

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-19426 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to adopt an updated Historic Preservation Element and revise the 2020 Master Plan, (All Wards). The Planning Commission (7-0 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 (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Conditions (Not Applicable) and Staff Report
2. Supporting Documentation
3. Justification Letter
4. Letter from the Historic Preservation Commission
5. Historic Preservation Element
6. Historic Preservation Element Appendix
7. Backup referenced from the 04-26-07 Planning Commission Meeting Item 22

Motion made by GARY REESE to Approve

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

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

Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open.

MARGO WHEELER, Director of Planning and Development Department, introduced COURTNEY MOONEY, Urban Design Coordinator and Preservation Officer, Planning and Development Department, who gave a brief presentation. MS. MOONEY explained the revised element would replace the existing Historic Preservation Plan adopted as part of the City of Las Vegas General Plan in 1992. She outlined those changes, including a significant expanded section on the relationship to the master plan, NRS requirements, expanded sections on the

CITY COUNCIL MEETING OF: JUNE 6, 2007

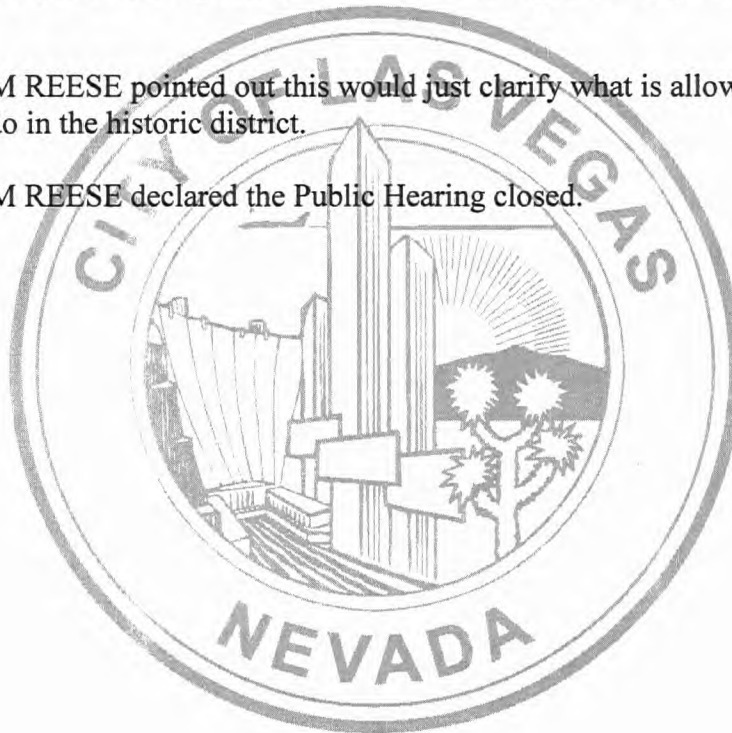
current inventory of historic buildings in Las Vegas, treatments of historic signs and updates on issues on smart growth and sustainability, cultural heritage, tourism and cultural diversity.

COUNCILMAN BROWN questioned the impact of this plan on development that might come forward near a designated historic property. MS. WHEELER explained this plan would not adopt new standards, policies or new areas. This would be an update of past actions by the City Council. She agreed to brief both COUNCILMAN BROWN and COUNCILWOMAN TARKANIAN on the relationship between historic designated properties and new development downtown.

JANET WHITE, Historic Preservation Committee member appeared in support and commended staff for clarifying the plan with a glossary and maps. She urged the City Council to approve the new plan.

MAYOR PRO TEM REESE pointed out this would just clarify what is allowed and what the City is allowed to do in the historic district.

MAYOR PRO TEM REESE declared the Public Hearing closed.



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: GPA-19426 - GENERAL PLAN AMENDMENT - PUBLIC
HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

Request to adopt an updated Historic Properties Preservation Plan Element and revise the 2020 Master Plan.

This proposed element of the Las Vegas 2020 Master Plan ("Master Plan") establishes standards, goals, objectives, and policies for the protection of historic properties located within the City of Las Vegas legal boundaries. The original Historic Preservation Element was adopted as part of the City of Las Vegas General Plan on April 1, 1992. Since that time, no amendments have been made to the Historic Preservation Element, but many new concepts have arisen regarding the broadened role of historic preservation. The proposed element will discuss these new concepts and expand on the existing components of the 1992 element.

The proposed element complies with NRS 278.160, "Subject matter of master plan," which requires that the City of Las Vegas include an Historical Properties Preservation Plan in the Master Plan 2020.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
4/1/1992	City Council adopted the city of Las Vegas General Plan
8/6/2000	City Council adopted the city of Las Vegas Master Plan 2020 through ordinance #2000-62
3/28/07	Historic Preservation Commission approved Historic Properties Preservation Plan Element draft
4/25/07	Historic Preservation Commission to review minor modifications to the proposed element
04/26/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #22/cm).
<i>Neighborhood Meeting</i>	
10/18/06	Open House meeting at Downtown Senior Services Center
3/27/07	Public meeting held at Development Services Center, no attendees

ANALYSIS

The Zoning Code of the City of Las Vegas

On February 22, 1991, the City Council of Las Vegas adopted an amendment to the Municipal Code of the City of Las Vegas which added an historic preservation ordinance, and established the Historic Preservation Commission. Today, the City of Las Vegas Historic Preservation Ordinance is found in the Zoning Code, Title 19.06.090 H HISTORIC DESIGNATION.

Establishing an ordinance is a requirement to obtain and maintain the city's status as a Certified Local Government (CLG). The Nevada State Historic Preservation Office, as governed by the National Park Service, established the CLG program to promote the goals of the National Historic Preservation Act of 1966. CLG requirements also include the adoption of an historic preservation plan.

The original Historic Preservation Element was adopted as part of the City of Las Vegas General Plan on April 1, 1992. Since that time, no amendments have been made to the Historic Preservation Element, but many new concepts have arisen regarding the broadened role of historic preservation. The updated Historic Properties Preservation Plan Element will address these issues, and expand upon existing components of the adopted Historic Preservation Element, such as a brief history of Las Vegas, an overview of our significant historic resources, an explanation of the historic preservation process, an outline of our city's goals, objectives and policies for historic preservation, and a plan for implementation. The Plan will be updated every five years in order to reflect the current issues affecting historic preservation.

The most significant changes resulting in new items introduced in the proposed revised element focus on more in-depth explanation of the relationship to the Master Plan 2020, enabling legislation including federal historic preservation law, Nevada Revised Statutes, and the city of Las Vegas Zoning Codes, as well as the planning process and existing conditions. In addition, the revised plan element introduces several new historic preservation issues.

The following chart lists new items contained in the proposed plan element which do not appear in the existing historic preservation element.

	Included in Existing Historic Preservation Plan	Where Found in Proposed Historic Properties Preservation Plan Chapter: Section: Subsection
Executive Summary Tasks	N	Defines the mission statement of the proposed element with a summary of significant action items.
Relationship to CLV Master Plan 2020	N	Describes how the proposed element supports the policies and goals, and other elements of the Master Plan 2020.
Enabling Legislation	Y	Updated from 1992 Historic Preservation Element: Provides significantly more detail regarding the path of enabling legislation beginning with federal historic preservation law and ending with the city of Las Vegas Zoning Code.
Planning Process	N	Describes the public and task force meetings process used in preparation for adoption of the proposed element.

Existing Conditions	N	Defines the types of historic resources, i.e., site, district, building, etc., and gives examples of existing types in Las Vegas. Also notes which designated buildings are owned by the city of Las Vegas.
Brief History of Las Vegas	Y	Updated from 1992 Historic Preservation Element: Expands on the existing history portion to include updated findings.
Designation of Historic Resources	N	Describes the different types of historic designation, and the methods, criteria and requirements specific for each.
Historic Signs	N	Describes the significance of historic signage, in particular neon signage, to the historic identity of Las Vegas, and as such, emphasizes the importance of preserving this type of resource.
Issue: Historic Building Codes	N	Reviews findings that highlight the problems that can occur when applying a model code such as the IBC to projects in existing buildings, such as adaptive reuse, or residential to office conversion projects.
Issue: Smart Growth and Sustainability	N	Reviews the importance of historic preservation as a component of Smart Growth initiatives.
Issue: Conservation Districts	N	Defines conservation districts as distinct from historic districts, and reviews their importance to preservation of historic neighborhoods that may not qualify for historic district status.
Issue: City Preservation Incentives	N	Reviews how city incentives, such as a streamlined planning review process, can support historic preservation and adaptive reuse projects.
Issue: Cultural Heritage Tourism	N	Reviews findings of the contribution of historic preservation to tourism in historic areas, marketing goals, and economic redevelopment.
Issue: Cultural Diversity	N	Reviews the importance of preserving the historic resources of the diverse cultural groups that have contributed to the early growth and development of Las Vegas.
Issue: Environmental Review	N	Reviews the Section 106 review process that occurs with certain federally funded projects, and stresses the importance of early interagency and interdepartmental cooperation and communication.
Issue: Capital Improvement Projects	N	Reviews the CIP process and the importance of early interdepartmental communication regarding proposed projects.
Status Analysis	N	Chart showing what action items have been completed from the 1992 Historic Preservation Plan.
Glossary of Terms	N	Provides definitions of historic preservation terms.

FINDINGS

Nevada Revised Statutes

The Nevada Revised Statutes (NRS) are the current codified laws of the State of Nevada. The Statutes of Nevada are a compilation of all legislation passed by the Nevada Legislature during a particular Legislative Session.

The proposed Historic Properties Preservation Plan conforms to the following Nevada Revised Statute:

NRS 278.160, "Subject matter of master plan," requires that the City of Las Vegas prepare and adopt a comprehensive, long-term general plan for the physical development of the city. This document, known as the City of Las Vegas Master Plan 2020, must also include a Historical Properties Preservation Plan, which shall include "an inventory of significant historical, archaeological and architectural properties as defined by the city, county or region, and a statement of methods to encourage the preservation of those properties."

- An inventory of significant historical, archaeological and architectural properties as defined by the city, county or region, are found in the proposed element at, Appendix B: Designated Historic Resources, and Appendix C: Potentially Eligible Historic Resources.
- Statements of methods for continuing the process of inventory of significant buildings are found in the Implementations section, Goals, Objectives and Policies:

Policy 1.1: That the city pursue all available state and federal grant funding pertaining to Historic Preservation.

Policy 3.1: That an inventory of buildings, structures, sites, objects and districts that are over fifty (50) years old will be consistently updated and maintained.

- A statement of methods and support for the preservation of significant historical, archaeological and architectural properties is found in the Implementations section, Goals, Objectives and Policies:

Goal: Promote the educational, cultural, economic, and general welfare of the public through the preservation, maintenance and protection of structures, sites and districts of significant historic, architectural, and archaeological interest within Las Vegas.

Objective 1: Promote the preservation, maintenance and protection of structures, sites and districts of historic interest within Las Vegas.

Policy 1.1: That the city pursue all available state and federal grant funding pertaining to Historic Preservation.

Policy 1.2: That the city promotes the identification and preservation of significant cultural resources within communities of diverse ethnic backgrounds which illustrate the historic role and contributing character of population identities within Las Vegas.

Policy 1.3: That the city promotes a stewardship program to oversee historic resources.

Objective 3: Promote and encourage the rehabilitation and reuse of historic resources.

Policy 3.1: That an inventory of buildings, structures, sites, objects and districts that are over fifty (50) years old will be consistently updated and maintained.

Policy 3.2: That the city develop guidelines for reuse of historic structures, including the scope of modifications and the use and extent of exterior business signage. (From Reurbanization Policy 1.4.2)

Objective 4: Promote and encourage the stability of designated historic neighborhoods, sites and landmarks by preserving their historical and architectural integrity.

Policy 4.1: That the city promote design guidelines for historic preservation as developed by federal agencies such as the National Park Service.

Policy 4.2: That the city meets the requirements for an Historical Properties Preservation Plan as set forth in NRS 278.160 1.d.

Nevada State Historic Preservation Office: The proposed Historic Properties Preservation Plan Element conforms to Nevada State Historic Preservation Office requirements for a Certified Local Government (CLG), which requires the municipality to maintain an historic preservation plan, historic preservation commission, and historic preservation ordinance in order to maintain CLG status. CLG status affords the city priority status for certain grant funding.

The Relationship to Master Plan 2020:

The proposed Historic Properties Preservation Plan Element conforms to other applicable adopted neighborhood plans and the following Master Plan 2020 Policy Sections:

Reurbanization

OBJECTIVE 1.4: To retain, where viable, historical structures which represent the architectural, cultural and social legacy of the City of Las Vegas.

Neighborhood Revitalization Area

GOAL 2: Mature neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation.

POLICY 2.3.4: That historic districts provide such direction to preserve the architectural heritage of Las Vegas.

Cultural Enhancement

OBJECTIVE 5.2: To promote cultural awareness and pride within the city.

POLICY 5.2.1: That the City support and assist in the development of new programs which provide incentives for the development and expansion of arts and cultural activities, particularly those which demonstrate an identifiable local context.

2006 City of Las Vegas Strategic Planning Guide:

The proposed element is supported by the *2006 City of Las Vegas Strategic Planning Guide* with the following priorities:

- Revitalize and invigorate our mature areas and the urban core
- Support and encourage sustainability, livability, and pride in our neighborhoods

NOTE: The Historic Preservation Element was distributed in City Council briefings the week of May 13, 2007.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

NOTICES MAILED

NEWSPAPER ONLY

APPROVALS

0

PROTESTS

0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-19426** APN: N/A

Name of Property Owner: N/A

Name of Applicant: City of Las Vegas Planning & Development Department

Name of Representative: Courtney Mooney, Urban Design Coordinator, P&D

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: *C. Mooney*

Print Name: Courtney Mooney

Subscribed and sworn before me

This 12TH day of MARCH, 2007

Linda Hartman-Maynard
Notary Public in and for said County and State





March 12, 2007

City of Las Vegas
Planning & Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101

To Whom It May Concern:

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

Please accept this request for a General Plan Amendment to adopt an updated Historical Properties Preservation Plan element.

In order to meet the requirements set forth in NRS 278 Planning and Zoning, Section 160 Subject Matter of Master Plan, the city is required to adopt an Historical Properties Preservation Plan element. This plan will replace the existing, "Historic Preservation Plan," adopted by City Council in 1992 as part of the "General Plan" document.

The City of Las Vegas supports this preservation element with the following priorities:

- Support and encourage sustainability, livability, and pride in our neighborhoods
- Revitalize and invigorate our mature areas and the urban core

If you have any questions, please feel free to contact me at 702-229-5260.

Respectfully,

A handwritten signature in black ink, appearing to read "C. Mooney".

Courtney Mooney
Urban Design Coordinator
City of Las Vegas

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

GPA-19426
04/26/07 PC

March 29, 2007

City of Las Vegas Planning Commission
City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101

Re: GPA - 19426

Dear Commissioners:

On March 28, 2007, the City of Las Vegas Historic Preservation Commission voted to approve the Historic Properties Preservation Plan Element. The HPC is pleased to support this document for inclusion in the Master Plan 2020 document. This plan element is scheduled to be heard at the April 26, 2007 Planning Commission meeting.

Sincerely,



Robert Stoldal, Chairman
Historic Preservation Commission



HISTORIC
PRESERVATION
OFFICE

RECEIVED
APR 11 2007

GPA-19426
04/26/07 PC



HISTORIC PRESERVATION
CITY OF LAS VEGAS

HISTORIC PROPERTIES PRESERVATION PLAN ELEMENT

DRAFT

executive summary tasks

introduction

background

analysis

implementation



Adopted by
City Council X-XX-XX

The City of Las Vegas Historic Properties
Preservation Plan Element
of the Las Vegas 2020 Master Plan
was adopted by City Council
on MonthDateYear (Ordinance # xxx).



CITY OF LAS VEGAS HISTORIC PROPERTIES PRESERVATION PLAN ELEMENT TABLE OF CONTENTS

EXECUTIVE SUMMARY TASKS	1
INTRODUCTION	3
Purpose	3
Enabling Legislation	4
Relationship to the City of Las Vegas Master Plan 2020.....	8
Planning Process	9
BACKGROUND.....	11
Planning Context.....	11
Existing Conditions.....	12
Brief History of Las Vegas.....	13
Designation of Historic Resources	19
Historic Signs	22
ANALYSIS	23
Issues in Historic Preservation	23
Status Analysis.....	32
IMPLEMENTATION.....	35
Goals, Objectives, and Policies	35
Recommendations	37
TABLES	
1	32
2	37

APPENDICES (PLEASE SEE MASTER PLAN APPENDICES BINDER)

APPENDIX A: Glossary of Terms

APPENDIX B: Designated Historic Resources

APPENDIX C: Potentially Eligible Historic Resources

APPENDIX D: City-Owned Buildings Built Before 1962

APPENDIX E: Maps

1. Designated Historic Resources within the City of Las Vegas
2. Las Vegas High School Neighborhood Historic District
3. John S. Park Neighborhood Historic District
4. Future Historic Properties

Table of Contents



EXECUTIVE SUMMARY TASKS

Educate the public about the value of historic preservation in Las Vegas.

- Publish up-to-date informational brochures about historic and archaeological resources and historic walking tours within the City of Las Vegas boundaries.
- Initiate educational programs and events.
- Work with schools and libraries to develop an historic preservation curriculum.

Advise the public with informed assistance programs.

- Provide technical assistance to owners of historic properties.
- Make informed recommendations regarding changes to historic properties and neighborhoods to the Historic Preservation Commission.
- Provide regular and up-to-date information to the public and City about potential historic properties.

Preserve historic resources.

- Maintain and update the existing inventory of significant historical, archaeological and architectural properties that are over fifty (50) years old.
- Pursue all available funding to identify and preserve historical, archaeological and architectural properties.
- Develop a program of adaptive reuse of vacant and/or abandoned buildings, and buildings of historic significance.



INTRODUCTION

PURPOSE

This element of the Las Vegas 2020 Master Plan ("Master Plan") establishes standards, goals, objectives, and policies for the protection of historic properties located within the City of Las Vegas legal boundaries. The original Historic Preservation Element was adopted as part of the City of Las Vegas General Plan on April 1, 1992. Since that time, no amendments have been made to the Historic Preservation Element, but many new concepts have arisen regarding the broadened role of historic preservation.

The City of Las Vegas has many buildings, objects, districts and sites which have historic, archaeological, cultural and/or architectural significance that should be preserved in order to appreciate the early development of the city. It is important for these resources to be preserved as a "living" part of the community, not just in text and photographs.

The early character of Las Vegas is represented by a wide range resources that include not only monumental buildings such as the U.S. Post Office and Courthouse, Las Vegas High School, and prestigious homes, but also more common and functional buildings such as commercial and industrial buildings. Las Vegas also has a significant amount of Mid-Century Modern commercial buildings, and homes constructed during World War II and just after. These buildings are "coming of age" and need to be considered in the Historic Preservation Plan.

Historic buildings and sites are inherently marketable elements of urban form that promote a community's distinct identity. The positive economic value of preserving historic urban areas for cultural and heritage tourism has long been substantiated. Historic downtowns perpetuate the character and ambience, creating an authentic experience for both residents and visitors that cannot be found elsewhere. Preservation not only has intrinsic value but can also stabilize and improve the value of adjacent buildings and promote neighborhood enhancement.

An additional economic rationale for historic preservation includes the benefits of rehabilitating and reusing older buildings, since the existing investment in the structure and servicing of a building reduces material and labor costs. In addition, special local, state and/or federal tax incentives and grant funding may also be available. Preservation not only has intrinsic value but can also stabilize and improve the value of adjacent buildings and promote neighborhood enhancement.



New concepts in Historic Preservation have arisen since the first Historic Preservation Plan for Las Vegas was adopted in 1992. The preservation movement has evolved considerably since the first organized attempts in the United States to save a building in the early 1800s. The first preservationists concentrated on saving one community gem at a time, whereas modern preservation is now widely recognized as an integral component of Heritage Tourism, Smart Growth, and economic redevelopment of downtowns. The updated Plan will include these concepts.

This element will provide a brief history of Las Vegas, an overview of our significant historic resources, an explanation of the historic preservation process, an outline of our city's goals, objectives and policies for historic preservation, and a plan for implementation. The Plan will be updated every five years in order to reflect the current issues affecting historic preservation.

ENABLING LEGISLATION

In the United States, the concept of preserving a community's architectural past emerged during the decades preceding the Civil War, with efforts to preserve resources associated with significant figures and events in American History. Public concern over the possible loss of historic sites and buildings prompted Congress to adopt the Antiquities Act of 1906, offering protection to prehistoric and historic sites located on Federal properties.

A national policy of preserving historic resources of national significance for public use was established by the Historic Sites Act of 1935, which established the National Historic Landmark Program. This legislation empowered the Secretary of the Interior, acting through the National Park Service, to use the Historic American Buildings Survey to survey, document, evaluate, acquire and preserve archaeological and historic sites. The National Historic Preservation Act of 1966 (NHPA) established the National Register of Historic Places as a list of districts, sites, buildings, structures and objects significant in American history, architecture, archaeology and culture.

THE NATIONAL HISTORIC PRESERVATION ACT OF 1966, AS AMENDED IN 2000

This federal law provides for a National Register of Historic Places to include districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, and culture. Such places may have national, state or local significance. It establishes the administrative and legal context for the State Historic Preservation Offices to establish local historic

preservation commissions. This allows local municipalities to participate in the national historic preservation program. The Act is designed to encourage the preservation and the wise use of our cultural resources.

The Act includes the creation of:

- National Policy, which establishes the policy of the United States Government regarding historic preservation to promote conditions in which historic properties can be preserved
- The National Register which gives power to the Department of Interior to establish, maintain and expand the National Register of Historic Places
- State Historic Preservation Offices and State Historic Preservation Officers (SHPO) which establish the administration of the national historic preservation program at the state level and designate the responsibility of developing a statewide plan for preservation, surveying, and nominating properties to the National Register, providing technical support to federal, state and, local agencies and the public, review of federal undertakings that affect historic properties, and helping local governments become certified to participate in the program.
- The Certified Local Governments program which allow for the certification of local governments whose historic preservation programs meet specific standards further allowing the local government access to special grants-in-aid and technical assistance from the SHPO to assist with preservation activities
- The Advisory Council on Historic Preservation (ACHP) which creates an independent federal agency responsible for advising the President and Congress on Historic Preservation matters.

THE STATE HISTORIC PRESERVATION OFFICE (SHPO)

The Nevada State Historic Preservation Office is a state agency created by the National Historic Preservation Act. The National Park Service (NPS) administers, reviews, and provides the majority of funding for the Nevada SHPO programs. The SHPO also administers the Commission for Cultural Affairs grants, NPS grants, National and Nevada State Registers of Historic Places, the historical marker program, and the Comstock Historic District Commission.

