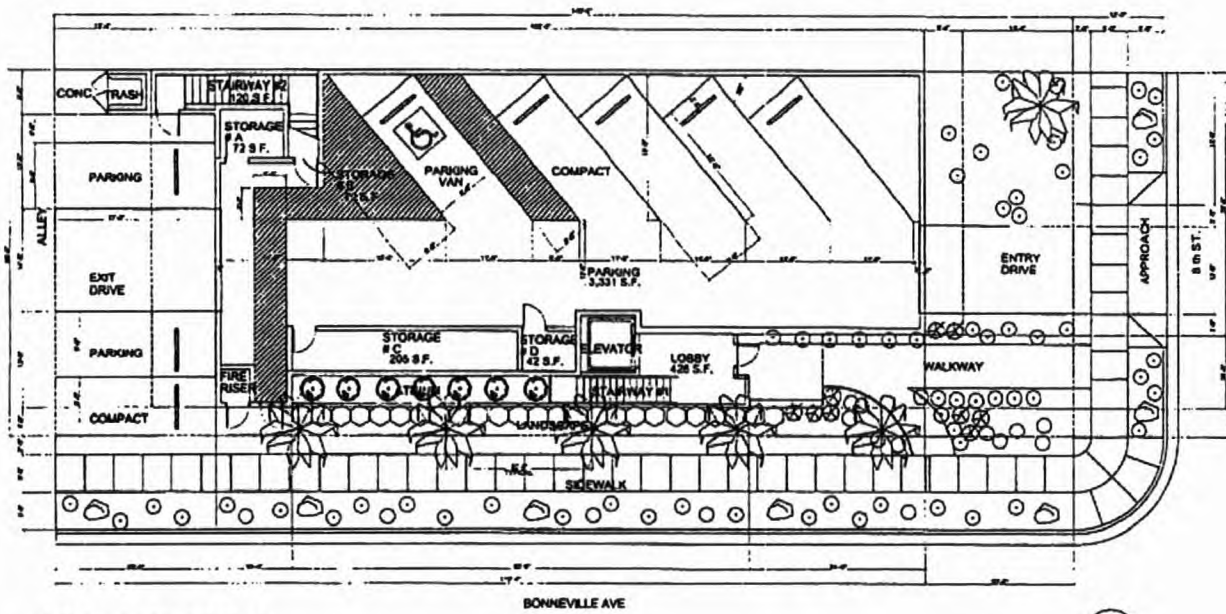
PROVIDED PARKING	
COVERED PARKING:	3 FULL SIZE 1 M.C. VAN 1 COMPACT
ALLEY PARKING:	2 FULL SIZE 1 COMPACT
TOTAL:	6 SPACES

PLANTING LEGEND

	PHOENIX DACTYLIFERA	DATE PALM - FRUITLESS	2"
	SAX TREES	INDOOR - ORNAMENTAL	24" BOX
	PHOTINIA FRASERI	FRASERS PHOTINIA	6 GAL.
	RAPHANOLEPIS INDICA	INDIAN HAWTHORN	5 GAL.
	LANTANA MONTEVIDENSIS	TRAILING LANTANA	5 GAL.
	LAGERSTROEMIA INDICA	GRAPE MYRTLE	5 GAL.

HARD SCAPE MATERIAL

PROPOSED COLORED GRAVEL
1/4" MAX. SCHED. DESERT GOLD
COLORADO
MAR 08 2007



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

04/12/07 PC

BRYAN CONSTRUCTION INC.
STATE LICENSE # 27874
302 S. 11th
LAS VEGAS, NEVADA
(702) 362-7127
Fax (702) 362-3079

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

12 / 25 / 2006
BRYAN
111-263
C1

Bryan

March 8, 2007

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

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

SUBJECT: Justification Letter For Proposed New Law Office
Building

To Whom it May Concern:

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

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

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

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

ZON-20397 VAR-20398

VAR-20399 SDR-19675

04/12/07 PC

RECEIVED

MAR 08 2007

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

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

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

3. Landscaping waivers:

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

South: Building being built along the property line.

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

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

4. Lot Coverage:

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

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

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

Sincerely,



R. Dean Bryan

Enclosures (1) Agreement from southern neighbor.

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

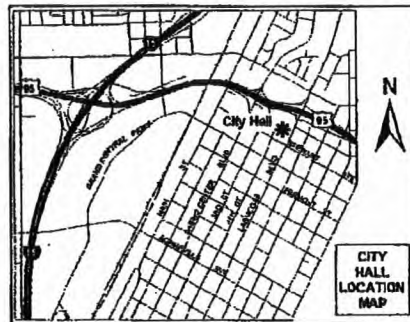
RECEIVED
MAR 08 2007

RECEIVED
CITY CLERK

2007 MAY -7 A 8:08

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

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.



I SUPPORT
this Request

VAR-20398 & VAR-20399



I OPPOSE
this Request



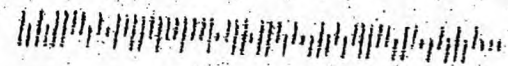
U.S. POSTAGE

00.39:

METER 717383

SEVENTH STREET L L C
2812 BOTTICELLI DR
HENDERSON NV 89052-3109

Protest

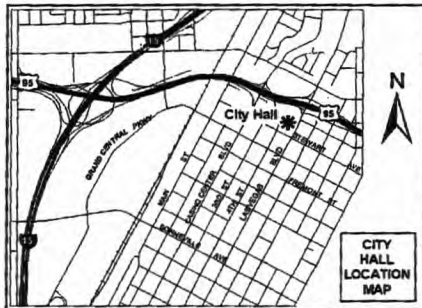


City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK



Official Notice of Public Hearing - 8 A 10: 49



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

ROUSE FAMILY PROPERTIES L L C
523 S 8TH ST
LAS VEGAS NV 89101-7002

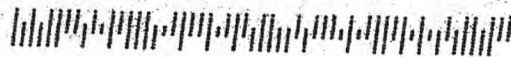


I SUPPORT
this Request

R-20398 & VAR-20399



I OPPOSE *NOT ENOUGH*
this Request: *PARKING*



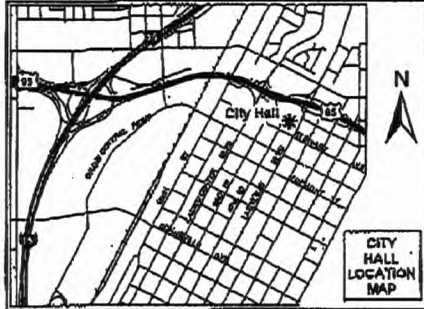
City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK

2007 MAY -8 P 2: 24



Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803.

BAKER LAW OFFICES P C
5536 AMBROSIA STREAM AVE
LAS VEGAS NV 89131-2050

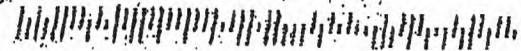


I SUPPORT
this Request



I OPPOSE
this Request

VAR-20398 & VAR-20399



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

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

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

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

I own the property at 520 South Seventh Street.

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

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

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

OBJECTION: VAR-20399 –

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

OBJECTION: SDR-19675

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

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

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

Very truly yours,
Marlene Walshin
Marlene Walshin

September 20, 2005

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

RE: Letter of Approval for 802 E. Bonneville

Dear Mr. Rojas:

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

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

Sincerely,



MICHAEL HERRON

9-20-05



MICKEY VACA

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-20397, VAR-20398, VAR-20399

SDR-19675 - PUBLIC HEARING - APPLICANT/OWNER: LUIS ROJAS - Request for a Site Development Plan Review FOR A PROPOSED 5,376 SQUARE-FOOT OFFICE BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFER STANDARD TO ALLOW A FOUR FOOT LANDSCAPE BUFFER ON THE CORNER SIDE WHERE A 15 FOOT LANDSCAPE BUFFER IS REQUIRED AND A ZERO FOOT LANDSCAPE BUFFER ON THE SIDE AND REAR WHERE AN EIGHT FOOT LANDSCAPE BUFFER IS REQUIRED, AND TO ALLOW SIX PERIMETER LANDSCAPE BUFFER TREES WHERE NINE TREES ARE REQUIRED on 0.16 acres at 802 East Bonneville Avenue (APN 139-34-810-050), R-1 (Single Family Residential) Zone, [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to conditions.