The State Historic Preservation Office provides many important services to local governments and historic preservation commissions such as assisting with development of historic preservation programs; advising and assisting in federal, state and local historic preservation projects; participating in the

review of federal, state and local undertakings that may affect historic properties; and, providing public information, education, training, and technical assistance in historic preservation. For more information on the Nevada SHPO, visit <http://dmla.clan.lib.nv.us/docs/shpo>.

NEVADA REVISED STATUTES

The Nevada Revised Statutes (NRS) are the current codified laws of the State of Nevada. The Statutes of Nevada are a compilation of all legislation passed by the Nevada Legislature during a particular Legislative Session.

NRS 278 PLANNING AND ZONING

This chapter within the Nevada Revised Statutes provides for the establishment of municipal zoning ordinances.

NRS 278.160 SUBJECT MATTER OF MASTER PLAN

This section requires the city of Las Vegas to prepare and adopt a comprehensive, long-term general plan for the physical development of the city, which must also include a Historical Properties Preservation Plan.

NRS 384.005 ESTABLISHMENT OF HISTORIC DISTRICTS BY A CITY OR A COUNTY

This section provides for the establishment of zoning ordinances that govern an historic district, and the establishment of an historic preservation commission.

1. Any county or city may establish a historic district for the purpose of promoting the educational, cultural, economic and general welfare of the public through the preservation, maintenance and protection of structures, sites and areas of historic interest and scenic beauty.
2. If the historic district is established, the board or governing body may adopt any ordinances it determines are in the best interest of the historic district in accordance with the criteria delineated above. An ordinance establishing a historic district must: (a) Contain criteria which substantially achieve the preservation and rehabilitation of buildings of historic significance to the district; and (b) Provide for a designated review board with the power to review proposed alterations to structures within the district.

THE ZONING CODE OF THE CITY OF LAS VEGAS

The Zoning Code of the City of Las Vegas was adopted by City Council in March 24, 1997, as part of the Municipal Code of the City of Las Vegas, adopted in 1983. The Zoning Code was adopted pursuant to the provisions of the Nevada Revised Statutes (NRS), including NRS Chapter 278: Planning and Zoning.

The Zoning Code was established to promote the public health, safety and welfare, and coordinate and ensure the execution of the City's General Plan through effective, efficient, and equitable implementation of development review requirements, adequate facility and services review and other goals, policies or programs contained in the General Plan.

On February 22, 1991, the City Council of Las Vegas adopted an amendment to the Municipal Code of the City of Las Vegas which added an historic preservation ordinance, and established the Historic Preservation Commission. Today, the City of Las Vegas Historic Preservation Ordinance is found in the Zoning Code, Title 19.06.090 H HISTORIC DESIGNATION.

The purpose of the ordinance is to establish guidelines and responsibilities of the HPC. Through this action, the Historic Preservation Commission was deemed responsible for developing, coordinating and implementing programs for the preservation of buildings, structures, places, sites and districts in the city of historic, cultural, or architectural significance. The ordinance also provides for the designation of structures, landmarks, historic sites and districts.

The powers, duties and activities of the HPC include the following:

- Reviewing applications for the designation of Landmarks, Historic Properties and Historic Districts, and making recommendations to the Planning Commission concerning those applications.
- Reviewing and making decisions concerning applications for the proposed construction, alteration, demolition or removal of any structure associated with a Landmark or Historic Property or located on property within an Historic District.
- Making recommendations to the City Council concerning the use of public or private funds to promote the preservation properties and districts within the City, including the acquisition of property or interests in property.
- Recommending appropriate changes to the General Plan and to local development regulations in order to promote historic preservation.

- Cooperating with property owners to formulate appropriate design guidelines for alteration and construction within Historic Districts.
- Initiating and conducting detailed studies and surveys of properties, structures, and areas within the City to assess their potential for designation in order to formulate an Historic Preservation Plan for the City.
- Developing and participating in public information activities in order to increase public awareness of the value of historic preservation.
- Performing such other functions as will encourage or further the interests of historic preservation.

CERTIFIED LOCAL GOVERNMENT (CLG)

The City of Las Vegas achieved CLG status in 1998. The CLG program is a partnership among local governments, the Nevada SHPO, and the National Park Service (NPS) which is responsible for administering the National Historic Preservation Program. By 1992, the City had met the requirements for achieving this status, such as the development of an Historic Preservation Plan, Historic Preservation Commission, and Historic Preservation Ordinance. The City of Las Vegas Historic Preservation Ordinance is included in the Zoning Code, Title 19.06.090 H HISTORIC DESIGNATION. The purpose of the ordinance is to establish guidelines for the HPC.

RELATIONSHIP TO THE CITY OF LAS VEGAS MASTER PLAN 2020

The Master Plan 2020, "Master Plan," was adopted by City Council in September 2000, and consists of a policy document and a series of specific plans, or elements. The broad policy structure in the Master Plan is intended to direct the actions of the City regarding land use and development over the period from 2000 to 2020. In preparing this element, the City of Las Vegas has considered how policies stipulated in the Master Plan direct future decisions affecting the protection of historic resources in Las Vegas. Where appropriate, this Historic Preservation Element reflects the concurrence of City policy with these other policy sets.

THE RELATIONSHIP TO MASTER PLAN 2020 POLICY SECTIONS

- **Reurbanization**

OBJECTIVE 1.4: To retain, where viable, historical structures which represent the architectural, cultural and social legacy of the City of Las Vegas.

- **Neighborhood Revitalization Area**

GOAL 2: Mature neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation.

POLICY 2.3.4: That historic districts provide such direction to preserve the architectural heritage of Las Vegas.

- **Cultural Enhancement**

OBJECTIVE 5.2: To promote cultural awareness and pride within the city.

POLICY 5.2.1: That the City support and assist in the development of new programs which provide incentives for the development and expansion of arts and cultural activities, particularly those which demonstrate an identifiable local context.

The 2006 City of Las Vegas Strategic Planning Guide, supports historic preservation with the following priorities:

- Revitalize and invigorate our mature areas and the urban core
- Support and encourage sustainability, livability, and pride in our neighborhoods

THE PLANNING PROCESS

On March 3, 2006 the HPC voted to begin the revision process for the existing Historic Preservation Plan, initially adopted by City Council on April 1, 1992. A team made up of staff from the Department of Planning and Development met on a bi-weekly basis to coordinate and facilitate the Task Force meetings, and how best to address the concerns of the task force members into the new plan.

Considerable input was provided by the Task Force committee was made up of two groups of individuals: a Technical Advisory Committee of members within the historic preservation community, and a City Staff committee with representatives from several city departments. These groups met three times to discuss goals and objectives for the Historic Preservation Element, addressing applicable standards and

deficiencies in the present plan. The planning process resulted in the revised and updated Historic Preservation Element. Two public meetings were also held. Below is a list of all Task Force and public meetings:

- 8/16/06 First Task Force meeting
- 9/20/06 Second Task Force meeting
- 10/18/06 Third Task Force meeting
- 10/18/06 Open House at Downtown Senior Services Center (DSSC)
- 2/28/07 Final draft submitted to Historic Preservation Commission for review
- 3/28/07 HPC approved final draft
- 3/27/07 Public meeting for General Plan Amendment
- 4/26/07 Planning Commission meeting
- 6/6/07 City Council meeting

The first draft of the plan was completed October 4, 2006 for internal review. The second draft was completed October 12 and distributed to Task Force members and the City of Las Vegas Historic Preservation Commission for review. A third draft was completed on January 24, 2007 and distributed to city department heads for review. The final draft was completed on March 28, 2007, after all comments were received from the Task Force, city department heads and the public.

PLANNING CONTEXT

THE HISTORIC PRESERVATION COMMISSION

On February 22, 1991, the City Council of Las Vegas adopted an amendment to the Municipal Code of the City of Las Vegas (now the Zoning Code of the City of Las Vegas) to add an historic preservation ordinance, and establish the Historic Preservation Commission (HPC).

The HPC is an 11-member advisory group made up of citizens knowledgeable in historic preservation, construction, history, planning, architecture, and real estate. The purpose of the HPC is to promote the preservation of historic resources within the City of Las Vegas, including, but not limited to cultural heritage resources, buildings, structures, sites and objects through education and action.

NEVADA REVISED STATUTES (NRS) 278.160

"Subject matter of master plan," requires that the City of Las Vegas prepare and adopt a comprehensive, long-term general plan for the physical development of the city. This document, known as the City of Las Vegas Master Plan 2020, must also include a Historical Properties Preservation Plan, which shall include an inventory of significant historical, archaeological and architectural properties as defined by the city, and a statement of methods to encourage the preservation of those properties.

NEVADA COMPREHENSIVE PRESERVATION PLAN 2004

The Nevada Comprehensive Preservation Plan was prepared by the Nevada State Historic Preservation Office and adopted by the National Park Service in 2003. The plan establishes historic preservation goals for the state and is used to prioritize grant applications and SHPO projects. Local, state, and federal agencies use the document to help them focus preservation activities in their jurisdictions.



CITY OF LAS VEGAS NEIGHBORHOOD AND SPECIAL AREA PLANS

- Las Vegas Redevelopment Plan, last amended June 2006
- Downtown Centennial Plan, last amended October 2004
- West Las Vegas Plan, adopted by City Council April 2006
- Downtown North Plan, last amended October 2004
- John S. Park Neighborhood Plan, adopted by City Council December 2001
- Scenic Byway Corridor Management Plan, adopted by City Council April 2004

EXISTING CONDITIONS

Currently, the City of Las Vegas has twenty-one designated historic resources which include *buildings, structures, sites, districts* and *objects*. These resources are listed either on the City of Las Vegas Historic Property Register, the state Register of Historic Places, the National Register of Historic Places, or a combination of these three. The type of designation of an historic resource is a result of the resources' association with local, state or national history. Each designated resource in Las Vegas has an association with Las Vegas history, as provided below in the **Brief History of Las Vegas** section. For a chart of designated historic resources, please see Appendix B.

Of the twenty-one historic resources, the U.S. Post Office and Courthouse, Fifth Street School, Westside School and Woodlawn Cemetery are owned by the city. Ownership of the Tule Springs Ranch and archaeological site at Floyd Lamb State Park will be transferred to the city by the state in 2007.

Historic *sites* are defined as locations that are associated with a significant historic or pre-historic event or pattern of events. Designation of a historic site does not require that a building or structure, or ruins of a structure, remain on the site. Designated historic sites within Las Vegas include the Woodlawn Cemetery, the Las Vegas Mormon Fort, and portions of the Old Spanish Trail. Designated archaeological sites in Las Vegas include Tule Springs, as mentioned above, and the Springs Preserve.

The Bonanza Road Underpass is the only designated *structure* in Las Vegas, and the Eureka Locomotive is the only designated object at this time; although, the city is working with the Neon Museum to develop an inventory of historic signs which may be eligible under this category as well.

The John S. Park Neighborhood Historic District is the only district within Las Vegas that is designated on the local Historic Property Register, and the National Register of Historic Places.

Local designation protects historic resources by city zoning ordinance, making it a requirement for the Historic Preservation Commission to review any work on a building within the district boundaries that requires a building permit. The Las Vegas High School Neighborhood Historic District is listed on the National Register only, which provides very limited protection for historic resources. As a result, the district is changing rapidly with new development and is threatened with delisting. This would eliminate certain financial opportunities for business owners who wish to restore their buildings.

The remaining designated resources are historic *buildings*, and they include private residences or homes that have been converted for use as professional offices such as the Frank Wait, Morelli, Smith and Henderson houses, schools such as the Westside and Fifth Street Schools and the Las Vegas High School administration building and gymnasium, and commercial and public buildings such as the Huntridge Theater, Moulin Rouge Hotel, and the U.S. Post Office and Courthouse. For a complete list of designated historic resources with designation status and locations, see Appendix B: Designated Historic Resources.

BRIEF HISTORY OF LAS VEGAS

PREHISTORIC LAS VEGAS

Although several different cultural sequences have been proposed for the Mojave Desert, most archaeologists agree that the earliest cultures were Paleo-Indian. By the beginning of the Early Archaic, around 7,000 years ago, deserts had become extremely dry. This period was marked by new smaller projectile point styles that were being manufactured along with the previous styles.

Around 3,000 years ago, towards the end of the Archaic Period, increased moisture allowed populations to capitalize more on wild plants such as grains and seeds as suggested in the increase of grinding stones and other milling equipment. Intensification of subsistence indicates increased population across southern Nevada and surrounding areas. Underground storage of food was typical during this period until the introduction of ceramics allowed for more efficient storage capabilities.

The Ceramic Period began roughly 1,000 years ago, and is marked by the introduction of pottery, as well as the adoption of the bow and arrow. In the Moapa and Virgin valleys, the Virgin Anasazi initially built pithouse structures, but later house structures consisted of above-ground buildings. They practiced irrigation farming along the rivers and collected wild food

resources as a supplement. Although Puebloan influence was mainly concentrated along the Virgin and Muddy rivers, their presence was felt in the Las Vegas area.

Similar in nature to Anasazi cultural developments, the Patayan Tradition (Mojave) evolved from the previous Archaic Period. Between AD 1000 and 1500, these Mojave people lived and made pottery in the Las Vegas Valley.

The third culture group inhabiting this area was the Southern Paiutes, who were the only residents remaining here at European contact. They occupied this region and engaged in hunting, gathering, and foraging, supplemented by horticulture. Fields were commonly found at many of major springs throughout Las Vegas Valley. The Paiute played important roles at the early ranches of the area, and today maintain a base in the City, the Las Vegas Paiute Colony, on land provided to them by Helen Stewart.

HISTORIC LAS VEGAS

The first successful European crossing of the Mojave desert was done by Spanish missionaries and explorers in 1776. They forged a trail beginning in present day Santa Fe, New Mexico and ending in Los Angeles, California. The trail through Southern Nevada, now called the Old Spanish Trail, was completed in 1826 by Jedediah Smith.

Mexican trader Antonio Armijo led a 60-man commercial caravan along the Spanish Trail to Los Angeles in 1829. This was the first caravan to pass through the Las Vegas valley. The abundant artesian spring water discovered here shortened the Spanish Trail to Los Angeles, and eased rigors for traders. On May 13, 1844, John C. Fremont camped at Las Vegas Springs as he led an overland expedition west. Fremont was the first to record Las Vegas, which means "The Meadows" in Spanish, on an American map.

A rough wagon road soon developed along the Spanish Trail between Salt Lake City and southern California often used heavily by wagons to deliver mining supplies and equipment. Located roughly midway along the trail, the Las Vegas valley became a natural stop-off point for travelers to re-stock supplies and water from the Las Vegas Springs. Today, the Old Spanish Trail is disappearing in Las Vegas due to development, but portions of it have been recorded as being significant archaeological and historic sites in the Las Vegas valley. The locations of these sites are restricted to protect the resource.

In 1855, a group of Mormon missionaries established a settlement about four miles east of Big Springs, now the Springs

Preserve, where they constructed an adobe brick fort. The mission was terminated in 1857 due to internal dissension and difficulties in converting the native population.

Until the early 1900s, mining and agriculture were the predominant industries in southern Nevada, although there were a few large ranches in the area. Octavius Decatur Gass had developed a marginally successful ranching and farming operation around the abandoned Mormon Fort that had been built in 1855. In 1879, after struggling for several years with the desert environment, Gass had become significantly in debt. He persuaded a man named Archibald Stewart to loan him \$5,000 which Gass never paid back.

Archibald and his wife, Helen, became the new owners of the ranch in 1880 and ran it quite successfully until Archibald was murdered at the nearby Kiel Ranch over an unsettled dispute. Helen Stewart suddenly found herself alone with four children, another on the way, and a 960 – acre ranch to manage.

THE RAILROAD

In anticipation of a railroad passing through town, Helen began to purchase more land, and in 1902, Montana Senator William Clark, soon to be owner of the San Pedro, Los Angeles and Salt Lake Railroad Company, purchased the 1,800 acre Stewart ranch to make way for the completion of the tracks between Salt Lake City and Las Angeles. Speculators began purchasing vast amounts of land began resulting in two competing townships. The first township was established by an engineer and surveyor named John T. McWilliams, who purchased eighty acres of government land just west of the railroad tracks. In early 1905, the town, advertised as “The Original Las Vegas Townsite,” consisted of approximately 150 buildings including saloons, boarding houses, homes, and stores stocked with mining supplies as well as an ice house.

The second site was located on the east side of the tracks and was named Clark’s Las Vegas Townsite for the new owner of the railroad, Senator William Clark. The railroad held a land auction in May of 1905. The lots included the area between present day Stewart, Garces, Main, and Fifth streets. Approximately half of the available 1,200 lots were sold within the first two days, many purchased by speculators from Los Angeles and Salt Lake City. The most valuable lots were closest to the train depot located at the intersection of Main and Fremont Streets.

The railroad company soon built permanent structures that included the Mission style Railroad Depot in 1906, and



several workshops and auxiliary buildings (all demolished). Between 1909 and 1911, the railroad company also constructed 64 cottages in a modest bungalow style for mid-level employees on four square blocks in downtown. The cottages represented the earliest "company housing" in Las Vegas. Most of the cottages have been demolished; however, four have been moved to the Springs Preserve, and one has been moved to the Clark County Heritage Museum.

During this time, development was slow on the west side of the tracks. The depot, and consequently the freight loading and unloading ramps, was located on the east side of the tracks, making it difficult for carts to cross over the embankment. Children from McWilliams' Townsite had to cross the railroad tracks to get to school in Clark's Townsite, prompting the construction of the Westside School in 1922. Competition from Clark's townsite and the inconvenient access to transportation and necessary mining and ranching supplies caused the McWilliams' townsite to lose favor and eventually dwindle to a few small tents and buildings. Today, the original townsite area is known as the "Old Westside," which is located to the northwest of the I-95 and I-15 freeway interchange. The Pioneer Trail, a vehicle and pedestrian trail with interpretive markers, winds visitors through this historic area.

Fremont Street became the town center with a bank, post office, retail shops and hotels occupying approximately the first two and one-half blocks. The remaining buildings from this time include the Nevada Hotel (1905), now the Golden Gate, and the Victory Hotel (1910), formerly the Lincoln Hotel. The remaining blocks of Fremont Street between Third and Fifth Streets were developed as Las Vegas's first exclusive residential area. These homes, built mostly in the Bungalow style with Craftsman details, were demolished during the 1930s and 1940s for commercial expansion. The industrial and commercial district developed mostly along the railroad tracks while the rest of the city consisted of quiet residential streets.

However, it was not long before the city began to expand, extending the original grid eastward. Developers began to plat subdivisions as early as 1905, selling individual lots as they were purchased. Many of these homes were built in the popular Bungalow style, as well as Spanish Eclectic, Tudor and Colonial Revival styles. Some of the early subdivisions include the Bucks Subdivision, Fairview Tract, and the Grandview, Wardie, South and Hawkins' Additions. Building within these subdivisions was slow with minimal population and water facilities to support them until the building boom period in the late 1920s.

THE FEDERAL YEARS

In the late 1920s, talk of building the Boulder Dam enticed thousands of laborers and their families to relocate, looking for work on the dam. This project was the largest in Las Vegas to receive federal funding. Construction began in 1931 and was to have a significant impact on the economic and physical development of Las Vegas. While the rest of the country was suffering heavily during the Great Depression, Las Vegas boomed in 1931 as Nevada repealed gambling prohibition and liberalized its divorce laws, shortening residency requirements from three months to only six weeks. Las Vegas' new residents spent their hard-earned pay in gambling clubs, called, "sawdust joints," that began to open up on Fremont Street. So much growth was anticipated that the Las Vegas High School (now Las Vegas) was built far from town on Seventh Street and Bridger Avenue in 1931. The Las Vegas High School is extremely important as a beautiful example of Art Deco architecture and Las Vegas' only large scale building of this kind.

Other federal funding allowed for the paving of public streets, improvements and expansions to the city's infrastructure, and recreational and public facilities in and near the downtown area between 1933 and 1934. Remaining examples are the U.S. Post Office and Courthouse (1933), and the Bonanza Road (Clark Ave) railroad underpass (1936). All of these factors served to extricate Las Vegas from its economic dependency on the railroad.

Significant architecture flourished in the 1930s in Las Vegas. Spanish and Mission Revival, then popular styles in the West and Southwest, are represented by the Fifth Street School Complex (1936), and residences such as the Henderson (1930) and Smith (1931) homes.

The Tudor Revival is represented best in the area surrounding the Las Vegas High School, showcased by the Church of Jesus Christ of Latter Day Saints (LDS) Las Vegas Regional Family History Center (1932).

Also in the 1930s was the beginning of the signature style of neon signage in downtown Las Vegas. On Fremont Street, signs reflected the architectural and cultural trends of the day rather than the buildings, which tended to have narrow fronts with modest decoration. Competition for the pedestrian eye forced signage to evolve from a simple painting on the wooden storefront to entire neon "wraps" which covered whole facades of Fremont Street businesses by the 1950s. The exuberant clustering of animated neon and lights gave Fremont Street its distinct urban identity not experienced on "the Strip." This era is considered to be the highlight of Las Vegas' neon, with the Binion's hotel and casino being one of the survivors.

WORLD WAR II

During World War II, the population of Las Vegas again increased significantly as people came to find work at the military bases and industrial plants in the area. The Las Vegas Army Airforce Gunnery School (later Nellis Air Force Base), opened in 1941, and Basic Magnesium Incorporated in the Basic Townsite (Henderson) opened in 1942. Housing construction could not keep up, and families were doubling up in houses, apartments and hotels. In West Las Vegas, churches, businesses, night-clubs, hotels and casinos were built. As African American entertainers performing on the Strip were not allowed to stay there, boarding houses on the Westside served as hotels.

In 1941, President Roosevelt signed an amendment to the Federal Housing Act creating Title VI, making possible the mass construction of FHA financed homes. In order to qualify for Title VI, a town had to be declared a defense area, which Las Vegas was in 1941. The three major Las Vegas neighborhoods built with Title VI financing are the Biltmore, Huntridge, and Mayfair, all located near downtown. These neighborhoods were built specifically to house non-commissioned officers, civilian employees of the air base and Basic Magnesium, and their families.

Residential architecture in the 1940s and 50s evolved from the popular Revival styles of the 1930s to the more modest Minimal Traditional and Ranch styles. Minimal Traditional style homes were small with very little decorative detailing or exaggerated features. A natural progression was the Ranch style, the ultimate in streamline residential design. Although the Ranch style took its early cues from the Craftsman and Prairie styles, the Ranch is recognized as a sub-category of the International style, or Modern Movement, so popular for commercial and public buildings. Long and low with wide overhanging eaves and ribbon windows, the "rambling" Ranch style was well suited to the sprawling suburban subdivisions and the more casual lifestyle of the postwar era. Many remaining examples of Minimal Traditional and Ranch style homes are located in the John S. Park Neighborhood Historic District.