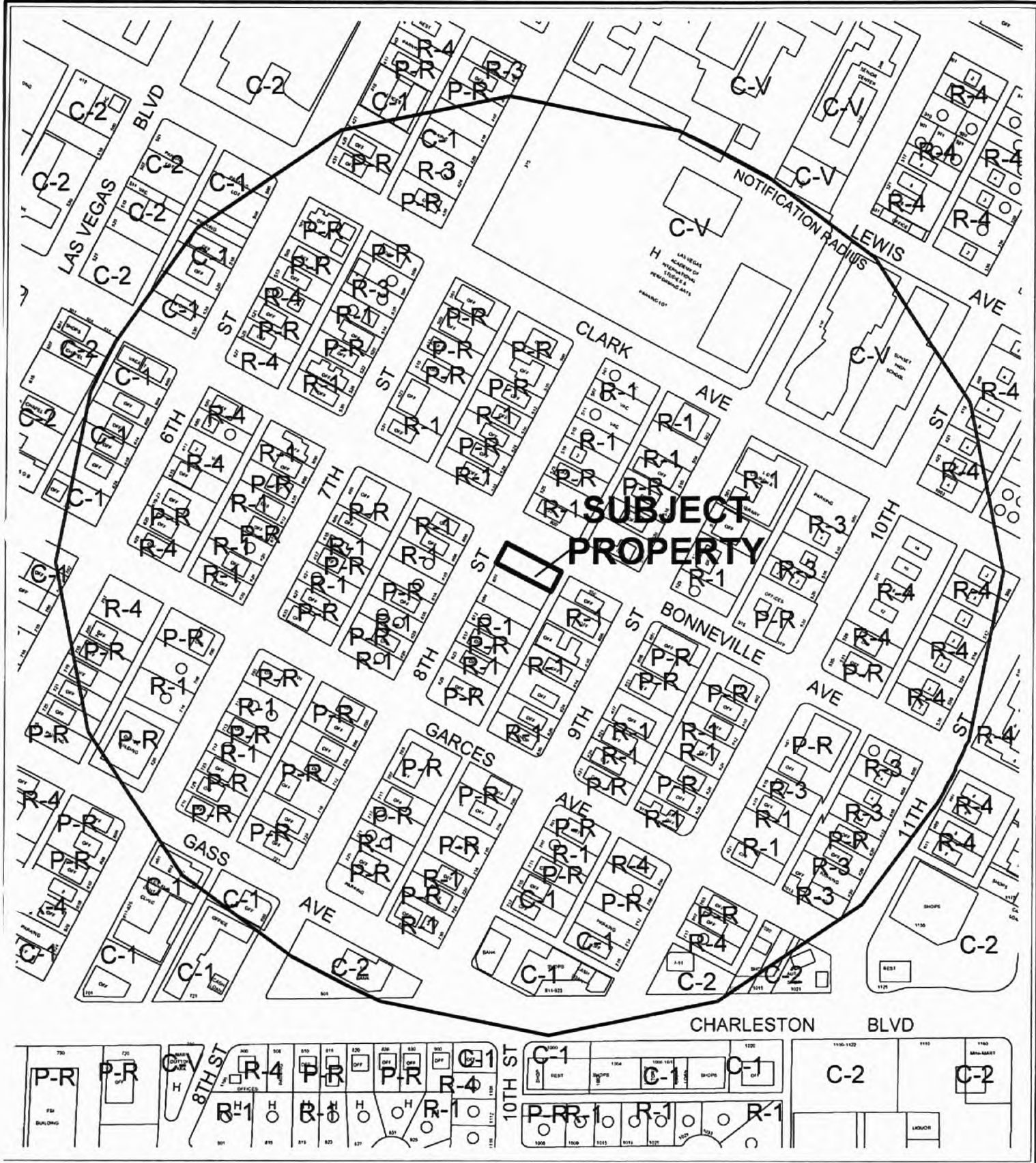
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 04-12-07 Planning Commission Meeting Item 69

Motion made by GARY REESE to Hold in Abeyance Items 64, 114-117, 122, 134-139, 157, 162, 164 and 167-170 to 6/06/2007; Items 155, 156, 163, 165 and 166 to 6/20/2007; Strike Item 106; Table Items 111-113; and Withdraw Without Prejudice Item 158

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

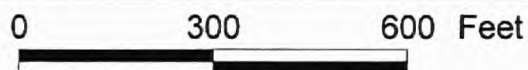
BRENDA J. WILLIAMS, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)



CASE: SDR-19675

RADIUS: 1000 FT

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





CASE: SDR-19675

RADIUS: 1000 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-19675 - APPLICANT/OWNER: LUIS ROJAS

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-2/gt/sd vote) recommends APPROVAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-20397), Variance (VAR-20398) and Variance (VAR-20399) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 02/06/07 except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow zero feet of landscaping on the south and east property lines and six feet, six inches of landscaping on the north property line.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/25/05	The City Council accepted a withdrawal without prejudice of a Variance (VAR-6937) to allow a five-foot setback where residential adjacency standards require 105 feet, a Variance (VAR-6938) to allow 24 parking spaces where 43 spaces are required, and a Site Development Plan Review (SDR-6934) for a 12,857 square-foot office building, and a Rezoning (ZON-7254) of this property and the adjacent two parcels to the south from R-1 (Single-family Residential) to P-R (Professional Office & Parking). These applications were for the two adjacent parcels to the south. Staff recommended approval of the Rezoning and denial of the Variances and Site Development Plan Review. The Planning Commission recommended approval of all applications.
04/12/07	The Planning Commission recommended approval of companion items zon-20397; VAR-20398 and VAR-20399 concurrently with this application. The Planning Commission voted 4-2/gt/sd to recommend APPROVAL (PC Agenda Item #69/jk).
<i>Related Building Permits/Business Licenses</i>	
11/19/04	Demolition permit 31045-R-04 was approved by Planning & Development and by Building & Safety.

Pre-Application Meeting	
01/5/07	At the pre-application meeting the applicant was informed about the setback and landscape requirements for the proposed development. The applicant was also informed about the parking requirements and was asked by Public Works to revise their parking layout to meet ADA requirements.
Neighborhood Meeting	
A pre-application meeting is not required for this application type, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	0.16 ac

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

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

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

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

Pursuant to Title 19.12, the following development standards apply:

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

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

Pursuant to Title 19.10, the following parking standards apply:

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

ANALYSIS

HPO Recommendation SDR – 19675 802 Bonneville

DENIAL

Background

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

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

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

Historic Significance

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

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

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

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

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

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

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

Prior Applications:

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

Site Plan:

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

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

Landscape Plan:

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

Elevation Plan:

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

Floor Plan:

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

FINDINGS

The following findings must be made for an SDR:

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

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

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

The proposed development is not consistent with the General Plan, Title 19 or the Design Standards for the City of Las Vegas in that the building proposed by the applicant is out of context with buildings in the area. Moreover, the proposed site is being over built as is evidenced by the number of variances and waivers necessary for this development to occur.

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

The applicant indicated the roll-up doors would be open screen mesh.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 191 by Planning Department

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-19675** APN: 139-34-810-050

Name of Property Owner: Luis Rojas

Name of Applicant: Luis Rojas

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: T. H.

Print Name: Luis Rojas

Subscribed and sworn before me

This 5th day of February, 2007

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



RECEIVED

30-157



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

BUILDING INFORMATION
 1st FLOOR
 LOBBY / ATRIUM: 426 S.F.
 ELEV. / STAIR #1: 120 S.F.
 STAIRWAY #2: 120 S.F.
 STORAGE #A: 72 S.F.
 STORAGE #B: 72 S.F.
 STORAGE #C: 205 S.F.
 STORAGE #D: 42 S.F.
 TOTAL: 937 S.F.
 2nd FLOOR
 OFFICE: 4,439 S.F.
 TOTAL: 4,379 S.F.
 TOTAL BUILDING: 5,376 S.F.
 PARKING: 3,331 S.F.