POST WAR

By 1950, the population of Las Vegas had increased to 24,624, tripling again from 1940. The downtown commercial area was no longer considered to be the central focus of community life. Residents became more dependent upon the automobile and motor court style motels, still seen today on East Fremont Street and Las Vegas Boulevard, began to spring up along major thoroughfares, catering to tourists. It was during this time that "The Strip" began to develop in a large way, main-

ly because at that time it was the main highway to Los Angeles. The popularity of gaming, dependency upon the automobile, limited downtown parking, smaller lot sizes, and lower tax rates resulted in larger resort casinos locating along "The Strip".

During the 1950s the city was focused on growth, looking for additional ways to increase jobs and attract tourists. In 1950, the government announced plans to begin testing nuclear weapons on a portion of the Las Vegas Bombing and Gunnery Range at Frenchman and Yucca flats, approximately ninety miles north of Las Vegas. Aside from providing employment, the city invited tourists to stay and visit the blasts. Hotels sponsored all-night parties and a myriad of attractions from specialized drinks to business establishments were prefaced with "Atomic."

The 1960s and 1970s brought more residential development throughout the City. A leapfrog pattern of development left large areas of vacant land. This was a result of the improved network of roads and has led to the diffusion of housing, employment and services. Present day downtown Las Vegas has a different appearance than 40 years ago. The function of the downtown area (Fremont Street) has shifted from commercial uses to tourism. Many residential areas were eliminated for commercial development and transportation.

LAS VEGAS TODAY

Rising property values, changing development patterns, and rapid growth in the downtown area provides a continual threat to many original historic structures, along with the overall historic context of the area. It is important for the City to identify significant historic buildings, sites and structures so that available resources can be assigned to the preservation of our community gems. An important step toward this direction is the current focus on neighborhood preservation. The City of Las Vegas Department of Planning and Development and the Department of Neighborhood Services are continually working with registered neighborhood associations to create Neighborhood Action Plans, a voluntary component of which is historic district designation. If the residents support such a move, the city will assist them in determining the potential eligibility of their neighborhood to be listed as a historic district.

DESIGNATION OF HISTORIC RESOURCES

Before an historic resource can be formally listed on an historic register, detailed field investigations and analytic procedures must be completed to uncover certain pertinent



facts about the resource. For a building, one will research the architect, the date and methods of construction, the type of materials, previous owners, location of the building, and other factors. This information can be used to build associations with significant historic or pre-historic events, persons, architectural styles or methods of construction. Prior to such investigations, all resources must be considered potentially significant, unless there is evidence that meeting at least one of the criteria is unlikely.

The National Register of Historic Places, a division of the National Park Service under the U.S. Department of the Interior, is the nation's inventory of historic places worthy of preservation. The National Register has established criteria for Evaluation under the National Historic Preservation Act of 1966, as amended, which provides a threshold of significance. Beyond this threshold, it is usually possible from existing data to assess the general level of resource sensitivity. Sensitivity takes into account resource quantity, resource quality, and the susceptibility of the resource to adverse impacts. The City of Las Vegas Historic Preservation Ordinance modeled its criteria for evaluation after the National Register's (see below for lists of National Register and City of Las Vegas criteria for evaluation).

Once the resource is linked to a significant aspect of history, it is judged based on its remaining level of *historic integrity*. This is the ability of a property to physically convey its significance. To be officially designated, a resource must not only be shown to be significant under the local, state or national criteria, but it also must have integrity. The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a resource's physical features and how they relate to its significance.

Historic properties either retain integrity (this is, convey their significance) or they do not. Within the concept of integrity, the National Register criteria recognizes seven aspects or qualities that, in various combinations, define integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. The following is a list of the seven aspects of integrity:

- Location
- Design
- Setting
- Materials
- Workmanship
- Feeling
- Association

NATIONAL REGISTER CRITERIA FOR EVALUATION

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

- a) that are associated with events that have made a significant contribution to the broad patterns of our history; or
- b) that are associated with the lives of persons significant in our past; or
- c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- d) that have yielded, or may be likely to yield, information important in prehistory or history.

THE CITY OF LAS VEGAS CRITERIA FOR EVALUATION

The City of Las Vegas HPC uses similar criteria to recognize significant historic resources. An individual property, building, structure or archeological site may be designated as a Landmark if it demonstrates exceptional importance by qualifying under the following criteria (for detailed criteria, please see Title 19.06.090):

- a) It meets the criteria for listing on the State or National Register of Historic Places.
- b) It is determined to be of exceptional significance and expresses a distinctive character because:
 - (i) A significant portion of it is at least fifty (50) years old;
 - (ii) It is reflective of the City's cultural, social, political or economic past; and
 - iii) Either:
 - A. It is associated with a person or event significant in local, state or national history; or
 - B. It represents an established and familiar visual feature of an area of the City because of its location or singular physical appearance.

HISTORIC SIGNS

The significance of iconic neon signage to Las Vegas' historic identity as a tourist destination can not be overstated. The evolution of signage design in Las Vegas is often considered as more important than the buildings themselves for the signs' reflection of contemporary architectural, marketing, cultural and technological trends.

In Las Vegas, signage was very particular to the setting: for example, signage on Fremont Street tended to become more and more complex, introducing an increasing amount of neon and animation as well as becoming larger and taller. The narrow lot widths restricted signs to increasing in height or wrapping the façade of the actual building. In contrast, signage on "The Strip," where expansive acreage permitted free-standing casinos and hotels to be set back from the highway behind vast parking lots, was installed on top of tall poles to attract the motoring tourists as they sped by.

Historic signs allow the past to speak to the present in ways that buildings by themselves do not. Multiple surviving historic signs on the same building can indicate several periods in its history or use. In this respect, signs are like archeological layers that reveal different periods of human occupancy and use.

Historic signs give continuity to public spaces, becoming part of the community memory. They sometimes become landmarks in themselves, almost without regard for the building to which they are attached, or the property on which they stand. Furthermore, in an age of uniform franchise signs and generic plastic "box" signs, historic signs often attract by their individuality: by a clever detail, a daring use of color and motion, or a reference to particular people, shops, or events.

The cultural significance of signs combined with their often transitory nature makes the preservation of historic signs difficult. The City of Las Vegas Historic Preservation Ordinance allows for the designation of signs under the definition of "structure." The HPC is working with the Neon Museum to identify and preserve significant historic signs. In addition, the City of Las Vegas has identified the importance of preserving our historic signage, and encouraging innovative and contextual sign design, by creating mandatory sign design guidelines for the Entertainment Overlay, Downtown Centennial Plan, and Scenic Byway Corridor Management Plan.

ANALYSIS

ISSUES IN HISTORIC PRESERVATION

The practice of historic preservation faces considerable challenges as a result of rising land values, the rapid growth of cities and ever-expanding highway system. Proponents argue that the adaptive reuse of historic buildings promotes Smart Growth ideals, and land and materials conservation. In addition, preservation of historic downtowns and neighborhoods promotes cultural heritage tourism, economic revitalization and community pride. However, the concern for considering the rights of private property owners in the historic designation process emerges, and the Historic Preservation Commission works diligently to educate and assist property owners in making the best decision for them. The following are the most current and pressing issues facing historic preservation today:

ADAPTIVE REUSE

Adaptive reuse is a process that adapts buildings for new uses while retaining the historic features that make the building unique. When the original use of a structure changes is no longer required or viable, the opportunity arises to change the primary function of the structure. In Las Vegas, the Westside School is home to a radio station, and the Fifth Street School and U.S. Post Office and Courthouse are both under construction to be reused as cultural centers. Many historic homes in the Las Vegas High School neighborhood, like the Henderson House, have been adapted for professional use.

Adaptive reuse is seen by many as a key factor in land conservation and reducing the amount of sprawl. For those who prescribe to the smart growth concept, it is more efficient and environmentally responsible to redevelop older buildings closer to urban cores than it is to build new construction on faraway greenfield sites. Another positive result is the economic value of rehabilitating and reusing older buildings, since the existing investment in the structure and servicing of a building reduces material and labor costs. In addition, state and/or federal tax incentives and grant funding may also be available.

HISTORIC BUILDING CODES

The City of Las Vegas has approximately 15,500 buildings that will turn 50 in the next ten years, an additional 8,500 that will turn 50 in the next twenty years, and 18,400 in the next 30 years. Many of these buildings were built to comply with

an earlier building code or with no code, yet are often still safe and sound. With some exceptions, these buildings continue to be occupied, used and maintained. Conversions and rehabilitation projects play an integral role in the creation of decent, affordable housing.

Many of the historic buildings in Las Vegas will be eligible for listing on the local, state or national registers, making the property owners eligible for certain financial benefits for the rehabilitation of their business. However, it is difficult for property owners when rehabilitation projects are required to bring buildings into compliance with current building codes for new construction. For new buildings, complying with the construction code is a straightforward process. Materials to be used, processes to be followed, and safety standards to be met are clearly stated, and the cost of compliance is predictable. It is much less so in the case of existing buildings.

Until recently, there were three model codes generally used in the U.S.: 1) The *BOCA National Building Code* and related codes, developed and published by the Building Officials and Code Administrators International (BOCA); 2) The *Standard Building Code* and related codes, developed and published by the Southern building Code Congress International (SBCCI); and, 3) The *Uniform Building Code* and related codes, developed and published by the International Conference of Building Officials (ICBO). These three model code organizations got together to develop a single set of model codes, first published in the year 2000, and referred to as the *International Codes: International Building Code, International Plumbing Code, International Mechanical Code*, and others. Still more recently, the National Fire Protection Association (NFPA) has begun to develop its own model building code, designated NFPA5000. The city of Las Vegas, along with Clark County and all jurisdictions therein, formally adopted the *International Building Code* (IBC) in 2003.

All building codes refer to standards that control the quality of materials and the designs of systems used in buildings, the loads that building elements must resist, and other aspects of building design and construction. These standards are developed by a wide variety of organizations that have technical expertise in each subject.

The model codes, as well as the standards they reference, are modified and updated from time to time, depending on new materials, new technology, and improved information on building failures due to various causes such as natural disasters, environmental effects, and normal wear and tear. In addition to technical updates these modifications sometimes reflect shifts in priorities for public spending.

While traditionally the requirements in the codes were intended to meet goals of health, safety, welfare and property protection, they have been expanded in recent years to include other societal goals. Some of these goals are energy conservation, accessibility, disaster mitigation, historic preservation, and affordability.

One result of the periodic updating and expansion of the codes is that buildings built before the current building codes were enacted are probably not in full compliance. In many cases, the requirements for new structures cannot be met in existing buildings such as ceiling height requirements, egress window requirements, and corridor and doorway width requirements.

Communities have had to develop special codes to deal with existing buildings for general safety. The city of Las Vegas Department of Building and Safety relies on the method outlined in Chapter 34 of the International Building Code (IBC); however, code officials have worked with property owners in the past to develop ordinances based on individual groups' needs.

For instance, on January 17, 2007, the Las Vegas City Council adopted amendments to the 2006 IBC that included ordinances for Live/Work Units. These ordinances were adopted specifically for property owners within the Arts District neighborhood in order to accommodate the adaptive reuse of older industrial buildings into live/work loft-style units.

Another example is an amendment to the 1997 Uniform Administrative Code, also adopted on January 17, 2007. This amendment for professional office conversions was adopted specifically for property owners in and around the Las Vegas High School neighborhood, and allows for conversion of residential buildings less than 1500 square feet to professional office without having to meet the requirements of the IBC for commercial buildings (if only minor exterior remodeling is proposed.)

The U.S. Post Office and Courthouse is serving as an example for the use of existing building codes for city buildings. The City of Las Vegas Building & Safety Department is working with the architects of the rehabilitation project by reviewing the architect's proposed solutions to any items that will not meet the current IBC standards.

SMART GROWTH AND SUSTAINABILITY

Historic Preservation is an invaluable component of sustainability and the relatively recent planning concept of Smart

Growth. The governing ideas of Smart Growth identify a set of policies governing transportation and land use planning policy for urban areas that benefits communities and preserves the natural environment.

The principles of historic preservation, like Smart Growth, are rooted in history, culture, stewardship of the built environment, conservation of open space, and creating a sense of place for each community. Smart Growth advocates land use patterns that are compact, transit-oriented, walkable, bicycle-friendly, and include mixed-use development with a range of housing choices. This philosophy keeps density concentrated in the center of a town or city, combating urban sprawl.

CONSERVATION DISTRICTS

Conservation districts are areas with a distinct physical character that have preservation or conservation as the primary goal. Although these neighborhoods tend not to merit designation as a historic district, they warrant special land-use attention due to their distinctive character and importance as viable, contributing areas to the community at large.

Accomplished through the adoption of a zoning overlay or independent zoning district, conservation districts provide a means of preserving the physical attributes of a neighborhood by addressing changes that could adversely affect its architectural character. Neighborhoods protected under this approach often include a high concentration of older structures that share a cohesive quality through a common architectural style or building form such as the row house, or because they date from a particular period of times. Sometimes a neighborhood, although historic, may not be eligible for designation as a historic district due to incompatible alterations and loss of integrity, or a residential support for stricter controls is lacking.

In a conservation district, physical changes to a neighborhood, such as the construction of additions, new buildings, and demolitions are generally subject to review and approval by a specially-appointed design review committee. However, in contrast to historic preservation laws, alterations to existing structures tend to be subject to more lenient standards of review or, in some cases, excused from review altogether. New construction, additions and alterations are frequently evaluated under standards that emphasize compatible development in terms of size or massing rather than specific architectural features.

The City of Las Vegas has not used this tool for conserving older neighborhoods as of yet. It can be a good tool for protecting older neighborhoods against inappropriate infill or commercial encroachment.

CITY PRESERVATION INCENTIVES

In many cases, it can be more cost-effective for a property owner to demolish and replace an historic building with one that maximizes the use of the land it sits on. Because of this, infill development can have an enormous impact on historic neighborhoods, irreparably damaging its historic nature. To combat this, some cities have developed incentives to preserve buildings that are listed on an historic property register. For example, the city of Monterey, California, has developed several incentives that originate with the Planning Department for the Cannery Row Conservation District that include streamlined review processes and reduction or waiver of fees.

The City of Las Vegas offers grant funding for projects historic in nature through the Centennial Commission. The grant funding is received through the sale of commemorative Centennial license plates, and is administered by the Centennial Board. Projects must promote or preserve some historic feature or commemorate the history of the city of Las Vegas, or promote cultural heritage tourism in Las Vegas. Individuals can apply for funding to restore their buildings according to certain guidelines and standards.

CULTURAL HERITAGE TOURISM

Historic buildings can have a positive economic impact in redevelopment planning. These resources are inherently marketable elements of urban form that promote a community's distinct identity. More than one-fourth of U.S. tourists visit cultural and historic sites every year. Historic downtowns perpetuate the character and ambience, creating an authentic experience for both residents and visitors that cannot be found elsewhere.

Since the 1970s, mounting evidence has shown that historic preservation can be a powerful community and economic development strategy. Evidence includes statistics compiled from annual surveys conducted by the National Trust for Historic Preservation and statewide Main Street programs, state-level tourism and economic impact studies, and studies that have analyzed the impact of specific actions such as historic designation, tax credits, and revolving loan funds. Among the findings:

- Creation of local historic districts stabilizes, and often increases residential and commercial property values.
- Increases in property values in historic districts are typically greater than increases in the community at large.
- Historic building rehabilitation, which is more labor intensive and requires greater specialization and higher skills levels, creates more jobs and results in more local business than does new construction.

- Heritage tourism provides substantial economic benefits. Tourists drawn by a community's (or region's) historic character typically stay longer and spend more during their visit than other tourists.
- Historic rehabilitation encourages additional neighborhood investment and produces a high return for municipal dollars spent.
- Historic rehabilitation vs. new construction can result in a cost savings of 3 to 16 percent.
- Use of a city or town's existing, historic building stock can support growth management policies by increasing the availability of centrally located housing.

CULTURAL DIVERSITY

As diverse as American culture is, so too is the diversity of historic properties that express this rich cultural legacy. Our definition of historic properties has evolved to encompass a much broader interpretation of American history, one that acknowledges the contribution of immigrant populations and ethnic minorities.

Cultural diversity is a recent term, but with origins in the historic preservation movement when the treatment of archaeological remains of American Indians and protection of antiquities of the American Southwest began to be considered. Today, the term is used to denote the changing ethnic composition of the United States through immigration, and to describe the enduring cultural groups that live in definable ethnic communities.

The protection of cultural properties of groups other than American Indians gathered momentum in the 1960s in response to the civil rights movement and increasing interest from cultural groups to preserve their heritage.

Until recently, the historic preservation community quantified its progress in the area of cultural diversity by the number of projects undertaken, and the number of cultural groups that associated themselves with the preservation movement. Today, preservationists are more concerned with ensuring that cultural groups communicate what resources are important to them, how the resources should be protected, and who should be empowered with the management of the resources. Increasingly, cultural groups are working with existing preservation organizations to establish their own heritage organizations and programs.

Las Vegas is home to several ethnic groups. Some, such as the African American, American Indian, Hispanic and Asian cultures, have been here for generations upon generations.

These groups have contributed greatly to the growth, development and culture of Las Vegas, and preservation of historic resources associated with these contributions is extremely important for future generations to be able to interpret the history of Las Vegas properly.

ENVIRONMENTAL REVIEW AND SECTION 106

In the National Historic Preservation Act (NHPA) of 1966, Congress established a comprehensive program to preserve the historical and cultural foundations of the Nation as a living part of community life. Section 106 of NHPA is crucial to that program, because it requires consideration of historic preservation in the multitude of Federal actions that take place nationwide. Federal agencies are responsible for initiating Section 106 review and coordinate the review with the State Historic Preservation Officer. Federal agencies are required to consider the effects of their actions on historic properties and provide the Advisory Council on Historic Preservation an opportunity to comment on Federal projects prior to implementation.

Section 106 review encourages, but does not mandate, preservation; however, it does ensure that preservation values are factored into Federal agency planning and decisions. Because of Section 106, Federal agencies must assume responsibility for the consequences of their actions on historic properties and be publicly accountable for their decisions.

The City of Las Vegas has received several million dollars from the Southern Nevada Public Lands Management Act (SNPLMA). This act allows the Bureau of Land Management (BLM) to sell public land within a specific boundary around Las Vegas, Nevada. The city applies for funding from the sale of these lands for capital improvements, conservation initiatives, land acquisitions, and to develop parks, trails and natural areas.

In addition, the city receives approximately \$11 million dollars annually from the Community Development Block Grant (CDBG) program which originates with the U.S. Department of Housing and Urban Development. The CDBG entitlement program allocates annual grants to larger cities and urban counties for affordable housing. The city of Las Vegas Neighborhood Services Department is in the process of developing a Memorandum of Understanding (MOU) with the State Historic Preservation Office (SHPO) to provide guidance on which activities and projects will require SHPO consultation.

The city also receives funding from the Nevada Department of Transportation (NDOT) through the Transportation Enhancement program, a Federal-Aid Highway fund administered by the Federal Highway Administration

(FHWA). To streamline the administration of these and other funds, the FHWA has developed the Stewardship program which allows local governments to design and administer construction with the oversight of NDOT.

Each one of these projects that the city has received funding for may be subject to a Section 106 Review because of federal involvement. The federal agency that initiates the review is required to obtain comment by the State Historic Preservation Office (SHPO) regarding the project. In turn, the SHPO will seek comment from the local Historic Preservation Officer, if the municipality is a Certified Local Government (CLG).

Although not necessarily difficult, these reviews require extensive interagency coordination, and can add significant costs and additional time to a project. These factors need to be considered as early as possible in the planning stages. Every CLG is entitled to comment on projects happening within their jurisdiction, so it is extremely important to involve the Historic Preservation Officer as early as possible.

EDUCATION

Although the city has improved public outreach for historic preservation tremendously, this will always be an ongoing and important issue. Public outreach and educational projects are invaluable tools to garner support for preservation activities. The HPC applies for grant funding each year through the Nevada State Historic Preservation Office to pay for printed and recorded materials such as walking tour brochures, newsletters and lectures. These materials are available on the city website, and are distributed at community centers, libraries, educational and cultural facilities, and community events. Each year the HPC sponsors informational booths at the annual Earth Day celebration at the University of Nevada-Las Vegas, and Cultural Fair at the Springs Preserve. The Historic Preservation Officer is on hand at each of these and other community events to meet with individuals who are interested in learning about their historic neighborhood or property, and the process of designation.

Within the preservation community, important strides have been made in the process of collecting prehistoric artifacts and historical data and memorabilia which now reside in local museums. There are several historic collections, and historical associations and non-profit preservation organizations have been formed which actively promote protection and preservation of Las Vegas' heritage.

It is important that the community recognizes that there is a heritage to preserve, that they are part of it, and that they

understand the importance of contributing to its preservation through either volunteering time or donating funds. The process of making our past as interesting as the present must start with education.

THE ADVISORY ROLE OF THE HPC

The HPC takes a proactive role in the preservation of our city's historic and cultural resources. The HPC facilitates the planning efforts required to promote the preservation of structures and sites which have and will have historic significance in the near future. One of the primary responsibilities of the HPC is the development, coordination, and implementation of programs for the preservation of buildings, structures, places, sites and districts of historic and archaeological significance. As such, the HPC forwards recommendations to the City Council regarding certain improvements and sites in the city for designation as landmarks or historic sites, and/or districts. The HPC is also responsible for assisting owners of historic properties with technical information about appropriate methods of preservation and restoration of their properties.

CAPITAL IMPROVEMENT PLAN (CIP)

The City of Las Vegas Capital Improvement Plan is the city's multiyear planning document that identifies and prioritizes the need for a variety of public improvements. The CIP identifies individual project scopes, schedules and funding, and provides order and continuity to the repair, replacement, construction or expansion of the City's capital assets. The CIP is funded on an annual basis, and includes revenues from other government entities, bond issues, charges for services, and transfers from other City of Las Vegas funds.

The CIP process begins early each year when each department submits individual project requests to the Budget and Finance Division. Each request is evaluated for completeness and accuracy, fiscal impact, and available funding sources. The CIP is then integrated with the City's Strategic Plan, which is the primary policy document used to guide future growth and development. Recommendations are then submitted to the City Manager.

The Historic Preservation Commission can make recommendations to the City of Las Vegas Planning and Development Department for future CIP projects. The City currently owns four historic properties, including the Westside School, Fifth Street School, the U.S. Post Office and Courthouse, and Tule Springs Ranch. CIP funding can be used for improvements and maintenance to city-owned historic buildings, as well as property acquisition.

STATUS ANALYSIS

The following matrix provides status information regarding the original goals and objectives listed in the Historic Preservation Plan from 1992. A column to represent whether the specific action has been completed, and a column for implementation, have been added. A more detailed summary of Historic Preservation successes is included below.

Table I.

ACTION SUMMARY	FY OF IMPLEMENTATION	COMPLETE YES/NO	IMPLEMENTATION
Develop guidelines and criteria to identify historic sites and districts.	1992	YES	Ongoing. Over 1300 buildings have been surveyed since 2002. See Successes: Historic Resource Survey and Inventory, pg. 33.
Develop a program to nominate historic resources to the National Register of Historic Places.	1993	YES	Ongoing. HPC's budget includes funding to complete nominations. See Successes: Historic Designation, pg. 33.
Develop and maintain a list of ethnic groups and their historic role in forming the community character.	1993	NO	See: Policy 1.2 of revised Goals, Objectives and Policies, pg. 35 and Recommendations, pg. 38.
Identify and maintain an inventory of historic properties.	1992	YES	Ongoing. Over 1300 buildings have been surveyed since 2002. See Successes: Historic Resource Survey and Inventory, pg. 33.
Recommend to City Council historic districts and sites.	1993	YES	Ongoing. Four historic properties or districts have been designated on the City of Las Vegas Historic Property Register since 2003. See Successes: Historic Designation, pg. 33.
Update the Historic Preservation Chapter of the Las Vegas Municipal Code to provide for the City becoming a Certified Local Government.	1994	YES	CLG status achieved in 1998.
Establish programs to interpret Las Vegas cultural history and promote public interest and support.	1993	YES	Ongoing. The HPC sponsors two yearly events, has renewed the newsletter, and has published three historic walking tour brochures since 2003. See Public Outreach, pg.33.
Promote the contents and locations of historical collections in Las Vegas and southern Nevada.	1993	YES	Ongoing. The HPC website has links to all museum and historic facilities in Las Vegas. See Public Outreach, pg. 33.

Table 1. continued

ACTION SUMMARY	FY OF IMPLEMENTATION	COMPLETE YES/NO	IMPLEMENTATION
Promote the culture of Las Vegas and southern Nevada through museums and libraries.	1992	YES	Ongoing. The HPC website has links to all museum and historic facilities in Las Vegas. See Public Outreach, pg. 33.
Identify, develop and distribute information about State of Nevada Historic Preservation Incentives.	1993	YES	Ongoing. The HPC website has links to all museum and historic facilities in Las Vegas. See Public Outreach, pg. 33.
Develop a program to implement federal incentives pertaining to historic preservation.	1992	NO	The SHPO administers the Federal Historic Preservation Tax Credit program.
Provide City strategy for the adaptive reuse of historic vacant and/or abandoned buildings.	1992	NO	See Policy 3.2 of revised Goals, Objectives and Policies, pg. 35, and Recommendations, pg. 37.
Develop City Zoning Ordinance amendments to facilitate adaptive reuse of historic buildings.	1994	NO	See Policy 3.2 of revised Goals, Objectives and Policies, pg. 35, and Recommendations, pg. 37.
Develop comprehensive design guidelines for new construction or existing building improvements that will preserve the historical and architectural quality of designated neighborhoods, districts, sites and landmarks.	1994	YES	John S. Park Neighborhood Historic District Guidelines approved by HPC September 2006.

SUCCESSES

Historic Designation. In the 14 years since the HPC was created, much has been accomplished. Five historic properties or districts have been designated on the City of Las Vegas Historic Property Register, three have been designated on the Nevada State Register of Historic Places, and six on the National Register of Historic Places for a total of 300 buildings, structures or sites. In 2006, the Henderson House was listed on the local register in August, and the Woodlawn Cemetery was listed on the National Register in November. In 2006 the HPC received a \$75,000 grant from the Centennial Commission for various historic preservation projects, including preparation of nomination reports for submittal to the National Register of Historic Places.

Public Outreach. The HPC has significantly increased its public outreach efforts, bringing the importance and urgency of historic preservation to the public forefront with frequent

media releases, community events, the creation of the HPC website, the resurrection of the newsletter, publications, walking tours and historic markers. The newsletter, brochures and other publications are widely distributed to local cultural facilities, and are available on the website. The HPC website lists information on each designated historic property with links to local and national preservation resources. In addition, the HPC now has a recognition program for individuals or groups who make exceptional efforts in the spirit of historic preservation.

Funding. The HPC has vigorously pursued grant funding and private donations to save and restore our community gems such as the U.S. Post Office and Courthouse, the Westside School, and the relocation of the railroad cottages and the La Concha Motel lobby.

Historic Resource Survey and Inventory. Grant funding allows for yearly surveys of historic resources. In recent years, the Biltmore, Huntridge, Mayfair, and Berkley Square neighborhoods, and the downtown wedding chapels have been surveyed. Of these, Berkley Square has been determined eligible for nomination to the National Register of Historic Places and will be nominated in 2007.

Coordination. With the help of city staff, coordination between the HPC and other city departments and elected officials has greatly improved:

- In 2005 the Planning & Development and Leisure Services Departments' staff worked with Clark County staff to implement the Pioneer Trail, a six-mile pedestrian trail that winds through historic West Las Vegas.
- In 2005 the city approved the Neighborhood Action Plan process which facilitates the designation of historic neighborhoods. Neighborhood associations work with the Neighborhood Services and Planning & Development Departments to make historic preservation an optional component of their neighborhood action plans.
- In 2006 Planning and Building staff developed a more efficient and fully automated way to add a Historic Preservation Officer review to a more comprehensive list of types of building permit applications for historic properties.
- The process of updating the Historic Preservation Element involved valuable input from several city departments, including Neighborhood Services, Cultural Division, Office of Business Development, Building and Safety, Field Operations, Leisure Services and Public Works. It is the common goal of all departments within the City of Las Vegas that our significant historic resources be preserved in a manner which is consistent with the Master Plan goals, and that is not counterproductive.

IMPLEMENTATION

The Historic Preservation Element provides as inclusive a resource as possible for city officials and the public regarding the current state of historic preservation in Las Vegas, the issues that affect this, and what options there are available to use historic preservation tools to improve our communities. The following "Goals, Objectives and Policies" are also included in the Master Plan 2020 policy document.

GOAL: Promote the educational, cultural, economic, and general welfare of the public through the preservation, maintenance and protection of structures, sites and districts of significant historic, architectural, and archaeological interest within Las Vegas.

OBJECTIVE 1: Promote the preservation, maintenance and protection of structures, sites and districts of historic interest within Las Vegas.

POLICY 1.1: That the city pursue all available state and federal grant funding pertaining to Historic Preservation.

POLICY 1.2: That the city promotes the identification and preservation of significant cultural resources within communities of diverse ethnic backgrounds which illustrate the historic role and contributing character of population identities within Las Vegas.

POLICY 1.3: That the city promotes a stewardship program to oversee historic resources.

OBJECTIVE 2: Encourage community participation in the preservation planning process to achieve public understanding and support of preservation concepts and the value of cultural resources to the community.

POLICY 2.1: That the Historic Preservation Commission meetings are open to the public, and that commissioners be accessible to the public during preservation related events.

POLICY 2.2: That the city promotes public education of historic preservation by distribution of information through media releases, publications, and events.

OBJECTIVE 3: Promote and encourage the rehabilitation and reuse of historic resources.

POLICY 3.1: That an inventory of buildings, structures, sites, objects and districts that are over fifty (50) years old will be consistently updated and maintained.

POLICY 3.2: That the city develop guidelines for reuse of historic structures, including the scope of modifications and the use and extent of exterior business signage. (From Reurbanization Policy 1.4.2)

OBJECTIVE 4: Promote and encourage the stability of designated historic neighborhoods, sites and landmarks by preserving their historical and architectural integrity.

POLICY 4.1: That the city promote design guidelines for historic preservation as developed by federal agencies such as the National Park Service.

POLICY 4.2: That the city meets the requirements for an Historical Properties Preservation Plan as set forth in NRS 278.160 1.d.

OBJECTIVE 5: Facilitate coordination and cooperation between the Historic Preservation Commission and other city departments, local and regional historic preservation, archeological and museum organizations.

POLICY 5.1: That the HPC provide consistent and up-to-date information to other city departments about historic resources that are potentially eligible or have been determined eligible to the local, state or national register(s) of historic places so as to support the goals as outlined in other Master Plan 2020 policies.

RECOMMENDATIONS

Input from the public, research and experience have provided the city with an in-depth understanding of the issues facing historic preservation, not only in Las Vegas, but in the United States. This element provides recommendations based on an analysis of these issues. The recommendations are specific to the issues and any unfulfilled goals and objectives from the 1992 plan.

Action items have been categorized according to short (1 year) , medium (2-3 years), long-term (5 years), or ongoing implementation goals. It is anticipated that all recommended tasks can be accomplished within a five year period.

Table 2.

ISSUE	ACTIONS	TERM
Adaptive Reuse	Complete feasibility assessment of all vacant buildings over fifty years old for potential for acquisition and reuse.	Long
	Research available grant funding for adaptive reuse, affordable housing, historic preservation, etc.	Ongoing
Historic Building Codes	The Building and Safety Department, with input from the HPC, shall review future code revisions or amendments for appropriate adoption by this jurisdiction.	Long
Smart Growth and Sustainability	Adopt a policy for adaptive reuse of existing and historic buildings.	Medium
Conservation Districts	Investigate the possibility of creating a conservation district for residential neighborhoods that may not qualify as historic districts.	Medium
City Preservation Incentives	Investigate the development of a streamlined pre-application review process.	Medium
	Investigate Parking requirement adjustments.	Medium
	Investigate subsidies in certain permit or application fees.	Medium
	Investigate property tax reductions based on historic use of property (i.e. residential property tax vs. commercial).	Medium

Table 2. continued

ISSUE	ACTIONS	TERM
Heritage Tourism	Develop a heritage tourism plan for Las Vegas that promotes the downtown historic areas as authentic historic experiences.	Medium
	Develop and preserve existing resources through promotion and financial incentives.	Ongoing
	Develop heritage partnerships and networks with local, state, and national historic preservation organizations.	Short
	Develop business and history partnerships by encouraging local business to incorporate heritage tourism in their business activities.	Short
Cultural Diversity	Within historic neighborhoods and areas, work with Neighborhood Services Department to develop working relationships with key organizations and community groups.	Ongoing
	Continue to conduct historic resource surveys of ethnic neighborhoods or individual buildings and publish the findings.	Ongoing
	Promote the nomination of significant buildings or neighborhoods to the Planning Commission and City Council.	Ongoing
	Work with the Neighborhood Services Department to attend neighborhood meetings to educate homeowners of the benefits of historic preservation.	Ongoing
Environmental Review and Section 106	Compile all existing historic resource surveys for database.	Short
	Complete an historic resource survey of the entire city.	Long
	Educate key staff regarding the Section 106 process.	Short
	Develop a process for all city departments that requires initial review of potential Section 106 projects by the Historic Preservation Officer.	Short

Table 2. continued

ISSUE	ACTIONS	TERM
Education	Create additional historic brochures and newsletters.	Ongoing
	Work with the Clark County School District to create an historic preservation curriculum for grade and high schools.	Medium
The Advisory Role of the HPC	Increase the presence and accessibility of the HPC members at public events.	Ongoing
City of Las Vegas Capital Improvement Plan (CIP)	Make recommendations to the City of Las Vegas Planning and Development Department for future CIP projects.	Ongoing
	Work with Public Works Department to review CIP project list annually.	Ongoing





HISTORIC PRESERVATION
CITY OF LAS VEGAS

HISTORIC PROPERTIES PRESERVATION PLAN ELEMENT

APPENDIX

appendix a

appendix b

appendix c

appendix d



Adopted by
City Council X-XX-XX

DRAFT

CITY OF LAS VEGAS HISTORIC PROPERTIES PRESERVATION PLAN ELEMENT APPENDICES TABLE OF CONTENTS

APPENDICES

APPENDIX A: Glossary of Terms 1

APPENDIX B: Designated Historic Resources 7

APPENDIX C: Potentially Eligible Historic Resources 13

APPENDIX D: City-Owned Buildings Built Before 1962..... 15

APPENDIX E: Maps 17

 1. Designated Historic Resources within the City of Las Vegas 19

 2. Las Vegas High School Neighborhood Historic District..... 21

 3. John S. Park Neighborhood Historic District..... 23

 4. Future Historic Properties 25

TABLES

 1 10

 2 15





APPENDIX A: GLOSSARY OF TERMS

Abandoned Shipwreck Act: Federal law vesting title to abandoned shipwrecks found in state territorial waters, thereby enabling the preservation of historic shipwrecks.

Advisory Council on Historic Preservation (ACHP): Independent federal agency responsible for implementing the Section 106 review process.

Affirmative maintenance: Requirement in historic preservation ordinances that a building's structural components are maintained.

Alteration: Any aesthetic, architectural, mechanical, or structural change or addition to the exterior surface of any significant part of a designated property.

Americans with Disabilities Act (ADA): Law prohibiting discrimination to persons with disabilities, by requiring, among other things, that places generally open to the public, such as restaurants and hotels, be made accessible. Special rules apply to historic buildings and facilities.

Approval authority: The HPC or the HPO, as given by the City of Las Vegas.

Archeological Resources Protection Act (ARPA): Primary federal statute governing archeological resources.

Area of significance: the aspect of history a property represents that makes it eligible for designation on a historic property register. A property may meet the criteria under more than one area of significance.

Architectural significance: Importance of a property based on physical aspects of its design, materials, form, style, or workmanship.

Associated structure/feature: An outbuilding or landscape feature associated with an historic resource.

Association: Link of a historic property with a historic event, activity, or person. Also, the quality of integrity through which a historic property is linked to a particular past time or place.

Boundaries: Lines delineating the geographic extent or area of a historic property.

Boundary description: A precise description of the lines that bound a historic property.

Boundary justification: An explanation of the reasons for selecting the boundaries of a historic property.

Building: A resource such as a house, barn, store, hotel, factory, or warehouse, having a roof supported by columns or walls for the housing or enclosure of persons, animals, or chattels.

Building code: Law setting forth minimum standards for the construction and use of buildings to protect the public health and safety.

Certificate of Appropriateness (COA): Certificate issued by a preservation commission to indicate its approval of an application to alter, demolish, move, or add on to a protected resource.

Certified Local Government: A city or town that has met specific standards enabling participation in certain National Historic Preservation Act programs.

Charitable contribution: A donation to a charitable organization whose value may be deducted from gross income for purposes of determining how much tax is owed.

Compatibility: A pleasing visual relationship between elements of a property, building or structure; among properties, buildings and structures; or with their surroundings. Aspects of compatibility may include, but are not limited to, proportion, rhythm, detail, texture, material, reflectance and architectural style.

Contributing structure: Building or structure in historic district that generally has historic, architectural, cultural, or archeological significance, and represents the historic context of the district.

Criteria: Standards set by the National Park Service by which it determines the eligibility of a resource for the National Register of Historic Places. The City of Las Vegas defers to these standards to evaluate properties for listing in the State and National Register of Historic Places.

Criteria Considerations: Additional eligibility standards, defined by the National Register of Historic Places, set for certain kinds of properties, such as cemeteries, reconstructed or relocated buildings or structures, or properties less than 50 years old.

Cultural affiliation: Archaeological or ethnographic culture to which a collection of sites, resources, or artifacts belong.

Cultural resource: Structures, buildings, features (roads, ditches, bridges, etc), and historic and prehistoric archaeological sites.

Demolition: The act or process that destroys a structure or feature associated with a designated property.

Demolition by neglect: Process of allowing a building to deteriorate to the point where demolition is necessary to protect public health and safety.

Design: Quality of integrity applying to the elements that create the physical form, plan, space, structure, and style of a property.

Designation: Act of identifying historic structures and districts subject to regulation in historic preservation ordinances or other preservation laws.

Determination of eligibility: An action through which the eligibility of a property for National Register listing is confirmed without actual listing in the National Register. Nominating authorities and federal agencies commonly request determinations of eligibility for federal planning purposes and in cases where a majority of private property owners have objected to National Register listing.

Distinctive Character: The distinguishing architectural and aesthetic characteristics of a Landmark or Historic Property, or those generally found throughout an Historic District, which fulfill the criteria for designation.

Easement (preservation or conservation): Partial interest in property that can be transferred to a nonprofit organization or governmental entity by gift or sale to ensure the protection of a historic resource and/or land area in perpetuity.

Economic hardship: Extreme economic impact on individual property owner resulting from the application of a historic preservation law.

Eligible property: Property that meets the criteria for inclusion in the National Register of Historic Places, or City of Las Vegas Historic Property Register, but is not formally listed.

Eminent domain: The right of government to take private property for a public purpose upon payment of "just compensation."

Enabling law: Law enacted by a state setting forth the legal parameters by which local governments may operate. Source of authority for enacting local preservation ordinances.

Environmental Assessment or Impact Statement (EA or EIS): Document prepared by state or federal agency to establish compliance with obligations under federal or state environmental protection laws to consider impact of proposed actions on the environment, including historic resources.

Guidelines: Interpretative standards or criteria that are generally advisory in form.

Historic context: A compilation of information about historic properties that share a common theme, geographic area, and time period. The development of this information serves as a foundation for decisions about planning, identification, evaluation, registration, and treatment of historic properties.

Historic district: An area with definable and legal boundaries that generally includes within a significant concentration of properties linked by architectural style, historical development, or a past event, and that has been designated pursuant to the city of Las Vegas historic preservation ordinance because of its particular historic, architectural, archeological, or cultural significance.

Historic Property: A site or structure designated pursuant to the city of Las Vegas historic preservation ordinance that is worthy of preservation because of its particular historic, architectural, archeological, or cultural significance.

Integrity: The unimpaired authenticity of a property's historic or prehistoric identity, evidenced by surviving physical characteristics.

Listing: The formal entry of a property in the city, state or National Register of Historic Places.

Keeper of the National Register: Individual in the National Park Service responsible for the listing in and determination of eligibility of properties for inclusion in the National Register of Historic Places.

Land trust: A nonprofit organization engaged in the voluntary protection of land for the purpose of providing long-term stewardship of important resources, whether historical, archeological, or environmental, through the acquisition of full or partial interests in property.

Land use: General term used to describe how land is or may be utilized or developed, whether for industrial, commercial, residential or agricultural purposes, or as open space.

Landmark: A site or structure designated pursuant to a local preservation ordinance or other law that is worthy of preservation because of its particular historic, architectural, archeological, or cultural significance.

National Environmental Policy Act (NEPA): Primary federal law requiring consideration of potential impacts of major federal actions on the environment, including historic and cultural resources.

National Historic Landmark (NHL): Property included in the National Register of Historic Places that has been judged by the Secretary of the Interior to have "national significance in American history, archaeology, architecture, engineering and culture."

National Historic Preservation Act (NHPA): The federal law that encourages the preservation of cultural and historic resources in the United States.

National Register of Historic Places: Official, non-regulatory inventory of "districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering and culture.

Native American Graves and Protection and Repatriation Act (NAGPRA): Federal law providing for the repatriation of Native American human skeletal material and related sacred items and objects of cultural patrimony.

Nevada State Register of Historic Places: Official, non-regulatory inventory of "districts, sites, buildings, structures, and objects significant in Nevada history, architecture, archaeology, engineering and culture.

Noncontributing: A building, site, structure, or object that does not add to the historic significance of a property or district.

Object: A construction, artistic in nature, or technologically significant, relatively small in scale, and simply constructed, such as a statue, train engine, or sign.

Ordinary Maintenance and Repair: Regular or usual care, upkeep, repair or replacement of any portion of an existing property, building or structure in order to maintain a safe, sanitary and stable condition.

Owner: The person(s) listed in the property records of Clark County as having fee ownership of an individual parcel or property.

Period of significance: The span of time during which a property attained the significance that makes it eligible for listing on the state or National Register of Historic Places.

Physical characteristics: Visible and tangible attributes of a historic property or group of historic properties.

Prehistoric: Related to the period before recorded history.

Property type: A grouping of properties defined by common physical and associative attributes.

Police power: The inherent authority residing in each state to regulate, protect, and promote the public health, safety, morals, and general welfare.

Property: One or more structures or other improvements, or an archeological site, associated with a particular parcel or location.

Public Buildings Cooperative Use Act: Federal law governing the construction, acquisition, and management of space by the General Services Administration for use by federal agencies.

Resource: Any building, structure, site, or object that is part of or constitutes a historic property.

Resource type: The general category of property, building, structure, site, district, or object.

Rehabilitation tax credit: Twenty percent federal income tax credit on expenses for the substantial rehabilitation of historic properties.

Revolving fund: Fund established by a public or nonprofit organization to purchase land or buildings or make grants or loans to facilitate the preservation of historic resources.

Section 106: Provision in National Historic Preservation Act that requires federal agencies to consider effects of proposed undertakings on properties listed or eligible for listing in the National Register of Historic Places.

Section 4(f): Provision in Department of Transportation Act that prohibits federal approval or funding of transportation projects that require "use" of any historic site unless (1) there is "no feasible and prudent alternative to the project," and (2) the project includes "all possible planning to minimize harm."

Significant: With reference to a property, building or structure, means having aesthetic, architectural or historical qualities of critical importance to its consideration in connection with the designation of property.

Site: Location of a significant event, a prehistoric or historic occupation or activity, or building or structure, whether standing, ruined, or vanished, where the location itself possesses significance independent of the value of any existing structure at that location.

Site plan: Proposed plan for development submitted by the property owner for review by a planning board or other governmental entity that addresses issues such as the siting of structures, landscaping, pedestrian and vehicular access, lighting, signage, and other features.

State Historic Preservation Officer (SHPO): Official appointed or designated, pursuant to the National Historic Preservation Act, to administer a state's historic preservation program.

Stewardship Program: A program that involves trained volunteers working with the historic preservation officer to protect historic resources by regularly visiting sites and recording changes.

Structure: A functional resource constructed for purposes other than to provide shelter, such as a bridge, windmill, or silo.

"Taking" of property: Act of confiscating private property for governmental use through "eminent domain" or by regulatory action.

Tax abatement: A reduction, decrease, or diminution of taxes owed, often for a fixed period of time.

Tax assessment: Formal determination of property value subject to tax.

Tax credit: A "dollar for dollar" reduction on taxes owed.

Tax deduction: A subtraction from income (rather than taxes) that lowers the amount upon which taxes must be paid.

Tax exemption: Immunity from an obligation to pay taxes, in whole or in part.

Tax freeze: A "freezing" of the assessed value of property for a period of time.

Transferable development right (TDR): Technique allowing landowners to transfer right to develop a specific parcel of land to another parcel.