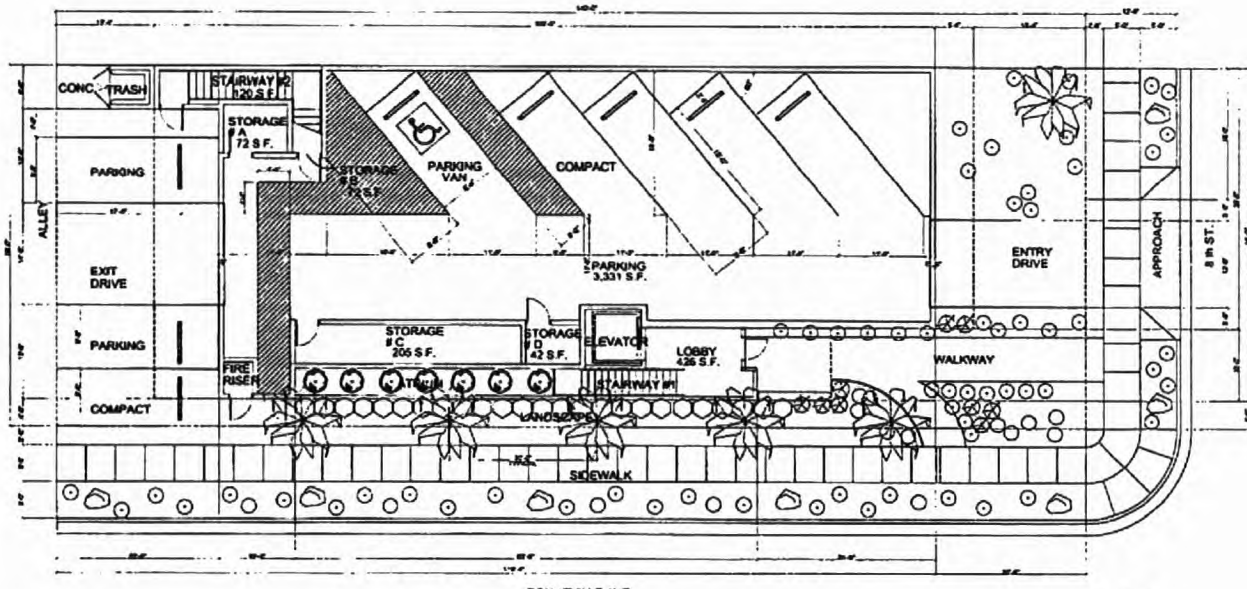
PARKING ANALYSIS
 REQUIRED PARKING
 1st FLOOR: 937 S.F.
 2nd FLOOR: 4,439 S.F.
 TOTAL: 5,376 S.F.
 5,376 S.F. / 300 SF = 17.92 OR 18 SPACES
 PROVIDED PARKING
 COVERED PARKING: 3 FULL SIZE, 1 H.C. VAN, 1 COMPACT
 ALLEY PARKING: 2 FULL SIZE, 1 COMPACT
 TOTAL: 8 SPACES

PLANTING LEGEND

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

HARD SCAPE MATERIAL

COMPOSED COLORED GRAVEL
 1/2" MINUS SCALED DESERT GOLD
 1" ALL PLANTING AREAS
 10' MIN.



SDR-19675
04/12/07 PC

REVISIONS

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

BRYAN CONSTRUCTION INC.
 STATE LICENSE # 22894
 (702) 382-1127
 308 S. 11th
 LAS VEGAS, NEVADA
 Fax: (702) 382-1079

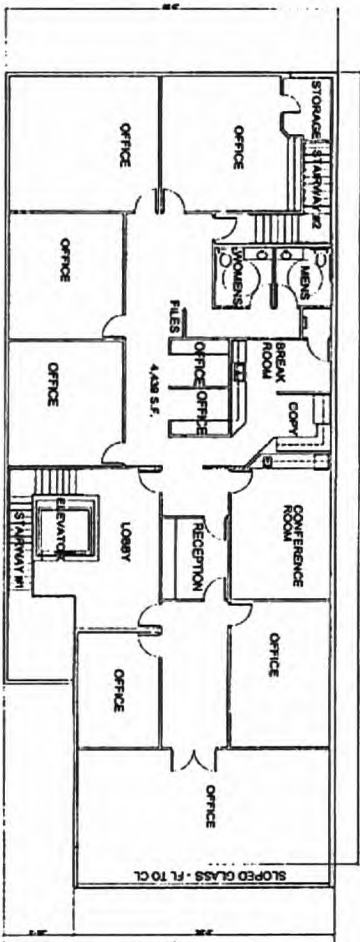
CONCEPT PLANS

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

12 / 26 / 2006
 SHOWN
 111-293

C1

SCALE 180 = 1:45



SDR-19675

04/12/07 PC

62

LUIS ROJAS LAW OFFICES

802 E. BONNEVILLE AVE.
LAS VEGAS, NEVADA

STATE LICENCE # 27874A

308 E. 15th
LAS VEGAS, NEVADA

(702) 362-7127
Fax (702) 362-7079

BY

111-215
NMCHS
12/26/21

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

BRYAN CONSTRUCTION INC.
STATE LICENSE # 276754A
308 S. 1180
LAS VEGAS, NEVADA
(702) 362-1127
Fax (702) 360-7070

18	Griffin
----	---------

[illegible][illegible]

This architectural drawing shows a side elevation of a building with several distinct sections and finishes. The drawing includes the following labels:

- WINDOW FLASH**: Located at the top right corner.
- LIGHT SHROVE**: Located below the window flash.
- STUCCO FINISH**: Indicated on the upper right wall section.
- WINDUP GRATE #1**: Located on the upper right wall section.
- BOLT UP DOORS**: Located at the top center of the main wall section.
- BRUSHED ALUMINUM**: Located at the top left corner.
- STUCCO FINISH**: Indicated on the lower left wall section.
- WOOD & WINDOW FRAME**: Located on the lower left wall section.
- WINDUP GRATE #2**: Located on the lower left wall section.
- WOOD & WINDOW FRAME**: Located on the lower right wall section.
- STUCCO FINISH**: Indicated on the bottom right wall section.
- WINDUP GRATE #1**: Located on the bottom right wall section.

The drawing uses different hatching patterns to represent various materials like wood, stucco, and brushed aluminum. Dimensions are provided along the vertical axis on both sides of the drawing.

RECEIVED
FEB 06 2007

SDR-19675
04/12/07 PC

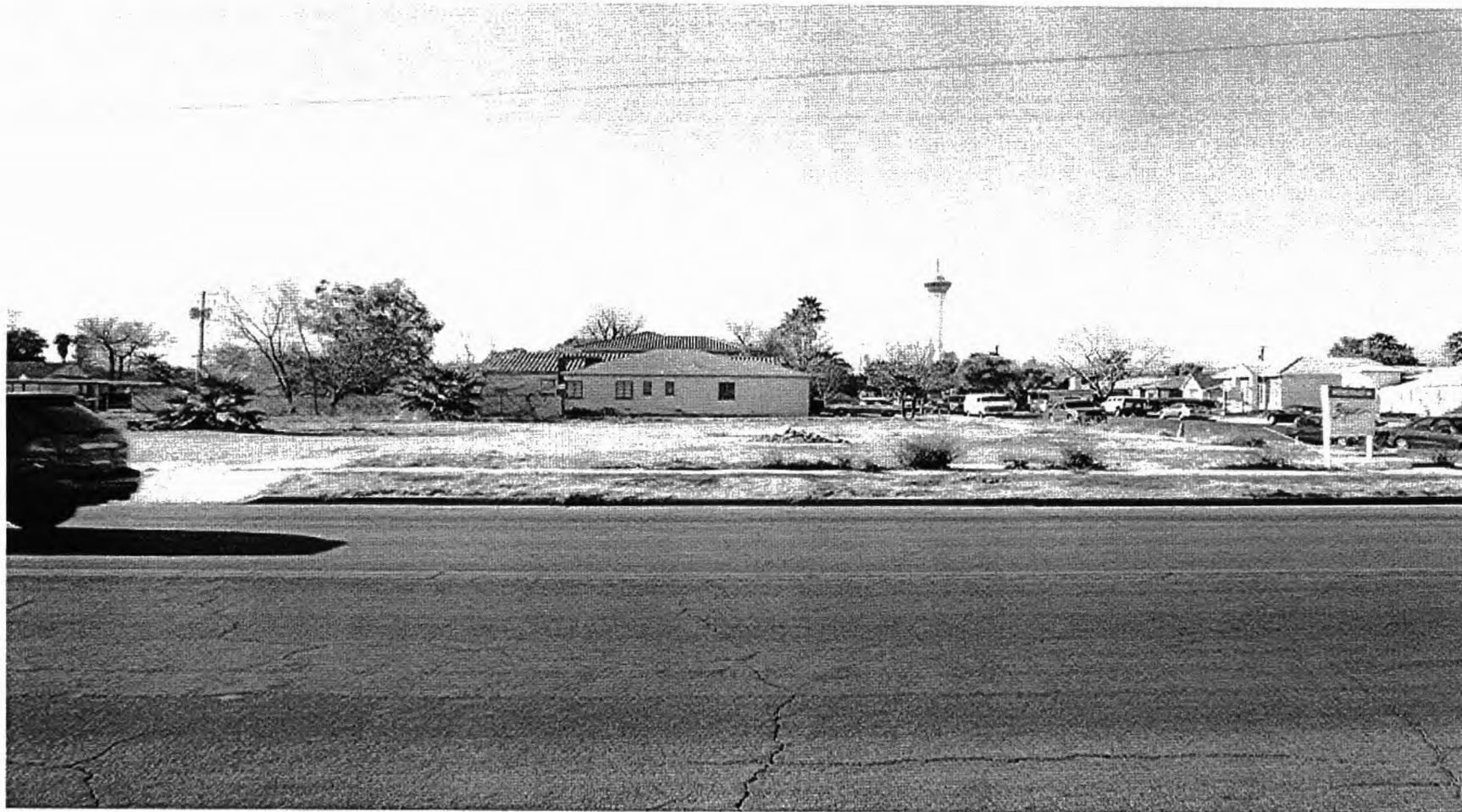


ZON-20397, VAR-20398, VAR-20399 AND SDR-19675 - APPLICANT/OWNER: LUIS ROJAS
SOUTHEAST CORNER OF EAST BONNEVILLE AVENUE AND SOUTH 8TH STREET
APRIL 12, 2007 PLANNING COMMISSION