Undertaking: Federal agency actions requiring review under Section 106 of the National Historic Preservation Act.

Zoning: Act of regulating the use of land and structures according to district. Laws generally specify allowable use for land, such as residential or commercial, and restrictions on development such as minimum lot sizes, set back requirements, maximum height and bulk, and so forth.

APPENDIX B: DESIGNATE HISTORIC RESOURCES

LIST OF DESIGNATED HISTORIC RESOURCES WITHIN THE CITY OF LAS VEGAS

Each designated site is numbered according to its location on the "Historic Places" map, Appendix D: Maps, unless marked "Address Restricted."

#1) "Big Springs," The Las Vegas Springs (c. 1880)

Listed on the Nevada state Register of Historic Places 3/4/1981

Listed on the National Register of Historic Places 12/14/1978

"Big Springs," The Las Vegas Springs (prehistoric and historic archaeological resource)

Location of archaeological resources are Site Restricted*

Listed on the Nevada state Register of Historic Places 3/4/1981

Listed on the National Register of Historic Places 12/14/1978

#2) Clark Avenue (Bonanza Road) Underpass (1936)

E. Bonanza Road and Union Pacific Railroad Tracks

Listed on National Register of Historic Places 1/18/2004

Eureka Locomotive (1875)

Location of locomotive is Site Restricted

Listed on National Register of Historic Places 1/12/1995

#3) "Fifth Street School," Las Vegas Grammar School (1936)

400 S. Las Vegas Boulevard

Listed on the City of Las Vegas Historic Property Register 2/19/1992

Listed on the National Register of Historic Places 5/20/1988

#4) Frank Wait House (c. 1930)

901 Ogden Street

Listed on City of Las Vegas Historic Property Register 6/3/1994

#5) Henderson House (1930)

704 S. Ninth Street

Listed as contributing resource to Las Vegas High School Neighborhood Historic District
1/30/91

Listed individually on City of Las Vegas Historic Property Register 8/20/2006

#6) Huntridge Theatre (1946)

1208 E. Maryland Parkway

Listed on the Nevada State Register of Historic Places 1/15/1999

Listed on the National Register of Historic Places 7/22/1993

#7) Jay Dayton Smith House (1930)

624 S. Sixth Street

Listed on the National Register of Historic Places 2/20/1987

#8) John S. Park Neighborhood Historic District (1931 -)

Bounded by Park Paseo, Ninth Street, Franklin Avenue & Fifth Place (see also map, Appendix D)

Listed on City of Las Vegas Historic Property Register 3/19/2003

Listed on the National Register of Historic Places 5/16/2003

#9) Las Vegas High School Administration Building & Gymnasium (1931)

315 S. Seventh Street

Listed on the City of Las Vegas Historic Property Register 4/2/2003

Listed on the National Register of Historic Places 9/24/1986

#10) Las Vegas High School Neighborhood Historic District (1928 -)

Bounded by E. Bridger Avenue, S. Ninth Street, E. Gass Street and S. Sixth Street (see also map, Appendix D)

Listed on the National Register of Historic Places 1/30/1991

#11) Las Vegas Mormon Fort (1855)

900 N. Las Vegas Boulevard

Listed on the Nevada state Register of Historic Places 3/4/1981

Listed on the National Register of Historic Places 2/1/1972

#12) Las Vegas Mormon Fort Boundary Increase (1855)

900 N. Las Vegas Boulevard

Listed on the National Register of Historic Places 2/12/1978

#13) Morelli House (1959)

814 Bridger Avenue

Listed on the Nevada state Register of Historic Places 10/1/2001

Listed on the City of Las Vegas Historic Property Register 3/8/2007

#14) Moulin Rouge Hotel (1955)

900 W. Bonanza Road

Listed on the City of Las Vegas Historic Property Register 6/17/1992

Listed on the National Register of Historic Places 12/22/1992

Old Spanish Trail - Mormon Road Historic District (1829 – 1848)

From California border to Arizona, across Southern Nevada

Location of remaining trail segments are Site Restricted*

Listed on the National Register of Historic Places 8/22/2001

#15) Tule Springs Ranch

9200 Tule Springs Road, Floyd Lamb Park

Listed on the Nevada state Register of Historic Places 3/4/1981

Listed on the National Register of Historic Places 9/23/1981

Tule Springs Archaeological Site (prehistoric archaeological resource)

Location of archaeological resources are Site Restricted*

Listed on the Nevada state Register of Historic Places 3/4/1981

Listed on the National Register of Historic Places 4/20/1979

#16) U.S. Post Office and Courthouse (1933)

301 Stewart Avenue

Listed on the City of Las Vegas Historic Property Register 4/2/2003

Listed on the Nevada state Register of Historic Places 5/15/2002

Listed on the National Register of Historic Places 2/10/1983

#17) "Westside School," Las Vegas Grammar School, Branch No. 1 (1922, 1948)

330 W. Washington Avenue

Listed on the Nevada state Register of Historic Places 3/4/1981

Listed on the National Register of Historic Places 4/2/79

#18) Woodlawn Cemetery (1913)

1500 N. Las Vegas Boulevard

Listed on the National Register of Historic Places 11/21/06

*Federal law prohibits disclosure of the locations of archaeological sites.

QUICK REFERENCE CHART: DESIGNATED HISTORIC RESOURCES WITHIN THE CITY OF LAS VEGAS

Table I.

NAME	ADDRESS	TYPE	LOCAL	STATE	NAT'L
Official Dates of Designation					
"Big Springs," (Las Vegas Springs)	Site Restricted*	Site		3/4/1981	12/14/1978
Clark Ave. (Bonanza Road) Underpass (1936)	N. Main St. and Union Pacific Railroad Tracks	Structure			1/18/2004
Eureka Locomotive (1875)	Site Restricted	Object			1/12/1995
"Fifth Street School," (Las Vegas Grammer School) (1936)	400 S. Las Vegas Blvd.	Building	2/19/1992		5/20/1988
Frank Wait House (1940)	901 Ogden St.	Building	6/3/1994		
Henderson House (1930)	704 S. Ninth Street	Building	8/20/2006		1/30/91 (as part of Las Vegas High School Neighborhood Historic District
Huntridge Theatre (1944)	1208 E. Fremont St.	Building		1/15/1999	7/22/1993
Jay Dayton Smith House (1930)	624 S. Sixth St.	Building			2/20/1987
John S. Park Neighborhood Historic District (1931-)	Bounded by Park Paseo, S. Ninth St., Franklin Ave. & Fifth Place	District	3/19/2003		5/16/2003
Las Vegas High School Administration Building & Gymnasium (1931)	315 S. Seventh St.	Building	4/2/2003		9/24/1986
Las Vegas High School Neighborhood Historic District (1930s – 1940s)	Bounded by E. Bridger Ave., S. Ninth St., E. Gass St. and S. Sixth St.	District			1/30/1991
Las Vegas Mormon Fort (1855)	900 N. Las Vegas Blvd.	Building		3/4/1981	2/1/1972
Las Vegas Mormon Fort Boundary Increase	900 N. Las Vegas Blvd.	Site			2/12/1978
Morelli House (1959)	814 Bridger Ave.	Building		10/1/2001	
Moulin Rouge Hotel (1955)	900 W. Bonanza Rd.	Object	6/17/1992		12/22/1992
Old Spanish Trail - Mormon Road	Site restricted*	Site			8/22/2001

Table 1. continued

Tule Springs Ranch (1914-1948)	9200 Tule Springs Rd.	Building		3/4/1981	9/23/1981
Tule Springs Archaeological Site	Site restricted*	Site		3/4/1981	4/20/1979
U.S. Post Office and Courthouse (1931)	301 Stewart Ave.	Building	4/2/2003	5/15/2002	2/10/1983
"Westside School" (Las Vegas Grammer School, Branch No. 1) (1923)	330 W. Washington Ave.	Building		3/4/1981	4/2/1979
Woodlawn Cemetery (1914)	1500 N. Las Vegas Blvd.	Site			11/21/2006

*Federal law prohibits disclosure of the locations of archaeological sites.



APPENDIX C: POTENTIALLY ELIGIBLE HISTORIC RESOURCES

Apache Hotel/Binions (1931)
128 Fremont Street

Binion House (1940)
2040 W. Bonanza Road

Blakey Apartments (1932)
201 S. Sixth Street

Christensen House (c. 1930)
500 Van Buren Avenue

Desert National Wildlife HQ (1942)
1510 Decatur Boulevard

El Cortez Hotel and Casino (1941)
600 Fremont Street

Fremont Street Motor Courts (c. 1920 – 1957)

Golden Gate Casino (1905)
1 Fremont Street

Historic signs

Johnny Tocco's Boxing Gym (1942)
9 W. Charleston Boulevard

Lorenzi Park Historic Hotel Buildings (1949 – 1951)
3075 W. Washington Avenue

St. Luke's Episcopal Church (1925)
832 N. Eastern Avenue
Original location: Sixth St. and Carson Ave.
Moved to Boulder City (year unknown)
Moved to current location (year unknown)

Victory Motel (1911)
307 S. Main Street

Wengert House/State Bar of Nevada (1938)
600 E. Charleston Boulevard



APPENDIX IX : CITY- WNE BUILDINGS BUILT BEFORE 1962

Table 2.

NAME	ADDRESS	WARD	ZIP	ADDRESS 2	CONST YR
5th Street School	400 Las Vegas Blvd. S.	3	89101	LAS VEGAS NV	1936
Blind Center	1001 Bruce St.	5	89101	1001 N BRUCE ST	1960
City Engineers Office	420 N. 4th St.	5	89101	LAS VEGAS NV	1952
City Hall	400 Stewart Ave.	5	89101	LAS VEGAS NV	1952
City Hall Annex	300 Las Vegas Blvd. N.	5	89101	LAS VEGAS NV	1948
Derfelt Senior Citizens Center	3343 W. Washington Ave.	5	89107	LAS VEGAS NV	1951
Downtown Community Center	300 S. 9th St.	3	89101	LAS VEGAS NV	1946
Dula Gym & Recreation Center	441 E. Bonanza Rd.	5	89101	LAS VEGAS NV	1954
EOB & Studio Building	330 W. Washington Ave.	5	89106	LAS VEGAS NV	1922
Fire Station #1	500 N. Casino Center Blvd.	5	89101	LAS VEGAS NV	1954
Gibson Modular	3900 W. Washington Ave.	5	89108	LAS VEGAS NV	1953
Hadland Pool	2600 Stewart Ave.	3	89101	LAS VEGAS NV	1958
Las Vegas Indian Center	2300 W. Bonanza Rd.	5	89106	2300 W BONANZA RD	1957
Las Vegas Senior Center	451 E. Bonanza Rd.	5	89101	LAS VEGAS NV	1954
Lorenzi Adaptive Center	3339 W. Washington Ave.	5	89107	LAS VEGAS NV	1951
Lorenzi Adaptive Outreach	3337 W. Washington Ave.	5	89107	LAS VEGAS NV	1951
Lorenzi Park Concession Stand	3333 W. Washington Ave.	5	89107	LAS VEGAS NV	1951
Lorenzi Park Garden Club	800 Twin Lakes Dr.	5	89107	LAS VEGAS NV	1951
Lorenzi Park Maintenance Building	3333 W. Washington Ave.	5	89107	LAS VEGAS NV	1951
Lorenzi Park Tennis Complex	3333 W. Washington Ave.	5	89107	LAS VEGAS NV	1951
Manpower Building	300 Las Vegas Blvd. N.	5	89101	400 STEWART AVE 2ND FLR	1955
Metro Downtown Area Command	400 Las Vegas Blvd. S.	3	89101	LAS VEGAS NV	1936
Municipal Courts Depts. 3 & 5	405 N. 4th St.	5	89101	LAS VEGAS NV	1952
Municipal Golf Course	4300 W. Washington Ave.	5	89108	LAS VEGAS NV	1945
Municipal Pool	431 E. Bonanza Rd.	5	89101	LAS VEGAS NV	1954
Sammy Davis Jr. Festival Plaza	720 Twin Lakes Dr.	5	89107	LAS VEGAS NV	1951
Senior Nutrition Center	320 S. 9th St.	3	89101	LAS VEGAS NV	1946
Studio Building	3341 W. Washington Ave.	5	89107	LAS VEGAS NV	1951
Stupak Community Center	300 W. Boston Ave.	3	89102	LAS VEGAS NV	1954
Stupak Community Center Trailer	300 W. Boston Ave.	3	89102	LAS VEGAS NV	1954

Table 2. continued

NAME	ADDRESS	WARD	ZIP	ADDRESS 2	CONST YR
Twin Lakes Building	3341 W. Washington Ave.	5	89107	LAS VEGAS NV	1951
U.S. Post Office and Courthouse	301 Stewart Ave.	5	89101	400 E STEWART	1949
Variety Day Care	990 D St.	5	89106	LAS VEGAS NV	1957
Woodlawn Cemetery Breakroom	1500 Las Vegas Blvd. North	5	89101	LAS VEGAS NV	1950
Woodlawn Cemetery Equipment Storage	1500 Las Vegas Blvd. North	5	89101	LAS VEGAS NV	1950
Woodlawn Cemetery Office	1500 Las Vegas Blvd. North	5	89101	LAS VEGAS NV	1950

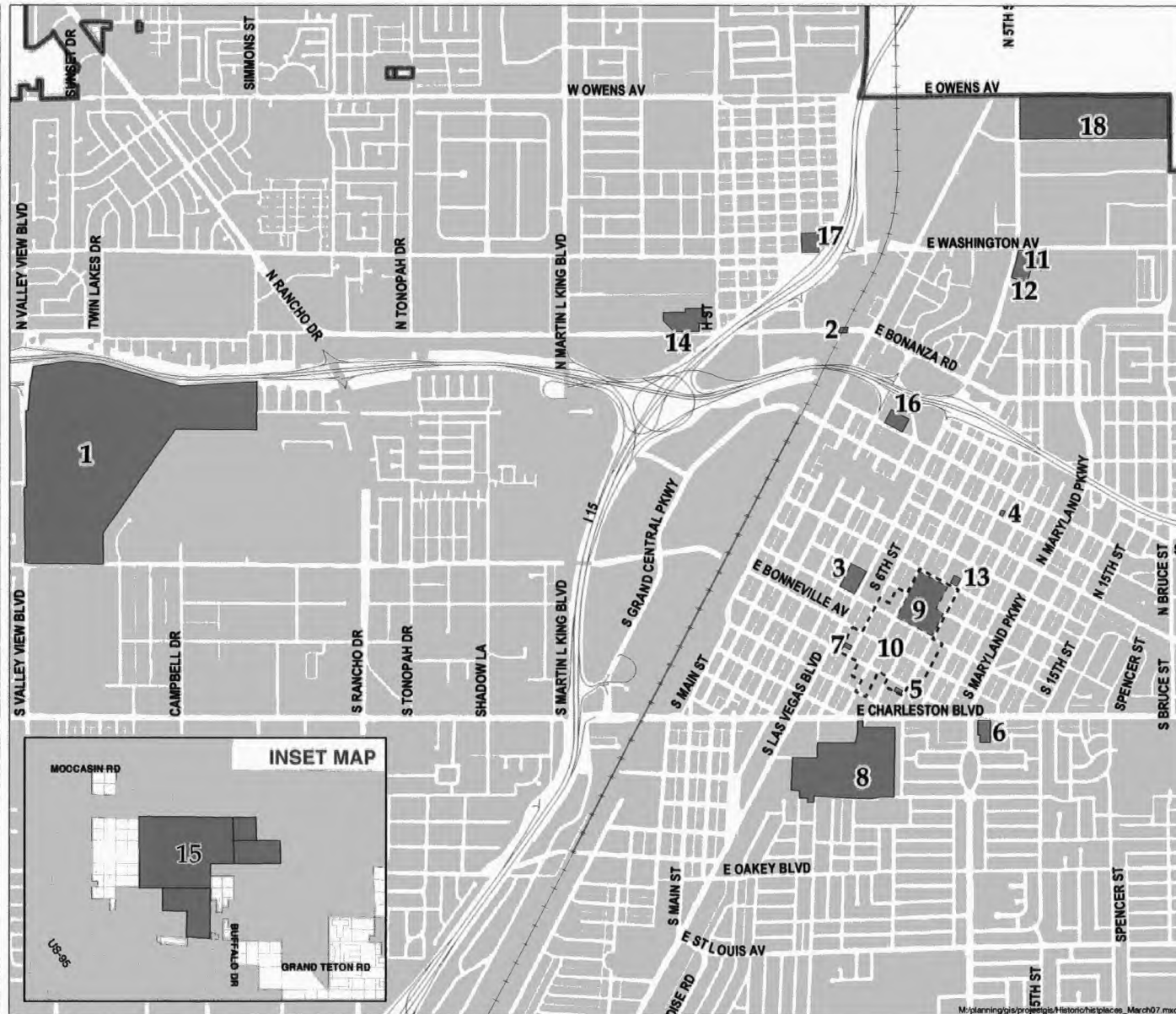
APPENDIX E: MAPS

Designated Historic Resources within the City of Las Vegas
Las Vegas High School Neighborhood Historic District
John S. Park Neighborhood Historic District
Future Historic Properties



HISTORIC PLACES

Properties and Districts



City of Las Vegas

- Las Vegas Corporate Limits
- Historic Districts
- Historic Properties
- Assessors Parcels

- 1 Big Springs/ The Las Vegas Springs (S, N)
- 2 Clark Avenue (Bonanza Road) Underpass (N)
- 3 Fifth Street School (L, N)
- 4 Frank Wait House (L)
- 5 Henderson House (L, N)
- 6 Huntridge Theater (S, N)
- 7 Jay Dayton Smith House (N)
- 8 John S. Park Neighborhood Historic Dist. (L, N)
- 9 Las Vegas High School (L, N)
- 10 Las Vegas High School Neighborhood Historic Dist. (N)
- 11 Las Vegas Mormon Fort (S, N)
- 12 Las Vegas Mormon Fort Boundary Increase (N)
- 13 Morelli House (L, S)
- 14 Moulin Rouge Hotel (L, N)
- 15 Tule Springs Ranch (S, N)
- 16 U.S. Post Office and Courthouse (L, S, N)
- 17 Westside School (S, N)
- 18 Woodlawn Cemetery (N)

Not Shown:

- Eureka Locomotive – site restricted (N)
- Tule Springs Archeological Site – site restricted (N)
- Old Spanish Trail – site restricted (N)

Note:

- L - Listed on the City of Las Vegas Historic Property Register
- S - Listed on the Nevada Register of Historic Places for Las Vegas
- N - Listed on the National Register of Historic Places for Las Vegas



Data current as of: April 17th, 2007



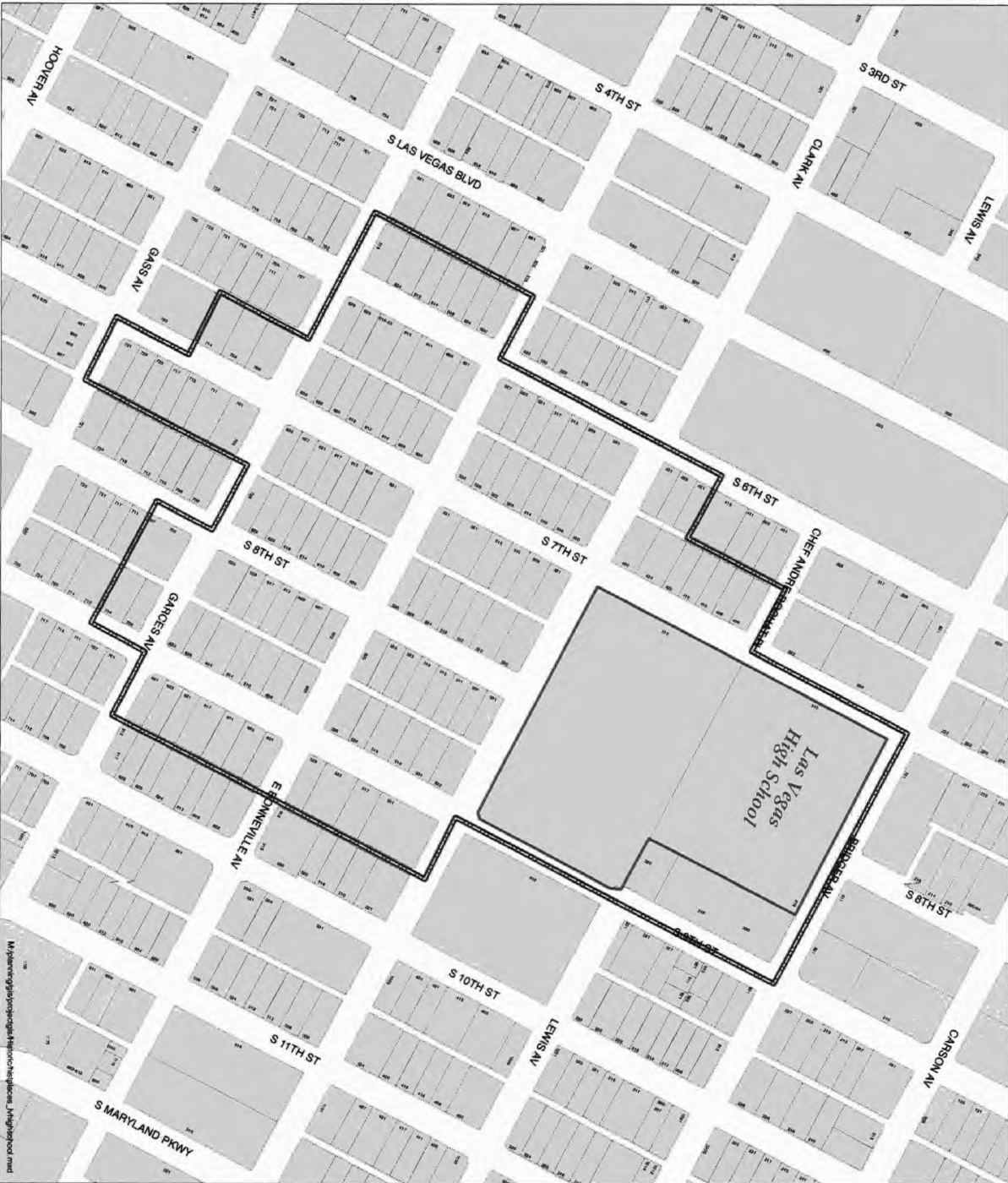
GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only. Geographic Information System Planning & Development Dept. 702-229-6301



M:\planning\gis\properties\HistoricPlaces_March07.mxd

HISTORIC PLACES

Las Vegas High School Neighborhood Historic District



City of Las Vegas
Las Vegas High School
Neighborhood
Historic District

Las Vegas High School
Neighborhood Historic
District Boundary

Parcels



Date current as of: April 17th, 2007



PLANNING & DEVELOPMENT
Due to continued development activity
in the historic district, the City of Las Vegas
Planning & Development Department
has updated this map.