02/20/07



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



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

02/20/07

March 8, 2007

Bryan

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

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

SUBJECT: Justification Letter For Proposed New Law Office
Building

To Whom it May Concern:

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

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

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

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

SDR-19675

04/12/07 PC

DP
MAR 15 2007

3. Landscaping waivers:

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

South: Building being built along the property line.

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

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

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

4. Lot Coverage:

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

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

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

Sincerely,



R. Dean Bryan

MAR 15 2007

Enclosures (1) Agreement from southern neighbor.

SDR-19675

04/12/07 PC

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

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

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

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

I own the property at 520 South Seventh Street.

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

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

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

OBJECTION: VAR-20399 –

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

OBJECTION: SDR-19675

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

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

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

Very truly yours,

Marlene Walshin
Marlene Walshin

September 20, 2005

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

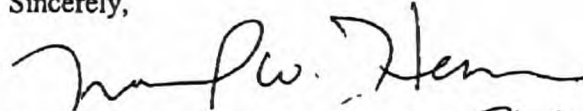
RE: Letter of Approval for 802 E. Bonneville

Dear Mr. Rojas:

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

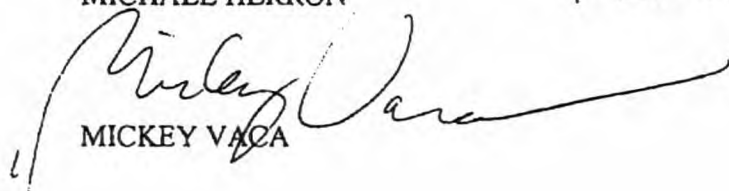
Based upon a complete review of the project, both Mickey and I have no objection to any variances or waivers which you may require in order to complete the specific project as provided on this date.

Sincerely,



MICHAEL HERRON

9-20-05



MICKEY VACA

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 16, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**
REZONING

ZON-20507 - PUBLIC HEARING - APPLICANT/OWNER: LIVEWORK, LLC - Request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING), C-1 (LIMITED COMMERCIAL), AND C-2 (GENERAL COMMERCIAL) TO: C-1 (LIMITED COMMERCIAL) on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street (APNs 162-03-115-001 and 002), Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – Support letter by Westley Isbutt for Items 140-144

Motion made by GARY REESE to Approve Subject to Conditions

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Items 140-144.

ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared with KRISTEN NEUMAN, Apture Architecture and BARNETTE LIEBERMAN, owner. ATTORNEY KEETCH mentioned that the project has been well received, as it is innovative and the contagious enthusiasm for urban redevelopment. Relative to the Vacation, she noted that the proposal is to vacate an access alley, which abuts the subject property and the adjacent property.

CITY COUNCIL MEETING OF: MAY 16, 2007

If approved, Condition 2 of the Vacation would protect the adjacent property owner, and the applicant has agreed to record an easement agreement, which would provide for the maintenance and access of the alley way. She appreciates the support and accepted all conditions.

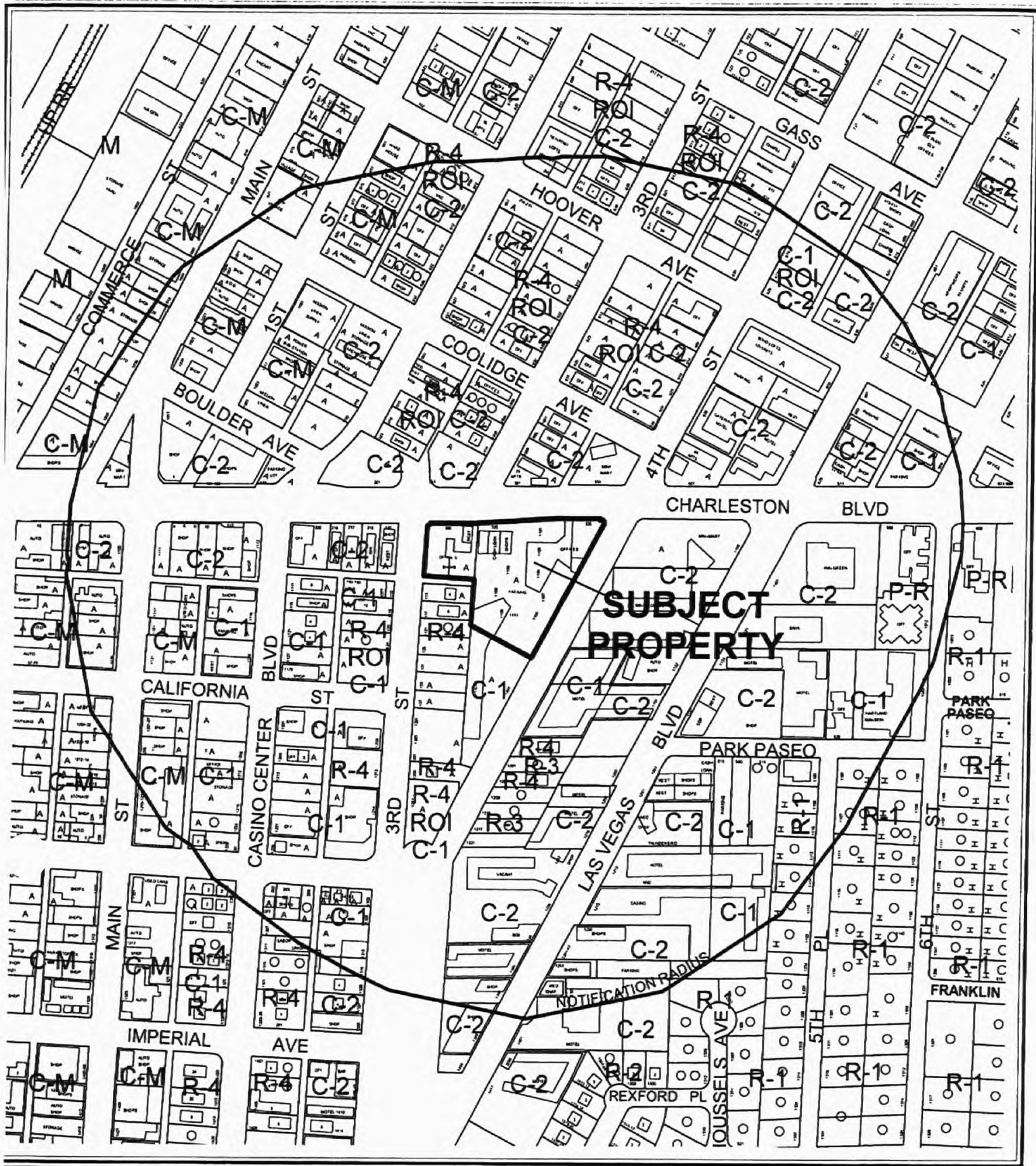
MS. OHLER accepted the presentation made by ATTORNEY KEETCH.

COUNCILMAN REESE submitted a support letter he received from WESTLEY ISBUTT.

MR. LIEBERMAN informed COUNCILMAN REESE that given the approval process, the earliest construction would begin is 10 to 18 months, barring delays.

MAYOR GOODMAN declared the Public Hearing closed on Items 140-144.





CASE: ZON-20507

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL), C-2 (GENERAL COMMERCIAL), AND P-R (PROFESSIONAL OFFICE AND PARKING)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)



CASE: ZON-20507

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL), C-2 (GENERAL COMMERCIAL), AND P-R (PROFESSIONAL OFFICE AND PARKING)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-20507 - APPLICANT/OWNER: LIVEWORK, LLC

**** CONDITIONS ****

The Planning Commission (6-0-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-20502) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate the additional right-of-way on Charleston Boulevard adjacent to this site necessary for a 50-foot half street, the additional right-of-way necessary for a total radius of 25 feet on the southwest corner of Charleston Boulevard and 4th Street, and the southeast corner of Charleston Boulevard and 3rd Street prior to the issuance of any permits. In addition grant pedestrian access easements for all sidewalks located outside of public street right-of-way on the map for this site.
4. Submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site, except as amended by Conditions of Approval related to this project.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically

noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard at Fourth Street. The project site currently consists of commercial retail and office uses.

The proposed rezoning to the C-1 (Limited Commercial) zoning district is consistent with the MXU (Mixed Use) General Plan designation. The proposed mixed use development is appropriate for a C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit (SUP-20519) and approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/18/95	The City Council Approved a Rezoning (Z-0037-94) from R-1 (Single Family Residence) to C-1 (Limited Commercial) on a portion of the subject site. The Planning Commission recommended approval.
12/20/95	The City Council Approved a Rezoning (Z-0093-95) from R-4 (Apartment Residence) to C-1 (Limited Commercial) on a portion of the subject site. The Planning Commission recommended approval.
04/03/96	The City Council granted the appeal of a Board of Zoning Adjustment denial thereby approving a Special Use Permit (U-0008-96) for a 14 foot by 24 foot Off-Premise Advertising (Billboard) Sign on the subject property.
10/01/03	The City Council Approved a Site Development Plan Review (SDR-2784) 12,103 square foot office building on a portion of 2.18 acres adjacent to the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission and staff recommended approval.
04/26/07	The Planning Commission recommended approval of companion items SUP-20519, SDR-20492, VAC-20522 and SDR-20502 concurrently with this application. The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #54/rts).

<i>Related Building Permits/Business Licenses</i>	
06/01/86	A business license for a Q13 (Law Firm or Law Office – Law Firm or Law Office comprised of one or more professionals created for the purpose of practicing the profession for which a license, certificate, registration, permit or similar type of authorization is issued by a regulatory body as defined in NRS title 54, chapter 622 or regulated pursuant to the Nevada Supreme Court Rules, for any type of compensation) category license was processed in by the Department of Finance and Business Services. This license (Q13-00709) was re-issued due to a change of location on 06/25/98 with no apparent Planning and Development review.
10/02/91	A business license for an I04 (Insurance Agent – Any individual, firm, or corporation appointed by an insurer to solicit applications for insurance, annuity contracts or to negotiate for such contracts on behalf of the insurer) category license was processed in by the Department of Finance and Business Services. This license (I04-03034) was issued by Business Services on 11/08/91 and was re-issued due to a license re-classification on 02/27/04 with no apparent Planning and Development review.
02/11/94	A business license for a Q13 (Law Firm or Law Office – Law Firm or Law Office comprised of one or more professionals created for the purpose of practicing the profession for which a license, certificate, registration, permit or similar type of authorization is issued by a regulatory body as defined in NRS title 54, chapter 622 or regulated pursuant to the Nevada Supreme Court Rules, for any type of compensation) category license was processed in by the Department of Finance and Business Services. This license (Q13-00719) was issued by Business Services on 02/28/94 and was re-issued due to a change of location on 02/22/96 with no apparent Planning and Development review.
03/23/95	A business license for an I04 (Insurance Agent – Any individual, firm, or corporation appointed by an insurer to solicit applications for insurance, annuity contracts or to negotiate for such contracts on behalf of the insurer) category license was processed in by the Department of Finance and Business Services. This license (I04-03035) was issued by Business Services on 04/21/95 with no apparent Planning and Development review.
05/25/95	A business license for an I04 (Insurance Agent – Any individual, firm, or corporation appointed by an insurer to solicit applications for insurance, annuity contracts or to negotiate for such contracts on behalf of the insurer) category license was processed in by the Department of Finance and Business Services. This license (I04-02273) was issued by Business Services on 06/02/95 with no apparent Planning and Development review.
08/12/96	A business license for a M01 (Maintenance Services: Janitorial – Janitorial, cleaning, or maintenance services. Includes carpet cleaning and swimming pool/spa maintenance, but does not include contracting, lawn and landscape maintenance, construction cleanup, or tree trimming) category license was processed in by the Department of Finance and Business Services. This license (M01-05281) was issued by Business Services on 08/16/96 with no apparent Planning and Development review.

01/15/97	A business license for a T07 (Travel & Ticket Agency – Any person in the business of purchasing and reserving hotel accommodations, transportation, show tickets, entertainment or other vacation incidentals for tourists or other persons) category license was processed in by the Department of Finance and Business Services. This license (T07-00541) was originally issued by Business Services on 02/04/97 and was re-issued due to a change of location on 09/25/98 with no apparent Planning and Development review.
12/19/97	A business license for a J01 (Jewelry Sales and Repairs – A business which sells new jewelry or repairs jewelry) category license was processed in by the Department of Finance and Business Services. This license (J01-01000) was re-issued due to a change of location on 03/03/04, with Planning and Development Department recording approval.
03/01/00	A business license for a M18 (Management or Marketing Service – Any person or firm that conducts budgeting, marketing or management counseling or consulting services for another) category license was processed in by the Department of Finance and Business Services. This license (M18-01877) was issued by Business Services on 03/15/00 with no apparent Planning and Development review. A “cease and desist” order was issued on this license on 04/16/07.
02/23/01	A business license for a T-12 (Answering Message Service – Any person who provides services such as telephone answering, forwarding, message taking, paging or voice mail services) category license was processed in by the Department of Finance and Business Services. This license (T12-00022) was issued by Business Services on 03/13/01 with no apparent Planning and Development review.
12/19/01	A business license for a T18 (Miscellaneous Telephone Sales/Service - A business which sells telephones, cellular phones, and other miscellaneous accessories) category license was processed in by the Department of Finance and Business Services. This license (T18-00489) was issued by Business Services on 01/08/02 with no apparent Planning and Development review.
03/26/02	A business license for a F02 (Finance Company – Any person other than a bank, mortgage company, savings and loan, credit union, trust company or pawnbroker, who is licensed or required to be licensed under NRS 675 in order to lend money to others for profit or to hold himself out to the public) category license was processed in by the Department of Finance and Business Services. This license (F02-00267) was issued by Business Services on 05/30/02 with no apparent Planning and Development review.
05/22/03	A business license for an A23 (Bookkeeper – Any business or person, other than a certified public accountant or public accountant, engaged in providing the service of recording the accounts, transactions or preparation of tax returns on behalf of another business or person) category license was processed in by the Department of Finance and Business Services. This license (A23-01994) was issued by Business Services on 06/06/03 with no apparent Planning and Development review.

06/13/03	A business license for a M21 (Merchandise Broker – Any person who acts as an agent for others in negotiating contracts, purchases, the sale of goods, wares or services and who does not take possession of the merchandise) category license was processed in by the Department of Finance and Business Services. This license (M21-00682) was issued by Business Services on 06/25/03 with no apparent Planning and Development review.
01/05/05	A business license for a F11 (Specialty Food Store – For retail stores selling specialty foods such as See's Candy, Hickory Farms, and ethnic food stores such as oriental markets, etc.) category license was processed in by the Department of Finance and Business Services. This license (F11-00113) was originally issued by Business Services on 01/25/05 and was re-issued due to a change of location on 08/14/06, with Planning and Development Department recording approval on 08/09/06.
04/18/05	A business license for a B20 (Business Support Service – Any business that performs for one or more other businesses a service that is performed internally to a business including billing, mailing, printing, customer service evaluations, process claims/paperwork) category license was processed in by the Department of Finance and Business Services. This license (B20-00916) was issued by Business Services on 06/10/05 with no apparent Planning and Development review. This license has been marked “out of business” as of 03/29/07.
08/12/05	A business license for a Q13 (Law Firm or Law Office – Law Firm or Law Office comprised of one or more professionals created for the purpose of practicing the profession for which a license, certificate, registration, permit or similar type of authorization is issued by a regulatory body as defined in NRS title 54, chapter 622 or regulated pursuant to the Nevada Supreme Court Rules, for any type of compensation) category license was processed in by the Department of Finance and Business Services. This license (Q13-00290) was issued by Business Services on 09/02/05 with no apparent Planning and Development review.
09/19/05	A business license for a P27 (Personal Services – Any business that provides personal services, including without limitation a wake-up service, reminder service, errand service, vehicle registration service, personal chef, cook, shopping service or pet sitting service) category license was processed in by the Department of Finance and Business Services. This license (P27-00309) was issued by Business Services on 10/05/05, with Planning and Development Department recording approval on 09/21/05. This license has been marked “expired” as of 02/26/07.
08/25/06	A business license for a P27 (Personal Services – Any business that provides personal services, including without limitation a wake-up service, reminder service, errand service, vehicle registration service, personal chef, cook, shopping service or pet sitting service) category license was processed in by the Department of Finance and Business Services. This license (P27-00381) was issued by Business Services on 09/15/06, with Planning and Development Department recording approval on 09/08/06.