HISTORIC PLACES

John S. Park Neighborhood Historic District



Data current as of: April 17th, 2007

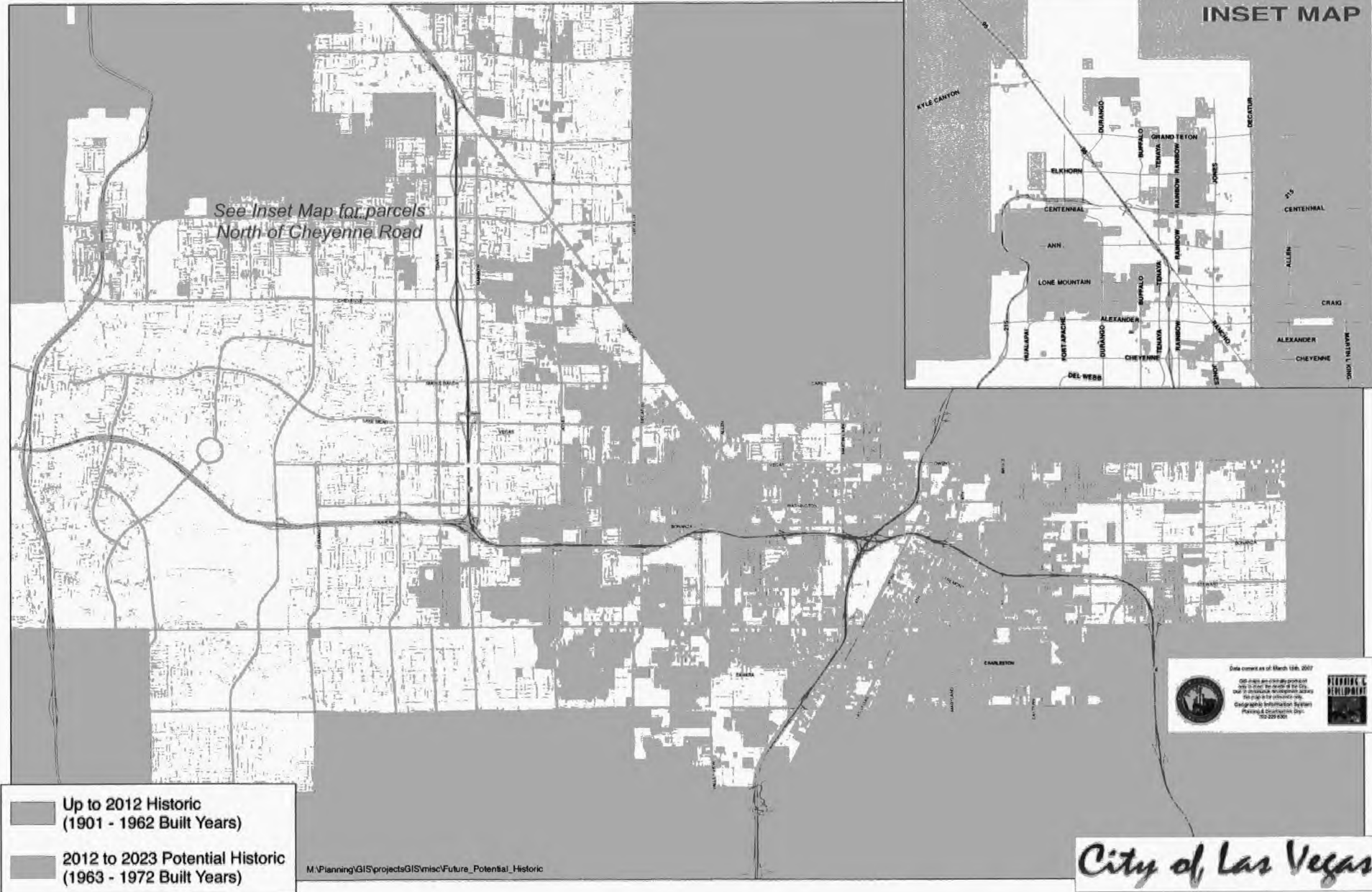
City of Las Vegas
Planning and Development Department
Geographic Information System
Map Services Unit
702.259.8001



Parcels

John S. Park
Neighborhood
Historic District

City of Las Vegas
John S. Park
Neighborhood
Historic District



**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**

TM/PLANNING COMM. MTG. [6P THURS. 26 APRIL, '07 (CIVIL CHURCH)] (CH: L. DAVEY)

(FOLLOWING CONSENT ITEMS):-

(CHAIRMAN):- TOM MCGOWAN; LAS VEGAS RESIDENT. ~ I REQUEST ITEMS #5, #6, #7, #8, #10, AND #11. BE REMOVED, PURSUANT TO AN OPEN PUBLIC HEARING. ~
THANK YOU.

(PUBLIC COMMENT):-

ITEM #5 TOM MCGOWAN; LAS VEGAS RESIDENT. ~ WHAT'S THE SQUARE FOOT AREA AND THE PURCHASE PRICE OF THE CONDOMINIUMS? ~ ADD: ~ IT'S REASONABLE TO ASSUME: ANY FUTURE REDEVELOPMENT OF THE SUBJECT PROPERTY WILL REQUIRE UP TO 535 RESPECTIVELY SEPARATE AND DISCRETE PURCHASE AND SALE AGREEMENTS, ~ IN WHICH CASE, CONDOMINIUMS ARE MORE AN ENDING TO, RATHER THAN A BEGINNING OF COMMUNITY DEVELOPMENT. ~ THANK YOU.

ITEMS #6, 7 AND 8
(TAKEN TOGETHER)

TOM MCGOWAN; LAS VEGAS RESIDENT. ~ WHAT'S THE COMPELLING IMMEDIATE AND CONTINUOUS REASON FOR THE APPLICANT'S REQUEST FOR A VARIANCE AND A WAIVER? ~ ABSENT A CREDIBLE REASON, DENY ALL THREE REQUESTS. ~ THANK YOU.

ITEM #10

TOM MCGOWAN; LAS VEGAS RESIDENT. ~ ABSENT A CREDIBLE REASON FOR THE REQUESTED WAIVER, DENY THE ITEM. ~ THANK YOU.

ITEM #11

TOM MCGOWAN; LAS VEGAS RESIDENT. ~ WHAT'S THE SPECIFICALLY INTENDED USE OF THE PROPOSED ADDITION? ~ IF BENEFICIAL TO THE SPIRITUAL COMMUNITY, APPROVE THE ITEM. ~ THANK YOU.

(PUBLIC HEARING):-

ITEM #22 TOM MCGOWAN; LAS VEGAS RESIDENT. ~ HOW MANY HISTORIC PROPERTIES ARE CURRENTLY LOCATED IN WARD 2, 4 AND 6? ~ IF THE SUBJECT ELEMENT APPLIES TO ALL WARDS INCLUSIVELY, ~ EXPLAIN HOW, WHY AND ON WHAT FACTUAL AND REASONING BASIS? ~ ABSENT RESPONSE TO THE QUESTIONS ON THE PUBLIC RECORD OF TONIGHT'S MEETING, ~ DENY THE ITEM. ~ THANK YOU.

(1.)

Submitted to Planning Commission

Date 4/26/07 Item #22

GPA-19426

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-20465 - PUBLIC HEARING - APPLICANT: SW DESERT EQUITIES, LLC - OWNER: BRAIN SURGERY, LLC, ET AL - Request to Amend a portion of the Centennial Hills Sector Plan of the Master Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: PCD (PLANNED COMMUNITY DEVELOPMENT) on 23.3 acres at the southeast corner of Hualapai Way and Deer Springs Way (APNs 125-19-301-001, 002, 003, 004, 004, 005 and 013), Ward 6 (Ross). The Planning Commission (4-3 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

10

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-3 vote) and staff recommend DENIAL.

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 04-26-07 Planning Commission Meeting Item 30

Motion made by STEVEN D. ROSS to Approve

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

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

Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner Renshaw and Ferrario, appeared on behalf of the applicant and explained the proposed amendment does not carry a zone change, use permit, waiver, site plan or a change in densities. The applicant would simply like to continue to work with concerned adjacent property owners, staff and City Council and all other

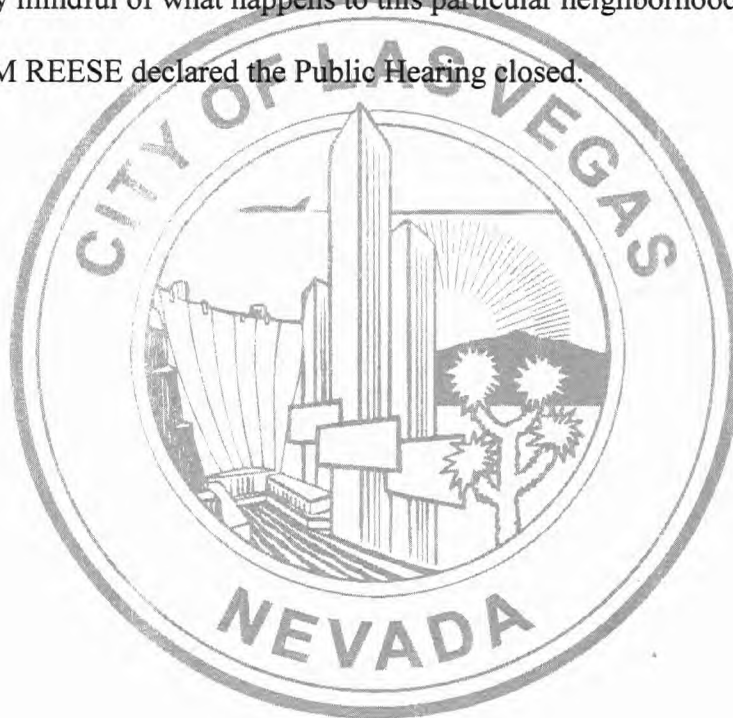
CITY COUNCIL MEETING OF: JUNE 6, 2007

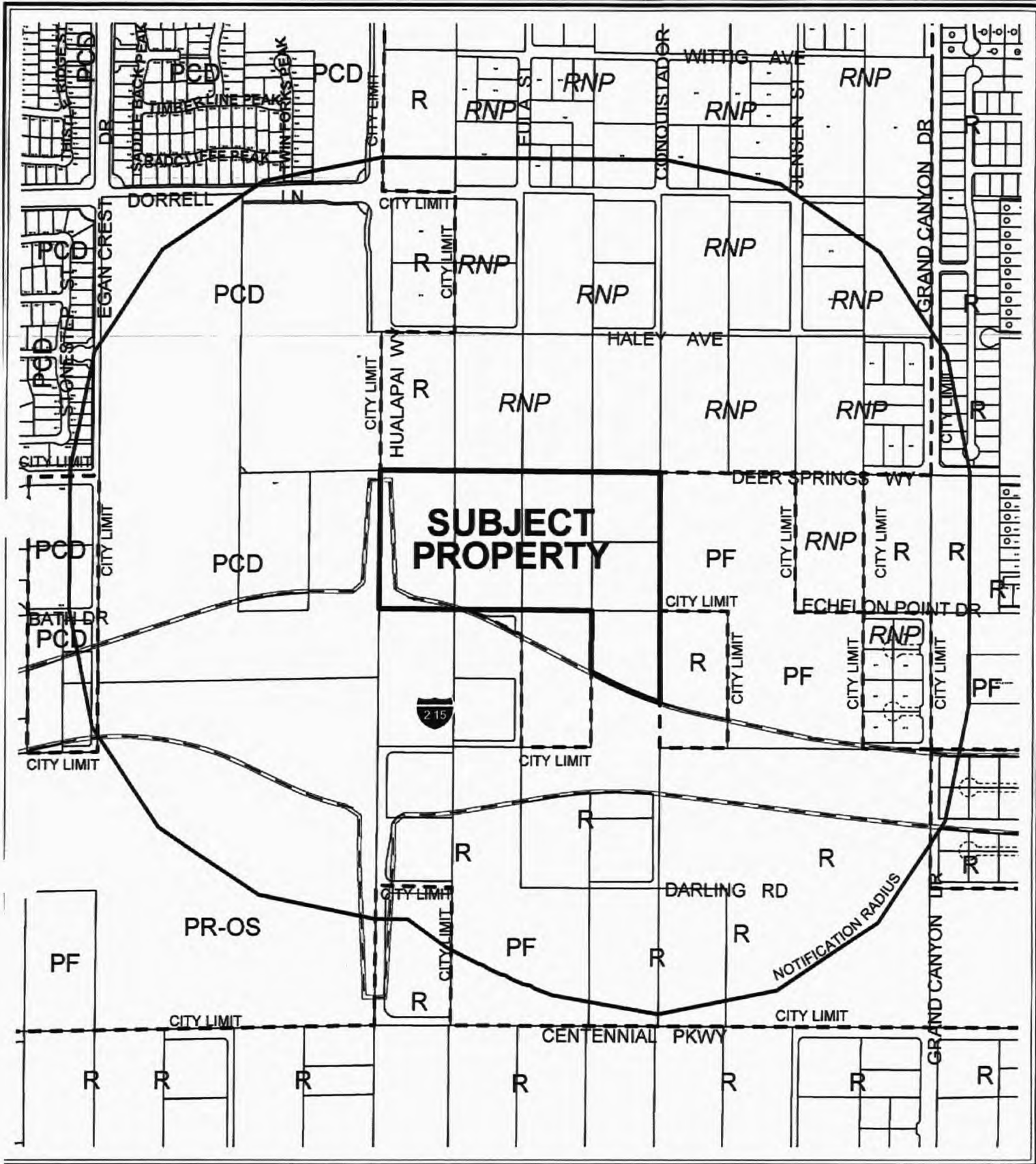
interested parties to determine what uses for this property are compatible with surrounding and existing zonings. He respectfully requested approval.

RICHARD LEMMON, 9645 Haley Avenue, appeared in opposition as it is inappropriate for the area. He indicated that according to an interlocal agreement between the City and the County, all the land west of Hualapai Way was Planned Community Development and all the land to the east of Hualapai Way, including the applicant's property, was Rural Density Residential. The proposed amendment would set a precedent in this area. He urged the City Council to deny the applications.

COUNCILMAN ROSS thanked Mr. Lemmon for attending the meeting and assured him that all future plans for this property would be presented to the public and brought forward to City Council. He is very mindful of what happens to this particular neighborhood.

MAYOR PRO TEM REESE declared the Public Hearing closed.





CASE: GPA-20465

RADIUS: 1500 FT

GENERAL LAND USE OF SUBJECT PROPERTY:

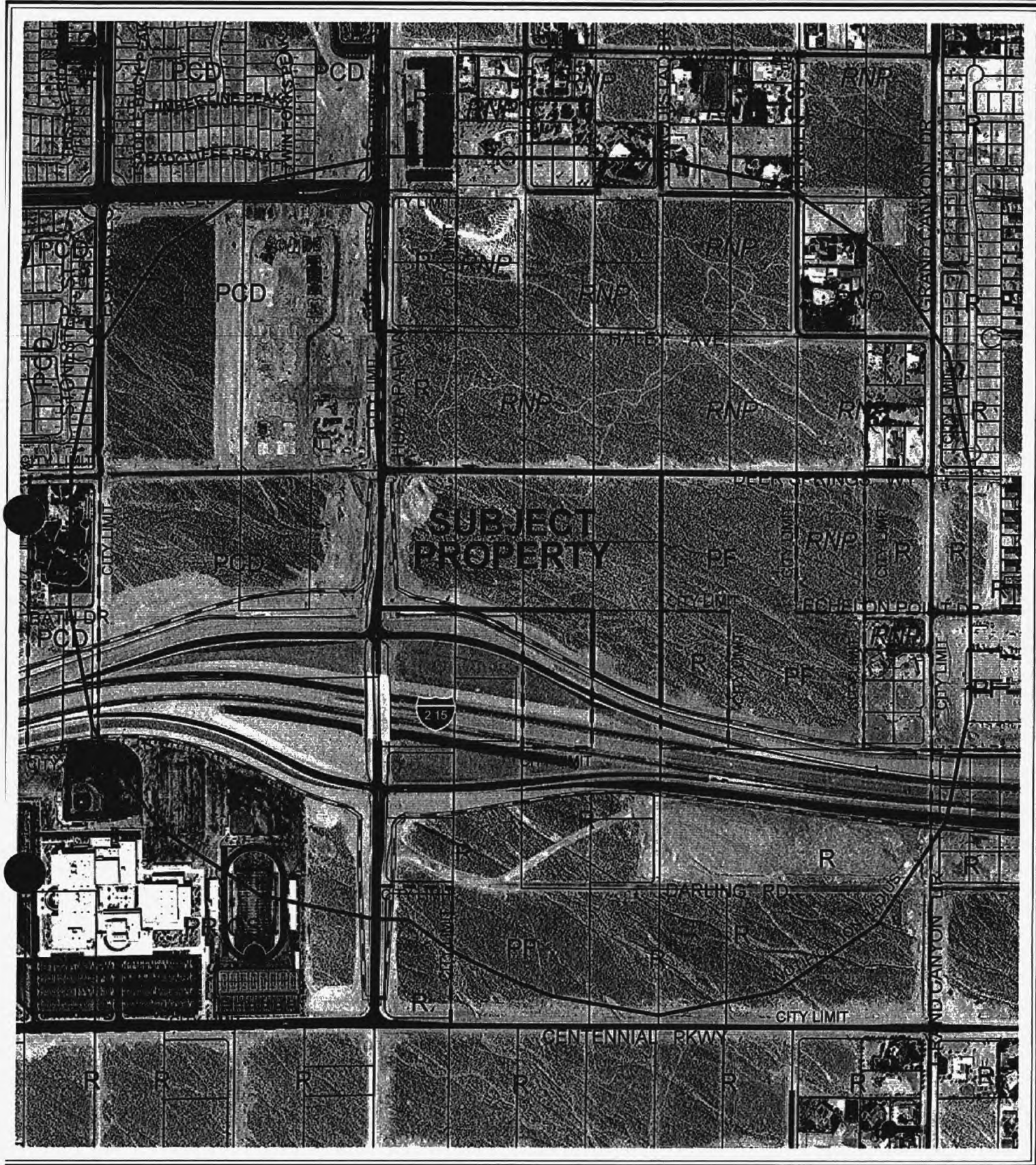
R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:

PCD (PLANNED COMMUNITY DEVELOPMENT)

0 500 1000 Feet





CASE: GPA-20465

RADIUS: 1500 FT

GENERAL LAND USE OF SUBJECT PROPERTY:

R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:

PCD (PLANNED COMMUNITY DEVELOPMENT)

0 500 1000 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-20465 - APPLICANT: SW DESERT EQUITIES, LLC -

OWNER: BRAIN SURGERY, LLC, ET AL

**** CONDITIONS ****

The Planning Commission (4-3/rt/bg/ds vote) and staff recommend DENIAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request to amend a portion of the Centennial Hills Sector Plan of the Master Plan from R (Rural Density Residential) and DR (Desert Rural Density Residential) to PCD (Planned Community Development) on 23.3 acres at the southeast corner of Hualapai Way and Deer Springs Way.

The Las Vegas Master Plan 2020 stipulates projects less than 80 acres are not allowed within the PCD. Allowances may be made for infill projects; however, a 23.3 acre site in a largely undeveloped region of the city cannot be characterized as infill. Therefore, the project does not meet the intent of the General Plan, and denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/16/07	Effective date of Annexation (ANX-12215) of 207.83 acres including the subject site.
04/26/07	The Planning Commission voted 4-3/rt/bg/ds to recommend DENIAL (PC Agenda Item #30/rl).
<i>Related Building Permits/Business Licenses</i>	
NA	
<i>Pre-Application Meeting</i>	
03/01/07	A pre-application meeting was held to discuss the submittal and neighborhood meeting requirements for this application.
<i>Neighborhood Meeting</i>	
03/29/07	A neighborhood meeting was held with the surrounding property owners, per policy set forth in the city of Las Vegas application packet. Twenty-two members of the public attended, generally expressing opposition to the proposed General Plan Amendment. Concerns raised included: • Concerns that apartments will be built at this site • Request for Single Family Homes only • Property values will be lowered • Request that the RNP not be changed • Construction will cause traffic issues in the area • Opposed to commercial or high density residential • Project will increase traffic in area • Opposed to change in land use and zoning

Details of Application Request	
Site Area	
Gross Acres	23.3

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	R (Rural Density Residential) and RNP (Rural Neighborhood Preservation)	U (Undeveloped)
North	Undeveloped, Clark County 215 Beltway	R (Rural Density Residential) and RNP (Rural Neighborhood Preservation)	Unincorporated Clark County R-E (Residential Estates)
South	Undeveloped	R (Rural Density Residential) and ROW (Right-of-Way)	Unincorporated Clark County R-E (Residential Estates) and Unincorporated Clark County Parcel Right-of-Way
East	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
West	Undeveloped	R (Rural Density Residential) and PF-CC (Public Facility – Clark County)	U (Undeveloped) and Unincorporated Clark County R-E (Residential Estates)

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

*** PCD (Planned Community Development)**

The proposed development does not meet the minimum acreage requirements of the PCD (Planned Community Development) land use designation.

ANALYSIS

The PCD (Planned Community Development) land use designation allows for a mix of residential uses that maintains an average overall density ranging from two to eight dwelling units per gross acre, depending upon compatibility with adjacent uses. This land use designation is also intended to be used for commercial, public facilities and office developments when the development is used as a buffer. The proposed development does not meet the intent of the PCD (Planned Community Development) land use designation, as the subject site is smaller than 80 acres, and the applicant has not submitted any proposals for the master development plan that is required for a Planned Community Development.

If approved; however, a master plan will be developed for the site and upon development of the individual parcels appropriate right-of-way dedications, street improvements, drainage plan/studies and traffic mitigation commitments will be required.

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 General Plan Amendment to PCD (Planned Community Development) gives no indication as to the proposed density or intensity of the site. A PCD at eight units per acre is not appropriate for a 23.3 acre site abutting a Rural Neighborhood Preservation district. Therefore, staff cannot support this request.

In regard to “2”:

The PD (Planned Development) zoning that would be allowed in the PCD designation would permit a density of up to eight units per acre. Staff finds a density of eight dwelling units per acre to be incompatible with the adjacent Rural Neighborhood Preservation district.

In regard to “3”:

The subject site is located at the interchange of the Bruce Woodbury Beltway (Clark County Route 215) and Hualapai Way. The parcels also abut the intersection of Hualapai Way and Deer Springs Way, a 100-foot Primary Arterial and an 80- foot Secondary Collector, respectively, on the Master Plan of Streets and Highways. However, since no specific development pattern can be discerned, it is unknown as to the ability of these streets and highways to serve the subject site.