08/25/06	A business license for a Q20 (Interpreter/Translator – Interpreter/Translator Firm comprised of one or more professionals created for the purpose of practicing the profession for which a license, certificate, registration, permit or similar type of authorization is issued by a regulatory body as defined in NRS title 54, chapter 622 or regulated pursuant to the Nevada Supreme Court Rules, for any type of compensation) category license was processed in by the Department of Finance and Business Services. This license (Q20-00056) was issued by Business Services on 09/15/06, with Planning and Development Department recording approval on 09/08/06.
10/23/06	A business license for a Q13 (Law Firm or Law Office – Law Firm or Law Office comprised of one or more professionals created for the purpose of practicing the profession for which a license, certificate, registration, permit or similar type of authorization is issued by a regulatory body as defined in NRS title 54, chapter 622 or regulated pursuant to the Nevada Supreme Court Rules, for any type of compensation) category license was processed in by the Department of Finance and Business Services. This license (Q13-00972) was issued by Business Services on 11/15/06, with Planning and Development Department recording approval on 10/25/06.
02/10/07	A business license for a J01 (Jewelry Sales and Repairs – A business which sells new jewelry or repairs jewelry) category license was processed in by the Department of Finance and Business Services. This license (J01-01968) was issued by Business Services on 03/14/07 with no apparent Planning and Development review.
Pre-Application Meeting	
03/01/07	A pre-application meeting was held and elements of this application were discussed. Requirements for the Arts District of the Downtown Centennial Plan were discussed, including the proposed parking alternative. Submittal requirements were discussed.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	

Field Check	
03/22/07	The Department of Planning and Development conducted a site visit that found that this was a developed site that encompassed multiple existing buildings. It was also noted that there is an off-premise (billboard) sign on the site that would also be removed to make way for this project. It was noted that the alley that this project requests to vacate appears to be the only vehicular entrance to the residential property to the south of the alleyway.

Details of Application Request

Site Area

Net Acres	2.67
-----------	------

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office, Other Than Listed	C (Commercial)	C-2 (General Commercial)
	General Retail, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
			P-R (Professional Office and Parking)
North	Service Station (without Automotive Repair)	C (Commercial)	C-2 (General Commercial)
	Multi-Family Residential	C (Commercial)	C-2 (General Commercial)
	Undeveloped	C (Commercial)	C-2 (General Commercial)
South	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
East	Service Station (without Automotive Repair)	C (Commercial)	C-2 (General Commercial)
	Mini-Storage Facility	C (Commercial)	C-2 (General Commercial)
	Hotel, Motel or Hotel Suites	C (Commercial)	C-1 (Limited Commercial)
West	General Retail, Other Than Listed	C (Commercial)	C-2 (General Commercial)
	Multi-Family Residential	MXU (Mixed Use)	C-1 (Limited Commercial)
			R-4 (High Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		Y
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Live/Work Overlay District	X		Y
Trails		X	n/a
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment	X		Y
Project of Regional Significance		X	n/a

DEVELOPMENT STANDARDS

Pursuant to the Downtown Centennial Plan, the following development standards apply to the subject proposal:*

<i>Standard</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	116,305 SF	Y
Min. Setbacks		
• Front (3 rd Street)	0 Feet	Y
• Side	5.8 Feet	Y
• Corner (Charleston Boulevard)	5.5 Feet	Y
• Rear (4 th Street)	0 Feet	Y
Max. Lot Coverage	70%	Y
Max. Building Height	160' (12-Stories)	Y
Mech. Equipment	Screened	Y

- * Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements.

Pursuant to the Downtown Centennial Plan, the following residential adjacency standards apply to the subject proposal:*

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	480 Feet	5.8 Feet	Y*
Adjacent development matching setback	20 Feet	5.8 Feet	Y*

- * Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Title 19.08.060 (Residential Adjacency Standards).

Pursuant to the Downtown Centennial Plan, the following landscape and buffer standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces (located in islands and/or at the perimeter)	4 Trees	>4 Trees	Y
TOTAL			52 Trees for On-site 40 Trees for Streetscape	Y
Min. Zone Width	n/a		0-20 Feet	Y
Landscape Area Required	10 SF./Parking Space 2,200 SF Total		>2,200 SF	Y
Wall Height	n/a		6 Feet @ Interior PIL	Y

Pursuant to the Downtown Centennial Plan, the following streetscape standards apply:

<i>Streetscape Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
East/West Street (Charleston Boulevard)	1 Shade Tree @ 30' O.C. Maximum (min. 24" box) 17 Shade Trees	24 Shade Trees (36" box)	Y
North/South Street (4 th Street)	1 Palm Tree @ 35' O.C. Maximum (min. 25' height) 13 Palm Trees	11 Palm Trees (36" box; no height listed)	N*
North/South Street (3 rd Street)	1 Palm Tree @ 35' O.C. Maximum (min. 25' height) 5 Palm Trees	5 Palm Trees (36" box; no height listed)	Y
Right-of Way Improvements:	Sidewalk and Amenity Zones (Per Graphics 11 & 12, Downtown Centennial Plan)	Sidewalk and Amenity Zones (Per Graphics 11 & 12, Downtown Centennial Plan)	Y

- * The trees planted north of the entry drive met the spacing requirements. Those to the south of the drive do not. A condition of approval has been added to the Site Development Plan Review (SDR-20502) to add two palm trees to the south of the 4th Street entry drive to bring the number and maximum distance in to compliance with the plan. Further, the revised technical landscape plan is required to have tabulated all tree heights along with the quantities and sizes.

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

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular		Handi-capped
General Retail, Other Than Listed	58,000 SF GFA	1 / 250 SF	225 Spaces	7 Spaces	0 Spaces		Y**
Multi-Family Residential	Studio & 1 Bedroom Units: 880	1.25 spaces / Unit	1,079 Spaces	21 Spaces	0 Spaces		Y**
	2 Bedroom Units: 220	1.75 spaces / Unit	377 Spaces	8 Spaces	0 Spaces		Y**
	Total Units: 1,100	1 Guest Space / 6 Units	178 Spaces	6 Spaces	0 Spaces		Y**
Sub-total			1,859 Spaces	84 Spaces	0 Spaces	22 Spaces	Y**
TOTAL (including handicap)			1,943 Spaces		22 Spaces		Y**

* Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of standard parking requirements.

** It is the intention of the applicant to provide parking at the proposed automated parking structure located two blocks north at South Casino Center Boulevard and Coolidge Avenue. This portion of the overall project proposal is being heard as a companion Site Development Plan Review (SDR-20492).

ANALYSIS

The subject property is located within the boundaries of the Las Vegas Redevelopment District of the Southeast Sector Plan of the General Plan, and has a C (Commercial) land use designation. The C (Commercial) designation allows uses comparable to the following land use categories: O (Office), SC (Service Commercial), and GC (General Commercial). The proposed uses are in compliance with the land use designation.

This Rezoning proposes to change the zoning of the subject site where one of the parcels comprising the development is zoned C-1 (Limited Commercial) and the remaining parcel is zoned P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-2 (General Commercial). The existing and proposed uses established at this location are permissible in a C-1 (Limited Commercial) zoning district which is compatible with the C (Commercial) General Plan designation.

This site is within the Live/Work Overlay District. The mixed-use nature of the proposed development will offer employment and housing options on-site; however, the project does not include any live/work units as outlined in Title 19.06.130.

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed uses are in conformance with Redevelopment Plan policies that encourage innovative, mixed use projects in this area of the City. The proposed development is in compliance with the C (Commercial) designation.

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the 18b The Las Vegas Arts District. This district, which is within the bounds of the Downtown South district, is intended to accommodate a wide variety of commercial and residential uses within a dense, urban environment with its own unique design standards. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

Pursuant to Title 19.06.060 properties within the Downtown Centennial Plan area are exempt from the automatic application of development standards for building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The proposed development conforms to the applicable setbacks and lot coverage requirements specified by the Downtown Centennial Plan; height limits and parking requirements are not automatically applied.

The site encompasses two parcels with a proposed building built across the lot lines. As it is the stated intention of the applicant to create a mixed-use subdivision there will need to be a tentative map review and final map technical review prior to any building permits being issued.

The rezoning has been submitted in conjunction with a proposed Site Development Plan Review (SDR-20502) to site a proposed 12-story mixed-use development that includes 58,000 square feet of commercial space and 1,100 residential condominium units; Vacation (VAC-20522) to vacate a public right-of-way and access easement; Special Use Permit (SUP-20429) to allow a mixed-use development with residential uses in a proposed C-1 (Limited Commercial) zoning district; and Site Development Plan Review (SDR-20492) to site an off-site, 120-foot high, 1,500 space automated parking structure with 12,000 square feet of ground level commercial space.

The proposed rezoning is in conformance with the site's general plan designation and is appropriate for the development as proposed. As this action would bring the portion of the site with multiple zoning districts under one category and the request is compatible with the existing commercial and residential developments in the area, staff is in support of this rezoning.

FINDINGS

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

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

The proposed rezoning would unify the zoning at this site into one designation that conforms to the General Plan. The site's existing and proposed buildings can accommodate the range of uses identified and is in compliance with the proposed General Plan category.

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

The proposed rezoning will be compatible with the residential and commercial developments in this area.

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

Growth and development factors indicate a need for housing options and services such as will be provided to locate in this area. Given the General Plan designation of C (Commercial) on the subject site, the rezoning to the C-1 (Limited Commercial) zoning district is appropriate for the area.

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

South 4th Street will be the principal vehicular access point for the development, with egress to South 3rd Street to the west. The site also abuts West Charleston Boulevard, which will most likely be used by pedestrians patronizing the ground-floor commercial businesses. The site has excellent access to public transportation, which will assist in reducing the number of vehicle trips generated by the development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 297 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-20507** APN: 162-03-115-001,002

Name of Property Owner: LIVEWORK, LLC

Name of Applicant: LIVEWORK, LLC

Name of Representative: APIUS ARCHITECTURE

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: _____

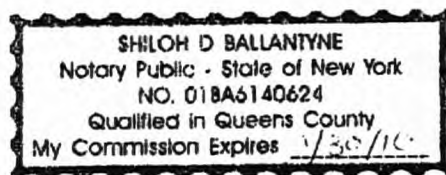
Signature of Property Owner: 

Print Name: David Mitchell

Subscribed and sworn before me

This 9 day of March, 2007

Shiloh D Ballantyne
Notary Public in and for said County and State





Site Zoning & Data

SITE DATA

PARCEL NUMBER	182 85 115-001 000
JURISDICTION	CITY OF LAS VEGAS, NV/104
EXISTING ZONING	PH, C-1 AND C-2
PROPOSED ZONING	C-1
SITE AREA	1.48 ACRES 2.87 NET ACRES

SETBACKS (BUILDING)

FRONT	10'-0"	PROVIDED
REAR	10'-0"	14'-0" (8'-0" MIN.)
LEFT	10'-0"	5'-0"
RIGHT	10'-0"	5'-0"

MAX HEIGHT

ACTUAL HEIGHT	10'-0"
---------------	--------

LOT COVERAGE ALLOWED

ACTUAL LOT COVERAGE	100%
---------------------	------

BUILDING AREA

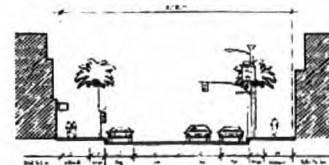
BUILDING AREA	18,000 SF
COMMERCIAL	517,000 SF
TOTAL	1,741,000 SF

UNITS

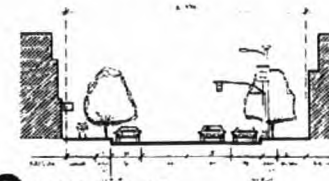
STUDIO UNITS	400
1-BEDROOM UNITS	800
2-BEDROOM UNITS	200
TOTAL UNITS	1,400

PARKING COUNTS

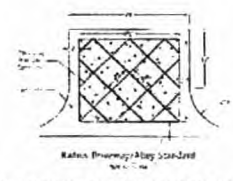
BUILDING AREA	REQUIRED PARKING UNITS	PROVIDED
18,000 SF	110 UNITS + 110 SPACES	
COMMERCIAL SPACE IN 100' X 100' SPACES		
HANDICAP PARKING ON SITE	2% OF TOTAL UNITS	
TOTAL REQUIRED	100	
TOTAL PROVIDED IN CASINO LEVEL		100



STREET SECTION
(North-South)