In regard to “4”:

The applicant proposes to master plan on the subject property at a later date. Until such time as that plan is developed, conformity cannot be determined. Therefore, staff recommends denial.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

1

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 55 by Planning Department

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-20465** APN: 125-19-301-001, 002, 003, 004, 005 and 013

Name of Property Owner: K R LAND COMPANY, LLC

Name of Applicant: SOUTHWEST DESERT EQUITIES, LLC

Name of Representative: QUADRANT PLANNING

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: JOHN A. RITTER

Subscribed and sworn before me

This 1 day of MARCH, 2007
Kelly Hermanson
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-20465** APN: 125-19-301-001, 002, 003, 004, 005 and 013

Name of Property Owner: SOUTHWEST DESERT EQUITIES, LLC

Name of Applicant: SOUTHWEST DESERT EQUITIES, LLC

Name of Representative: QUADRANT PLANNING

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: JOHN A. RITTER

Subscribed and sworn before me

This 1 day of MARCH, 20 07

Kelly Hermanson
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-20465** APN: 125-19-301-001, 002, 003, 004, 005 and 013

Name of Property Owner: BRAIN SURGERY, LLC

Name of Applicant: SOUTHWEST DESERT EQUITIES, LLC

Name of Representative: QUADRANT PLANNING

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: JOHN A. RITTER

Subscribed and sworn before me

This 1 day of MARCH, 20 07

Kelly Hermanson
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-20465** APN: 125-19-301-001, 002, 003, 004, 005 and 013

Name of Property Owner: NORTHWEST INVESTMENTS, LLC

Name of Applicant: SOUTHWEST DESERT EQUITIES, LLC

Name of Representative: QUADRANT PLANNING

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: JOHN A. RITTER

Subscribed and sworn before me

This 1 day of MARCH, 2007

Kelly Hermanson
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-20465** APN: 125-19-301-001, 002, 003, 004, 005 and 013

Name of Property Owner: DESERT HILLS PROPERTIES, LLC

Name of Applicant: SOUTHWEST DESERT EQUITIES, LLC

Name of Representative: QUADRANT PLANNING

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: JOHN A. RITTER

Subscribed and sworn before me

This 1 day of MARCH, 2011
Kelly Hermanson
Notary Public in and for said County and State



Current Land Use

- ☐ **Worldwide/Global Representation (3 - 5 stars)**
- ☐ **Global Reach (2.5 - 3.49 stars)**
- ☐ **Global (2.0 - 2.49 stars)**
- ☐ **Local (1.0 - 1.99)**
- ☐ **Medium-Low (1.0 - 1.99 stars)**
- ☐ **Medium-Low/Global (1.1 - 1.99 stars)**
- ☐ **Medium (1.0, 1 - 1.99 stars)**
- ☐ **High (2.0+ stars)**
- ☐ **Office**
- ☐ **Service Communities**
- ☐ **Special Communities**
- ☐ **Pay-Per-Click/Ad-Click Space**
- ☐ **Private Facility**
- ☐ **Corporate/Industrial**
- ☐ **Single - 67-Way**
- ☐ **Light Industrial Research**
- ☐ **General Community Development**
- ☐ **Urban Cluster**



NOVEMBER 2006

PROJECT SITE

DEER SPRING WY

N. GRANT CANYON FB.

W CENTENNIAL PKWY

FIG. 2. P200 Polymers with Carboxylic Acids and Alcohols as Reactants. Copolymer Unit Weights

GPA-20465
04/26/07 PC

RECEIVED
MAR 13 2007

Hualapai & 215

PROPOSED Land Use

City of Las Vegas Land Use Categories

- Heavy Industrial/Powerplants (1-2 acres)
- Heavy Retail (5.1 - 2.40 acres)
- Retail (2.0 - 1.00 acres)
- Low (0.0 - 0.5)
- Medium-Low (0.5 - 0.5 acres)
- Medium-Low Allocated (0.1 - 1.0 acres)
- Medium (1.1 - 2.0 acres)
- High (2.0+ acres)
- Office
- Service Commercial
- General Commercial
- Future Residential Open Space
- Public Facility
- Resource Conservation
- Light - 4+ Way
- Light Industrial Research
- Planned Community Development
- Town Center

**PROJECT
SITE**

R SPRING WY

W CENTENNIAL PKWY

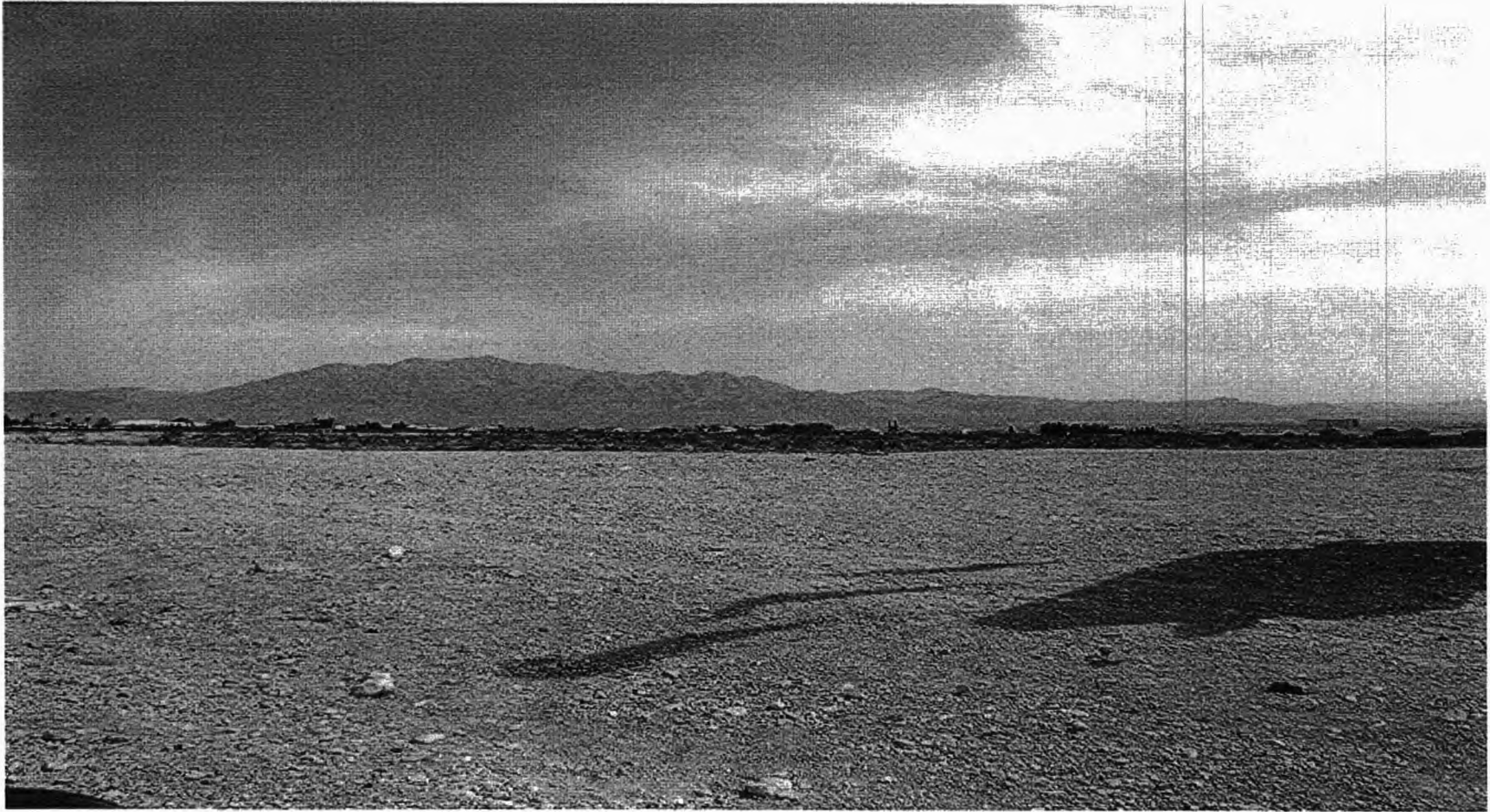


FEBRUARY 2007

FILE: P1001 Project/Face Communications & Mapping/10 & Map/10 - PROPOSED Land Use

**GPA-20465
04/26/07 PC**

RECEIVED
MAR 08 2007



GPA-20465 - APPLICANT: SW DESERT EQUITIES, LLC - OWNER: BRAIN SURGERY, LLC, ET AL
SOUTHEAST CORNER OF HUALAPAI WAY AND DEER SPRINGS WAY
APRIL 26, 2007 PLANNING COMMISSION

03/26/07

March 1, 2007

Mr. Doug Rankin, AICP
Planning Manager
City of Las Vegas
Planning and Development Department
731 South 4th Street
Las Vegas, NV 89101



**SUBJECT: JUSTIFICATION LETTER FOR A GENERAL PLAN
AMENDMENT TO THE CENTENNIAL HILLS SECTOR PLAN
FROM RURAL DENSITY RESIDENTIAL (R) AND RURAL
NEIGHBORHOOD PRESERVATION (RNP) TO PLANNED
COMMUNITY DISTRICT (PCD) ON APPROXIMATELY 23.3
ACRES LOCATED AT THE SOUTHEAST CORNER OF
DEERSPRINGS ROAD AND HUALAPAI WAY (APN 125-19-301-
001 THRU 005, AND 013)**

Dear Doug:

My office represents the applicant in the above mentioned request to amend the Centennial Hills Sector Plan from R and RNP to PCD on the subject property. It is our intention to develop a master plan on the subject property at a later date.

There are four criteria that must be affirmed in the granting of a General Plan Amendment pursuant to Title 19.18.030. Our responses to these four criteria are as follows:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land uses or zoning districts..**

The General Plan for this area designates the subject property as R (Rural Density Residential) and RNP (Rural Neighborhood Preservation Residential). The proposed change to Planned Community District could be compatible with the surrounding area, as the area surrounding this request has changed considerably since the original Centennial Hills Sector Plan was approved. The Cliff's Edge Master Planned Community was approved on the parcels directly to the east of the subject site. The parcels directly to the east have been designated for Medium Density Residential which allows up to 25 dwelling units per acre.

3455 Cliff Shadows Pkwy, Suite 220
Las Vegas, NV 89129

P 702 395 3154

F 702 242 0414

E info@quodplan.com

www.quodplan.com

**GPA-20465
04/26/07 PC**

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

To the west, across Hualapai Way, is property zoned PD (Planned Development) and planned for multi-family at up to 25 dwelling units per acre. To the south is the I-215 beltway. To the north and east are undeveloped properties.

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

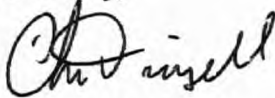
The subject site is located at the intersection of Hualapai Way a 100 foot right-of-way and Deer Springs Road an eighty foot wide right-of-way. In addition, Hualapai Way will have an interchange with the I-215 beltway. These roadways will provide adequate service to the proposed development.

4. **The proposed amendment conforms to other applicable adopted plans and policies.**

Policy B10 of the Centennial Hills Sector Plan which encourages the development of options, guidelines, and incentives for the use of innovative master development plans.

Should any further information be desired feel free to contact me at 702-395-3154. Thank you for your time and dedication with respect to this project.

Sincerely,



CHRIS DINGELL, AICP
PLANNING COORDINATOR

**GPA-20465
04/26/07 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**

Kathleen Bruce
9880 Elkhorn Road
Las Vegas, NV 89149
PH: 240-7187
E-mail: kathybruce@mfire.com

April 16, 2007

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

Re: GPA-20465

Request to Amend a portion of the Centennial Hills Sector Plan of the Master Plan
From: R (RURAL DENSITY RESIDENTIAL) TO: PCD (PLANNED COMMUNITY
DEVELOPMENT) on 23.3 acres at the southeast corner of Hualapai Way and Deer
Springs Way.

Planning Commission meeting April 26, 2007

I object to the above GPA for the following reasons:

The NE portion of the subject property lies within the Rural Neighborhood Preservation District and by agreement shall remain so for the life of the County/City Interlocal Agreement adopted Jan. 2002.

The remainder of the subject property lies in the Rural Density Residential District that was adopted as a narrow "buffer" or "transitional" zone separating the Rural Neighborhood Preservation District from the higher densities on all sides. To change this property to PCD would destroy the "buffer" zone by allowing for much higher densities and even commercial to abut the RNP district.

To rezone this property to PCD would set a precedent that would make it a possibility that the entire "buffer" zone on the south and west of the RNP district could be rezoned. This would decrease the value of our property and the quality of our life within the RNP district.

The intersection at Hualapai and Deer Springs is already very congested at certain times of the day and no one currently lives in Providence. When the 7,000 plus residences in Providence are occupied and the people try to access the 215 or Deer Springs to Durango this intersection will be a nightmare. Adding commercial or higher density adjacent to this intersection will only compound the problem.

Discussion:

The applicant recently held a neighborhood meeting with the residents of the RNP District. There was a very high turnout and the residents were unanimous in their opposition to any rezoning of this property.

The applicant's representative stated that because of the properties proximity to the 215 that the parcel would be more suited to a use other than rural density residential. I wish to remind the commissioners that the taxpayers spent a small fortune to have the 215 constructed about 30 feet below grade through this area to lessen the impact on residents. If you currently stand on Deer Springs in this area and look toward the 215 you do not even know it is there. In fact, this is one of the most desirable locations on the entire beltway to locate residences near the right-of-way.

When asked, the applicant's representative stated they had not yet decided on a use for the property. He admitted they had discussed commercial and or apartments as a possible use. A developer owns about 35 acres on the north side of Deer Springs, in the RNP District, and plans to build estate homes on ½ acre lots. The proposed use would not be compatible with homes of this type.

I urge you to deny this application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen Bruce', with a stylized, flowing script.

Kathleen Bruce

CC: Councilman Steven D Ross
Commissioner Chip Maxfield

9645 Haley Ave.
Las Vegas, NV 89149-1353
PH: 656-4241
E-mail: kenoplac@attol.com

April 14, 2007

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

Re: GPA-20465

Request to Amend a portion of the Centennial Hills Sector Plan of the Master Plan
From: R (RURAL DENSITY RESIDENTIAL) TO: PCD (PLANNED COMMUNITY
DEVELOPMENT) on 23.3 acres at the southeast corner of Hualapai Way and Deer
Springs Way.

Planning Commission meeting April 26, 2007

We object to the above GPA for the following reasons:

The NE portion of the subject property lies within the Rural Neighborhood Preservation District and by agreement shall remain so for the life of the County/City Interlocal Agreement adopted Jan. 2002.

The remainder of the subject property lies in the Rural Density Residential District that was adopted as a narrow "buffer" or "transitional" zone separating the Rural Neighborhood Preservation District from the higher densities on all sides. To change this property to PCD would destroy the "buffer" zone by allowing for much higher densities and even commercial to abut the RNP district.

To rezone this property to PCD would set a precedent that would make it a possibility that the entire "buffer" zone on the south and west of the RNP district could be rezoned. This would decrease the value of our property and the quality of our life within the RNP district.

The intersection at Hualapai and Deer Springs is already very congested at certain times of the day and no one currently lives in Providence. When the 7,000 plus residences in Providence are occupied and the people try to access the 215 or Deer Springs to Durango this intersection will be a nightmare. Adding commercial or higher density adjacent to this intersection will only compound the problem.

Discussion:

The applicant recently held a neighborhood meeting with the residents of the RNP District. There was a very high turnout and the residents were unanimous in their opposition to any rezoning of this property.

The applicant's representative stated that because of the properties proximity to the 215 that the parcel would be more suited to a use other than rural density residential. I wish to remind the commissioners that the taxpayers spent a small fortune to have the 215 constructed about 30 feet below grade through this area to lessen the impact on residents. If you currently stand on Deer Springs in this area and look toward the 215 you do not even know it is there. In fact, this is one of the most desirable locations on the entire beltway to locate residences near the right-of-way.

When asked, the applicant's representative stated they had not yet decided on a use for the property. He admitted they had discussed commercial and or apartments as a possible use. A developer owns about 35 acres on the north side of Deer Springs, in the RNP District, and plans to build estate homes on ½ acre lots. The proposed use would not be compatible with homes of this type.

We urge you to deny this application.

Sincerely,



Richard E Lemmon, DVM



Karin R Lemmon, DVM

CC: Councilman Steven D Ross
Commissioner Chip Maxfield

Civil Complaint
1
Protest Letter

Craig Platt
7025 Eula Street
Las Vegas, NV 89149-1353
PH: 839-1677
E-mail: vegasideaman@aol.com

April 22, 2007

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

Re: GPA-20465

Request to Amend a portion of the Centennial Hills Sector Plan of the Master Plan
From: R (RURAL DENSITY RESIDENTIAL) TO: PCD (PLANNED COMMUNITY DEVELOPMENT) on 23.3 acres at the southeast corner of Hualapai Way and Deer Springs Way.

Planning Commission meeting April 26, 2007

I object to the above GPA for the following reasons:

The NE portion of the subject property lies within the Rural Neighborhood Preservation District and by agreement shall remain so for the life of the County/City Interlocal Agreement adopted Jan. 2002.

The remainder of the subject property lies in the Rural Density Residential District that was adopted as a narrow "buffer" or "transitional" zone separating the Rural Neighborhood Preservation District from the higher densities on all sides. To change this property to PCD would destroy the "buffer" zone by allowing for much higher densities and even commercial to abut the RNP district.

To rezone this property to PCD would set a precedent that would make it a possibility that the entire "buffer" zone on the south and west of the RNP district could be rezoned. This would decrease the value of our property and the quality of our life within the RNP district.

There are a number of problems that I see related to this application. When people move into an area, they should have the expectation that zoning rules are going to be adhered to. Many people invest their hard earned savings to create a lifestyle that they deserve and prefer. It is terribly unfair to change the rules midstream and impact their quality of life. The interlocal agreement recognized that the RNP zoning was important in preserving and protecting those citizens that preferred that particular life style. It is crucial to developing diversity within the community. The interlocal agreement provides a

blueprint for development that was agreed upon and thus should be followed. Anything other than that creates a slippery slope where citizens can never believe in the integrity of any plans put before them by any government agency. It also creates a situation, where in fact, no real planning for an area is done. Projects are approved haphazardly with the overall outcome a mess of projects with no comprehensive end game to improve an area and the quality of life within it.

The intersection at Hualapai and Deer Springs is already very congested at certain times of the day and no one currently lives in Providence. When the 7,000 plus residences in Providence are occupied and the people try to access the 215 or Deer Springs to Durango this intersection will be a nightmare. Adding commercial or higher density adjacent to this intersection will only compound the problem.

The applicant recently held a neighborhood meeting with the residents of the RNP District. There was a very high turnout and the residents were unanimous in their opposition to any rezoning of this property.

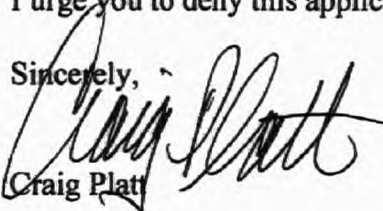
Developers can always attempt to justify their projects and make a claim that it is in the public's best interest. Despite their rhetoric, the reality is that these projects are only in the developer's best interest and everyone else **be damned**.

The applicant's representative stated that because of the properties proximity to the 215 that the parcel would be more suited to a use other than rural density residential. I wish to remind the commissioners that the taxpayers spent a small fortune to have the 215 constructed about 30 feet below grade through this area to lessen the impact on residents. If you currently stand on Deer Springs in this area and look toward the 215 you do not even know it is there. In fact, this is one of the most desirable locations on the entire beltway to locate residences near the right-of-way.

When asked, the applicant's representative stated they had not yet decided on a use for the property. He admitted they had discussed commercial and or apartments as a possible use. A developer owns about 35 acres on the north side of Deer Springs, in the RNP District, and plans to build estate homes on ½ acre lots. The proposed use would not be compatible with homes of this type.

I urge you to deny this application.

Sincerely,


Craig Platt

CC: Councilman Steven D Ross
Commissioner Chip Maxfield

4/24/07

FAX TO: CITY OF LAS VEGAS- PLANNING

ATTN: ANDREW REED

RE: GPA-20465 -OPPOSITION TO ZONING CHANGE

DEAR MR REED,

AS A PROPERTY OWNER IN THE IMMEDIATE NEIGHBORHOOD OF A 5 ACRE RU ZONED HOMESITE (INACCURATELY LABELED AS PCD ON YOUR RECENT MAILING) FRONTING ON 10225 DEER SPRINGS WAY AND BORDERED BY EAGEN CREST AND BATH ON THE SOUTH, I AM EXPRESSING MY OPPOSITION TO ANY ADDITIONAL CHANGES AWAY FROM RURAL ZONING IN THE AREA.

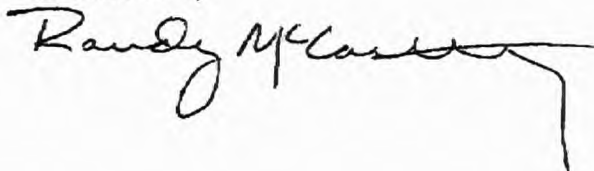
FAR TOO MANY CHANGES TO ORIGINAL PLANNING HAVE BEEN MADE IN PIECE MEAL FASHION LIKE THIS OVER THE PAST FEW YEARS IN THIS NEIGHBORHOOD .THE RESULT BEING RURAL PROPERTY OWNERS LIKE MYSELF, ZONED FOR HORSES AND MULTIPLE ANIMALS WITH A PCD ON MY WESTERN PROPERTY WALL.THIS WAS EXACTLY THE REASON I LEFT MY HOME IN THE PAINTED DESERT AND PIONEERED THE CENTENNIAL HILLS AREA.

THE COUNTY HAS ALWAYS SAID THAT THE AREA EAST OF HUALAPAI TO GRAND CANYON WOULD REMAIN RURAL DENSITY. PLEASE STICK TO THE PLAN FOR ONCE ANDAVOID FUTURE COMPLICATIONS AND ERRORS LIKE OTHERS ALREADY MADE IN THE AREA.

RE: INACCURATE ZONING ON YOUR MAILING-

WOULD YOU PLEASE CORRECTLY LABEL MY PARCELS AS RU ZONINNG (SEE ATTACHED CORRECTED MAP FOR THE LOCATION REFERRED TO ABOVE) AND CORRECT IT IN ALL THE CITY FILES AND REMAIL IT TO THOSE IN THE NEIGHBORHOOD ADVISING THEM OF THIS MISTAKE. PLEASE FAX BACK A COPY OF THE CORRECTED DOCUMENT TO ME AT 702-658-7617 SO THAT I KNOW THE MISTAKE IS CORRECTED.