2 STREET SECTION
(East-West)

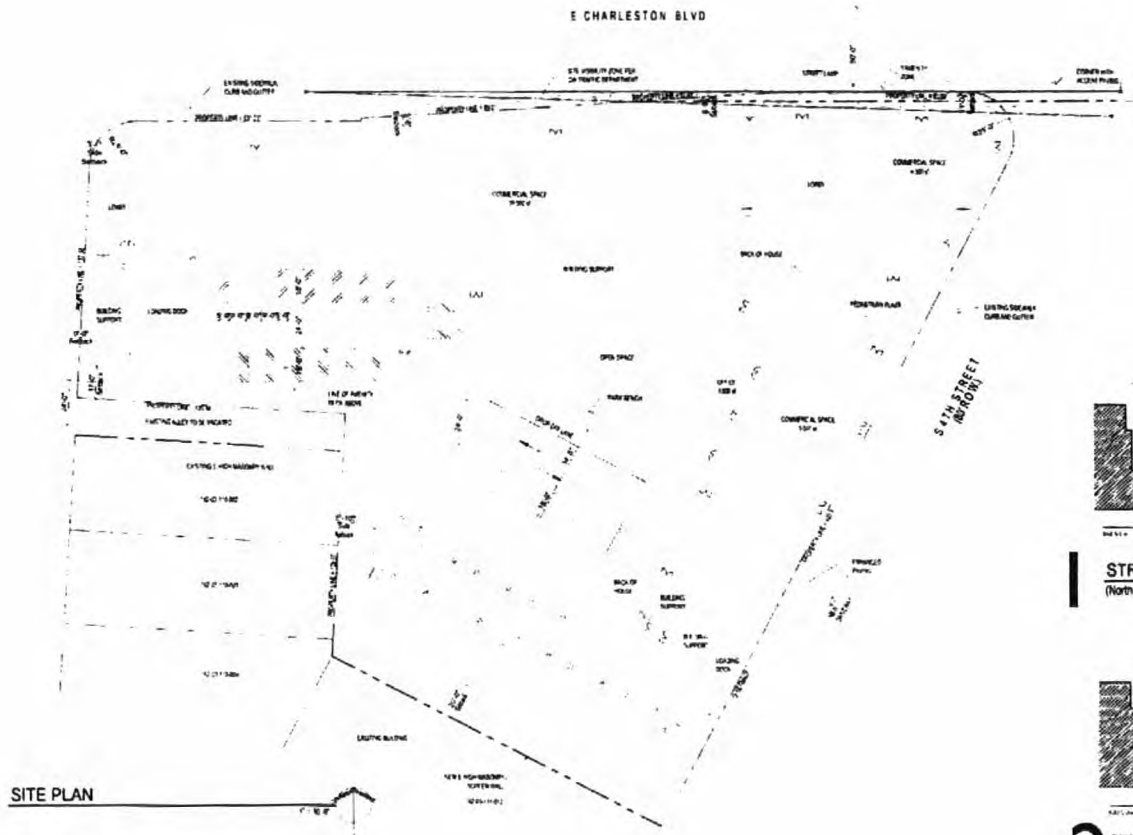


3 RADIUS DRIVEWAY / ALLEY STANDARD

SITE PLAN /
GROUND
FLOOR PLAN

ASI01

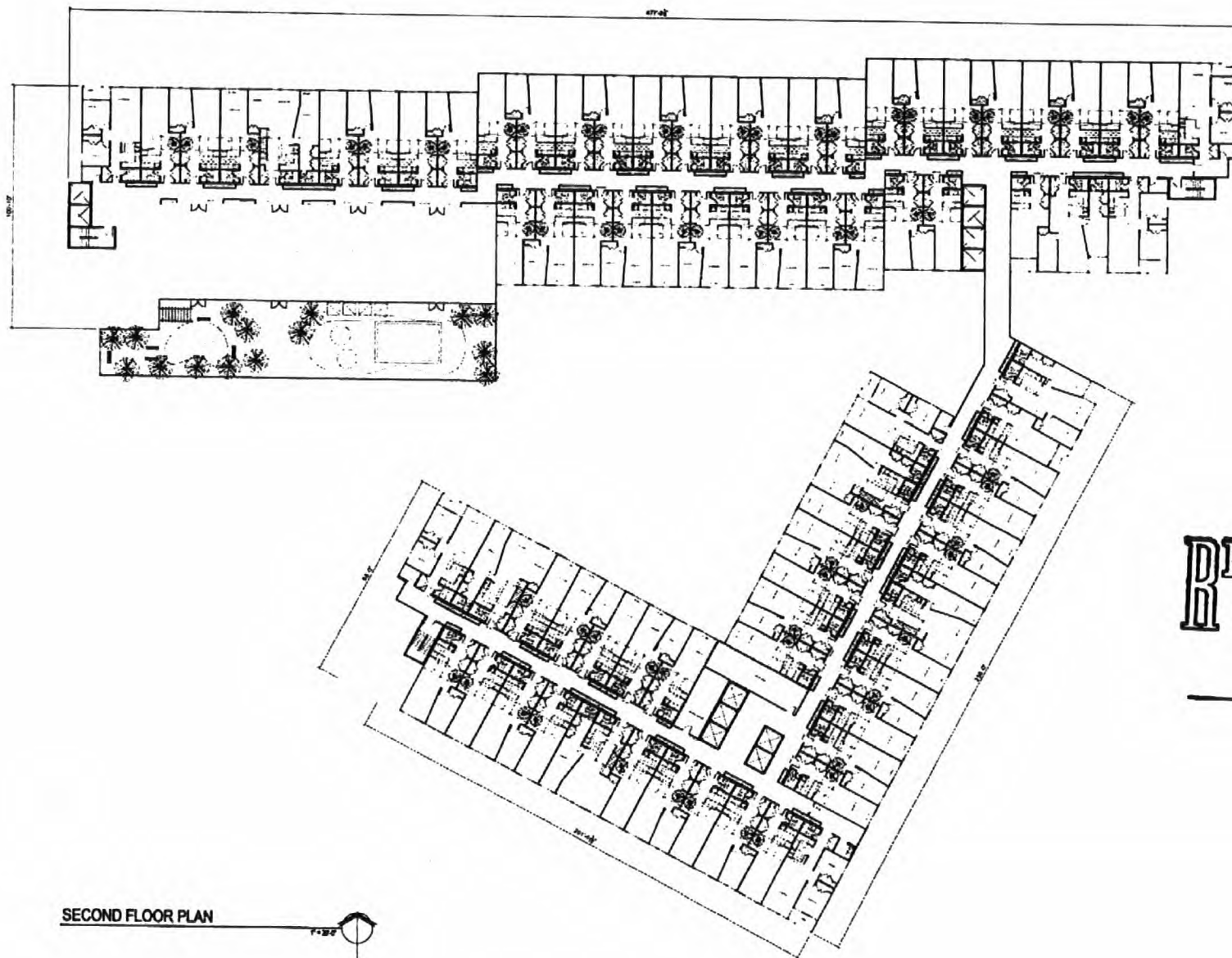
26.177 LV Land Permits



SITE PLAN

Aquarius Residences
Site Development Review
Charleston and 4th Street
Las Vegas, Nevada 89104

ZON-20507
REVISED
04/26/07 PC



RECEIVED
MAR 13 2007

SECOND FLOOR PLAN



April 6, 2007

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

**APN: 162-03-115-001 and 002
139-34-410-056, 057, 058 and 059**

Re:

- a. Rezoning
- b. Site Development Review
- c. Special Use Permit for Mixed Use
- d. Vacation for alley and public access easement off of 3rd Street and 3rd Place
- e. Waiver of Required Stepbacks

To Whom It May Concern:

We respectfully submit this application for a Rezoning, Site Development Review, Special Use Permit and a Vacation for the alley and public access easement for the project now known as "Aquarius Residences". This is a mixed use project containing ground floor commercial, live work units and condominium residences above the ground floor at the southwest corner of Charleston and Fourth Street. All of the parking except for required residential handicap parking for this project will be located in an automated parking structure on the Southeast Corner of Casino Center and Coolidge. These parcels are currently zoned P-R, C-1 and C-2 and are in the Downtown Centennial Plan. We are also requesting that two portions of the principle parcel # 162-03-115-001 be rezoned to C-1 to eliminate the split zoning and to provide continuity throughout the Charleston and 4th Street site.

The project is a mixed-use 12 story project and will be 160' feet in height. The ground floor will have 70,000 SF (58,000 SF at the Charleston site and 12,000 SF at the Casino Center site) of commercial space. Public parking for the Charleston and 4th Street portion of the retail is not provided on site in the attempt to create a walk-able corridor within the downtown area. To create and maintain a thriving urban community, retailers need pedestrian traffic passing by their establishments. With this project, we are promoting a walking lifestyle that is guided by the location of the residence in relation to the vehicle. The walking route between the two is less than ¼ mile. In addition, the new downtown BRT (bus rapid transit) will make it's way south on Casino Center with a stop at Coolidge (our parking structure site) and have a new route directly across Charleston tying into 3rd Street with another stop at the west side of our development. The traffic signal will be relocated from Charleston and Casino Center to Charleston and 3rd, which will further invite pedestrian and public transportation to travel in between our two sites.

For the Casino Center and Coolidge site, ingress and egress into the parking will be off of the alley which intersects Coolidge Avenue. The parking structure is fully automated and is not-occupied. There will be 1500 parking spaces inside the structure. The spaces will be for the residents of the Aquarius Condominium Residences and for residents and employees of the Arts District and the general downtown area. There will be ground floor commercial along Casino Center which could also tie into additional gallery space for the growing Arts District. The intent of the design of the parking structure is to become a living canvas to display art and movies and to help bring the arts district to the next level.

We are requesting a vacation of the 20' service alley directly off of 3rd Street, just south of Charleston. This will become the west end of the vehicular access for the project, with another ingress/egress off of 4th Street. Off of this new vehicular access will be drop off areas for residents, handicap parking,

ZON-20507

04/26/07 PC

and service loading and unloading. We are also requesting a vacation for the public access easement and public right of way off of 3rd Place. The new development will cover this area to give a strong retail presence along Charleston.

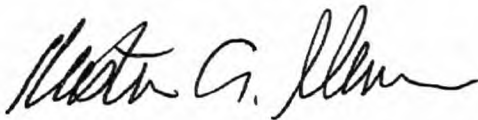
The Charleston and 4th Street Site will have stone veneer and insulated glazing at the ground level retail portion of the building, transitioning to a cementitious preformed panel for the upper stories. There are also glass railings at the residential balconies. We are asking for a waiver of the required stepbacks for both sites due to the nature of the building systems used. All mechanical equipment will be fully screened from view.

All work along Charleston will be submitted and approved through Nevada Department of Transportation. The existing sewer easements running through the Charleston and 4th Street site will be removed and relocated.

The owner desires to provide much needed and obtainable rental housing within the downtown area of the city. To compliment approximately 1,100 condominium residences for rent will be almost 70,000 square feet of commercial space. This residential and commercial development will be an asset to the City of Las Vegas by helping to spur additional revitalization and reinforcing redevelopment in an area which has already begun a transformation.

We have made every attempt to try and follow City of Las Vegas Title 19 as well as the Centennial Plan as closely as possible in the design and layout of this site. We hope that you will join us in our attempt to bring much-needed high caliber product into downtown and to Las Vegas residents.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Kristen G. Neuman', with a stylized, flowing script.

Kristen G. Neuman, AIA
APTUS Architecture

ZON-20507

04/26/07 PC

140-44

18b Las Vegas Arts District Neighborhood Association

107 E. Charleston Blvd; Las Vegas, NV 89104

Tel: (702) 383-3133 Fax: (702) 383-9907

May 16, 2006

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

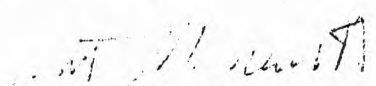
Re: SUP - 20519; SDR - 20502; SDR - 20492

Dear Sirs:

On behalf of the 18b Las Vegas Arts District Neighborhood Association, I offer our overwhelming support and encouragement for the approval of the Livework, LLC Project on Charleston and 4th Street and the proposed parking structure on Casino Center Drive and Coolidge.

This project will undoubtedly facilitate patronage of existing galleries and businesses in our neighborhood and will help to attract new investors, stimulate growth and encourage the redevelopment projects already under consideration in the 18b Las Vegas Arts District and neighboring commercial zones.

Sincerely,


Westley M. Isbutt,
Vice-President

Submitted at City Council

Date 5/16/07 Item 140-144