SINCERELY,



RANDY MCCARTHY
10225 DEER SPRINGS WAY
LAS VEGAS, NV 89149

CC: CHIP MAXFIELD - COUNTY COMMISSIONER
KIM BUSH

Carole Lee Squires
9685 Elkhorn Road
Las Vegas, NV 89149-1911

1

April 17, 2007

Planning and Development Department
Current Planning Division
Clark County
Las Vegas, Nevada

Re: GPA-20465

Request to Amend a portion of the Centennial Hills Sector Plan of the Master Plan from: R (RURAL DENSITY RESIDENTIAL) TO: PCD (PLANNED COMMUNITY DEVELOPMENT) on 23.3 acres at the southeast corner of Hualapai Way and Deer Springs Way. Planning Commission meeting April 26, 2007

I object to the above GPA for the following reasons:

The NE portion of the subject property lies within the Rural Neighborhood Preservation District and by agreement shall remain so for the life of the County/City Interlocal Agreement adopted Jan. 2002.

The remainder of the subject property lies in the Rural Density Residential District that was adopted as a narrow "buffer" or "transitional" zone separating the Rural Neighborhood Preservation District from the higher densities on all sides. To change this property to PCD would destroy the "buffer" zone by allowing for much higher densities and even commercial to abut the RNP district.

To rezone this property to PCD would set a precedent that would make it a possibility that the entire "buffer" zone on the south and west of the RNP district could be rezoned. This would decrease the value of our property and the quality of our life within the RNP district.

The intersection at Hualapai and Deer Springs is already very congested at certain times of the day and no one currently lives in Providence. When the 7,000 plus residences in Providence are occupied and the people try to access the 215 or Deer Springs to Durango this intersection will be a nightmare. Adding commercial or higher density adjacent to this intersection will only compound the problem.

Discussion:

The applicant recently held a neighborhood meeting with the residents of the RNP District. There was a very high turnout and the residents were unanimous in their opposition to any rezoning of this property.

Carole Lee Squires
9685 Elkhorn Road
Las Vegas, NV 89149-1911

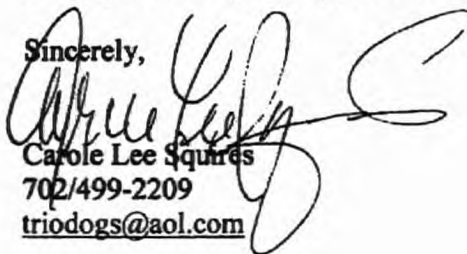
2

The applicant's representative stated that because of the properties proximity to the 215 that the parcel would be more suited to a use other than rural density residential. I wish to remind the commissioners that the taxpayers spent a small fortune to have the 215 constructed about 30 feet below grade through this area to lessen the impact on residents. If you currently stand on Deer Springs in this area and look toward the 215 you do not even know it is there. In fact, this is one of the most desirable locations on the entire beltway to locate residences near the right-of-way.

When asked, the applicant's representative stated they had not yet decided on a use for the property. He admitted they had discussed commercial and or apartments as a possible use. A developer owns about 35 acres on the north side of Deer Springs, in the RNP District, and plans to build estate homes on 1/2 acre lots. The proposed use would not be compatible with homes of this type.

I urge you to deny this application.

Sincerely,



Carole Lee Squires
702/499-2209
tridogs@aol.com

CC: Councilman Steven D Ross
Commissioner Chip Maxfield

Pinnacle Nevada Corp.

April 20, 2007

Elizabeth M. Sorokac
Kummer Kaempfer Bonner Renshaw and Ferrario
3425 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89129

RE: City of Las Vegas GPA 20465
SE Corner Deer Springs and Hualapai

Dear Elizabeth:

Thank you for speaking with me last week regarding the above application. As I understand this application, it is not actually a zoning request, but a reclassification of the property on the general plan. At a later date, a zoning application for the intended use would be made, at which time much greater detail would be available for review.

In the event that the City of Las Vegas agrees that it is appropriate to change the General Plan and approves the application, then we would appreciate your contacting us when any plans are available for review, as a change in the General Plan would have an impact on our property (35 acres) due north across Deer Springs from this location.

Please contact me with any questions. Thank you.

Sincerely,



Frank E. Wyatt
President

CC: City of Las Vegas Planning and Development
Commissioner Chip Maxfield

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
REZONING

ZON-20495 - PUBLIC HEARING - APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER: OUTPAR, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL) on 2.13 acres on the west side of Jones Boulevard, approximately 275 feet south of Cheyenne Avenue (APN 138-14-501-007), Ward 5 (Williams). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 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. Backup referenced from the 04-26-07 Planning Commission Meeting Item 51

Motion made by BRENDA J. WILLIAMS to Approve Subject to Conditions

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

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

Minutes:

MAYOR PRO TEM REESE verified with ASSISTANT CITY ATTORNEY BRYAN SCOTT that enough time has passed since LENI SKAAR was employed by the City of Las Vegas.

MAYOR PRO TEM REESE declared the Public Hearing open on Items 128-130.

MS. SKAAR, 3753 Howard Hughes Parkway, appeared on behalf of the applicant and briefly described the project. The 14,000 square foot grocery store will be located on the corner of

CITY COUNCIL MEETING OF: JUNE 6, 2007

Cheyenne Avenue and Jones Boulevard. The lot is currently zoned U (Undeveloped) and the request is to rezone it to C-1 (Limited Commercial). She explained the purpose of the landscape waiver, agreed with all conditions and requested approval.

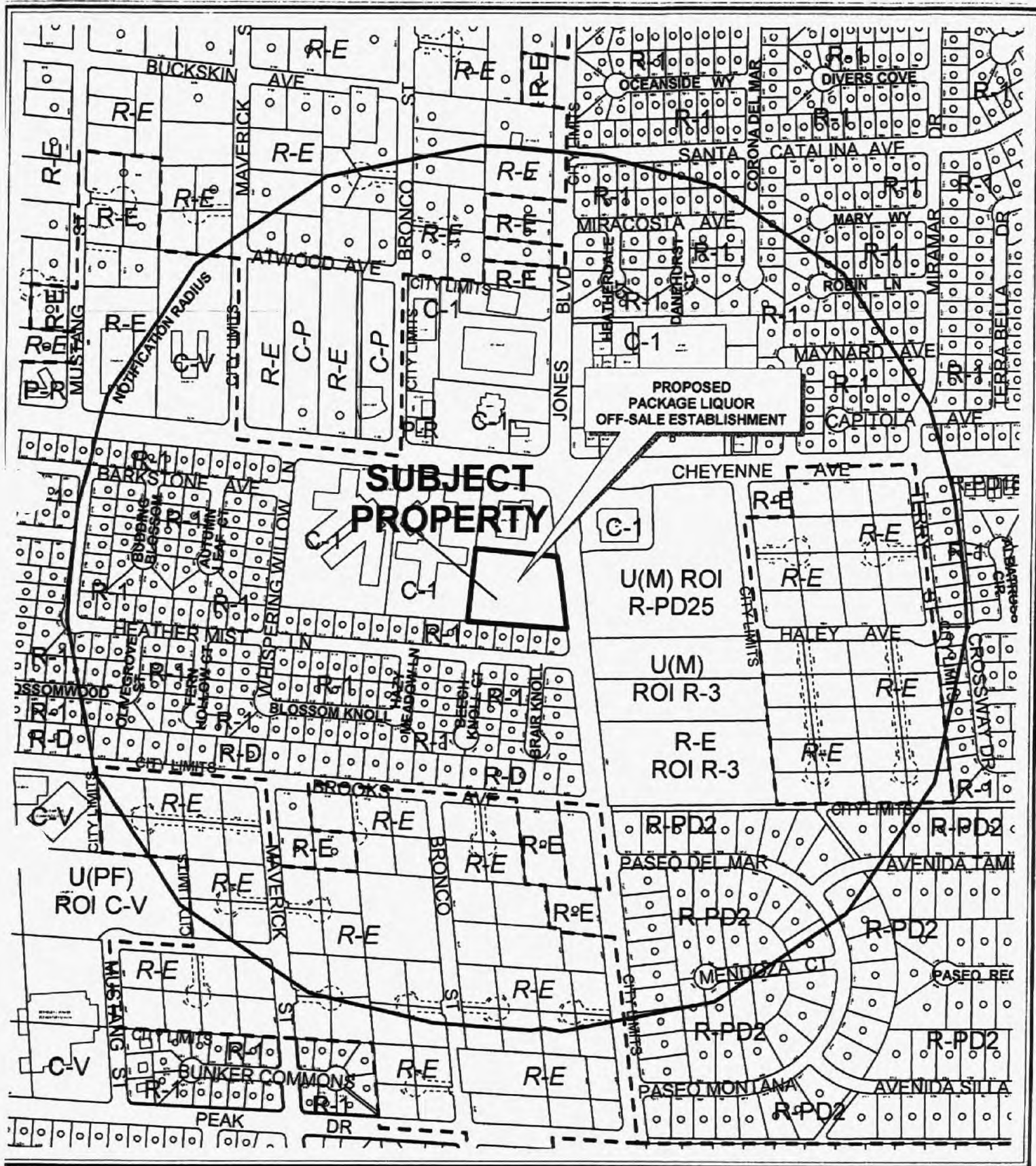
DOROTHY GOLDSTEIN and DORIS LIEBERT both expressed concern with another location selling liquor, as there are too many locations selling alcohol. MS. LIEBERT asked the City Council to deny the application.

COUNCILWOMAN WILLIAMS acknowledged the concerns of the residents, but pointed out this store would play an important role in the revitalization of the area. Only a small percentage of the square footage will have alcohol. Denying the special use permit would be discriminatory.

COUNCILMAN ROSS observed this application is another infill project and asked the applicant to clarify the use. MS. SKAAR explained that less than five percent of the area would be used for alcohol sales and was intended mainly for wine sales and some beer. The applicant has agreed not to sell single container.

MAYOR PRO TEM REESE declared the Public Hearing closed on Items 128-130.





CASE: ZON-20495

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 400 800 Feet





CASE: ZON-20495

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-20495- APPLICANT: DRAKE REAL ESTATE SERVICES
- OWNER: OUTPAR, 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-20503) 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.
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

The project request is for a Rezoning from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on a 2.13 acre site located on the west side of Jones Boulevard approximately 275 feet south of Cheyenne Avenue. The zone change will allow for a commercial development that will complement surrounding existing retail, residential, and community service uses. The C-1 (Limited Commercial) zone is consistent with the General Plan designated land use of SC (Service Commercial) and will allow for a new development within a General Plan designated revitalization area. Staff recommendation is for approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/04/87	The City Council approved the Reclassification of Property (Z-92-86) southwest of Cheyenne Avenue and Jones Boulevard from N-U (Non-Urban) to R-CL (Single Family Compact Lot), R-PD10 (Residential Planned Development), C-1 (Limited Commercial), for a proposed Single Family Residential, Townhouses, and Shopping Center uses. Planning Commission and staff recommended denial.
04/26/07	The Planning Commission recommended approval of companion items SUP-20505 and SDR-20503 concurrently with this application. The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #51/ja).
<i>Related Building Permits/Business Licenses</i>	
None	
<i>Pre-Application Meeting</i>	
02/12/07	A Pre-application meeting was held where Planning staff advised the applicant of the submittal requirements.
<i>Neighborhood Meeting</i>	
A Neighborhood meeting is not required for this type of application nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.13 acre site

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	U (Undeveloped) [SC (Service Commercial) General Plan Designation]
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single-family residential	L (Low Density Residential)	C-1 (Limited Commercial)
East	Undeveloped	SC (Service Commercial)	R-1 (Single-family Residential)
West	Institutional – Community Service	M (Medium Density Residential)	U (Undeveloped) [M (Medium Density Residential) General Plan Designation]

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

DEVELOPMENT STANDARDS

In accordance with Title 19.08, the following commercial development standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	NA	Y
Min. Lot Width	100 feet	270 feet	Y
Min. Setbacks			
• Front	20 feet	137 feet	Y
• Side	10 feet	75 ft., 60 ft.	Y
• Corner	-	-	
• Rear	20 feet	52 feet	Y
Min. Distance Between Buildings	NA	NA	Y
Max. Lot Coverage	50%	15%	Y
Max. Building Height	NA	NA	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Screened	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	
General Retail Store – Other (>3,500 sf)	14,028 square feet	1 space / 175 square feet gross floor area	80	4	85	4	Y
SubTotal			80		85		
TOTAL			80		85		Y
Loading Spaces			2		2		Y
Percent Deviation							

ANALYSIS

The proposed zone change to C-1 (Limited Commercial) will allow for commercial development consistent with the current General Plan land use designation of SC (Service Commercial) and revitalization goals.

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 zone change to C-1 (Limited Commercial) conforms with the General Plan land 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 rezone will allow for commercial/retail uses that will complement adjacent commercial, residential, and institutional uses.

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

The project site is an underutilized parcel that via the rezone, will allow for an infill development within a suburban community.

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.”**

Public roads have adequate capacity and provide direct access to the project site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 1

SENATE DISTRICT 3

NOTICES MAILED 441 by Planning Department

APPROVALS 0

PROTESTS 1



ZON-20495

PROPOSED SITE PLAN

CHEYENNE AVE & JONES BLVD
LAS VEGAS, NV

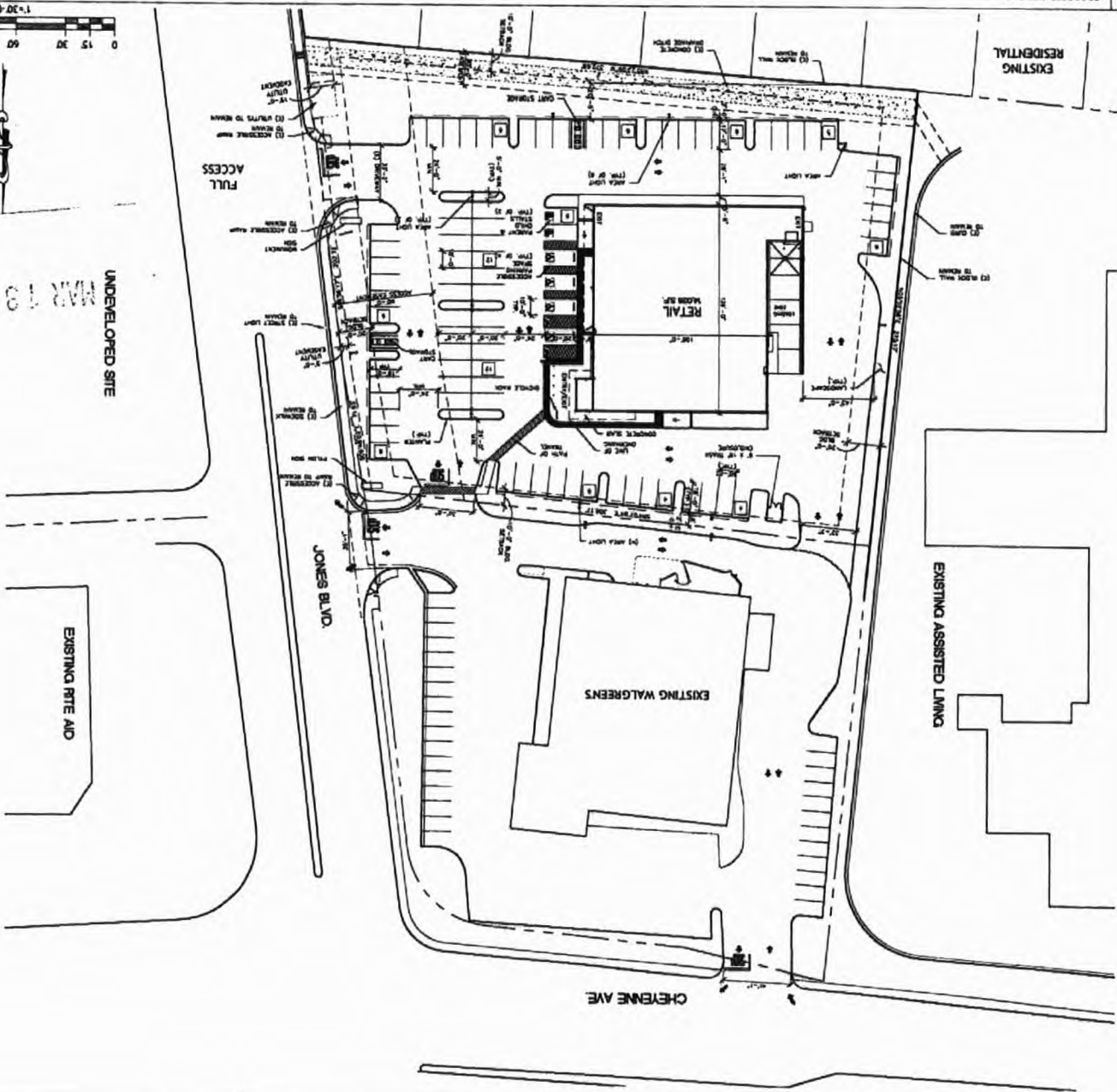
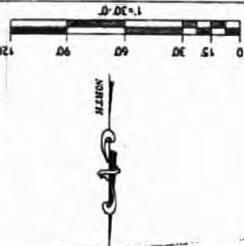
JOHN W. JOHNSON, ARCHITECT
1137 NORTH MCCOMMELL BLVD.
RENO, NV 89503-9454
(702) 785.1000

DATE: 11/11/2010
PROJECT: 1137 NORTH MCCOMMELL BLVD.
SHEET: 1 OF 1

PROPOSED SITE PLAN

1137 NORTH MCCOMMELL BLVD.
RENO, NV 89503-9454
(702) 785.1000

DATE: 11/11/2010
PROJECT: 1137 NORTH MCCOMMELL BLVD.
SHEET: 1 OF 1

**PROPOSED SITE PLAN**

Bradshaw & Associates

A Land Use Consulting Company

January 25, 2007

Dear Sir or Madam,

Our client, Tesco Stores West, would like to build a grocery store on the vacant lot adjacent to the west side of Jones, just south of Cheyenne. The APN # is 138-14-501-007.

This parcel is master planned SC (Service Commercial) and the current zoning is U (Undeveloped). We are requesting a Zone Change to C-1, in conformance with the master plan.

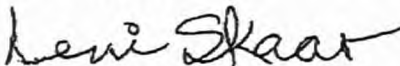
Tesco, like other grocery retailers throughout the valley, would like to be able to provide package liquor as a convenience for its customers. Therefore, we will also be seeking a Special Use Permit to allow the sale of beer, wine and distilled spirits at this location.

Due to the existing concrete drainage conveyance along the southern portion of the site, which accepts flows from the Assisted Living facility to the west, we are proposing an alternative landscape planter design in that area, which may require a waiver from the City's landscaping standards.

We believe a grocery store is an appropriate use at this location because it will allow the residents of the Assisted Living facility to shop for everyday items without having to cross a busy street. Because Tesco's store will be smaller, and therefore more convenient than a large super store, we also believe many of the retired people, who will soon live in the Senior Apartments on the east side of Jones, will also enjoy shopping in this store.

Both Jones and Cheyenne are major streets, designed to carry significant traffic, and are capable of accommodating any additional vehicle trips generated by this use.

Sincerely yours,



Leni Skaar

MAR 19 2007

ZON-20495
04/26/07 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**

Aaron J. Kramer
6024 Heather Mist Lane
Las Vegas, Nevada 89108
(702) 658-2135
Email: ajkramer@cox.net

April 15, 2007

Planning & Development Department,
Current Planning Division,
Development Services Center
731 South Fourth Street
Attn: ZON-19673, SDR-19670, VAR-19672
Las Vegas, Nevada 89101

RE: ~~ZON-20495~~, SDR-20503 & SUP-20505

Dear Mr. Reed:

I am **OPPOSED** to the Rezoning (ZON-20495), Site Development Plan Review (SDR-20503) and the Special Use Permit (SUP-20505) as proposed by Drake Real Estate Services-Outpar, LLC.

Traffic congestion is an existing and growing problem at the intersection of North Jones Boulevard and West Cheyenne Avenue with no room for expansion. Another grocery/convenience type store will greatly increase vehicular and pedestrian traffic at the intersection. We already have a grocery store on the northwest corner and two convenience type stores on the opposing corners with the proposed site located next door to a convenience store. We have absolutely no need for a package liquor store with the same across the street.

Another consideration is increased loitering, by juveniles, which has increased substantially over the last couple of years around these type establishments that are already here.

Sincerely


Aaron J. Kramer

James and Donna Buckley
6116 Blossom Knoll Ave.
Las Vegas, NV 89108
(702) 655-6456

April 19, 2007

Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

RE: Objections to a Proposed Liquor Store – Rezoning Issue

To Whom It May Concern:

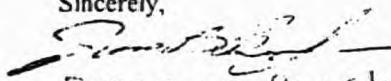
We are voicing our objection to a proposed rezoning for a liquor store next to our development, The Willows, which is off the southwest corners of Cheyenne and Jones. We are putting our concerns in writing as we will not be able to attend your City Council Meeting in Chambers on April 26th at 6:00pm.

Please understand that we both are in agreement that the use of this land should not be rezoned for this purpose. There is currently a Walgreen's and a Rite Aid pharmacy on both the southwest and southeast corners of Cheyenne and Jones, and there is also some senior apartments being built off the southeast corner, which is across the street from our development's entrance at Heather Mist. Our development only has two entrance/exits. This one is in question. (The other entrance/exit is onto Cheyenne from Whispering Willow nearest to The Plaza Assisted Living.) We wholeheartedly believe this is not in the best interest of the neighborhood. We have been a resident here for over ten years now and bought our home at this location because this area didn't have strip shopping, and believe if someone wishes to purchase liquor product, they can go to the Vons grocery store across the street. This proposed facility would also make it very difficult for ingress and egress from our development due to more traffic from a facility such as this.

We hope that these two votes against this rezoning issue are heard loudly during your City Council Meeting. Should you wish to discuss this with us further, you may do so by contacting us at the number above. We welcome your feedback regarding this most important issue.

Thank you very much for your time and efforts in this matter.

Sincerely,


Donna Buckley
James and Donna Buckley

cc: Councilwoman Brenda Williams

SDR-20603
SUP-20505
ZUN-20495
41-53

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-20495

SUP-20505 - PUBLIC HEARING - APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER: OUTPAR, LLC - Request for a Special Use Permit FOR A RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE on the west side of Jones Boulevard, approximately 275 feet south of Cheyenne Avenue (APN 138-14-501-007), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Williams). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

25

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 Special Maps
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 and protest letter by James and Donna Buckley
7. Submitted after meeting – Returned postcard protests
8. Backup referenced from the 04-26-07 Planning Commission Meeting Item 52

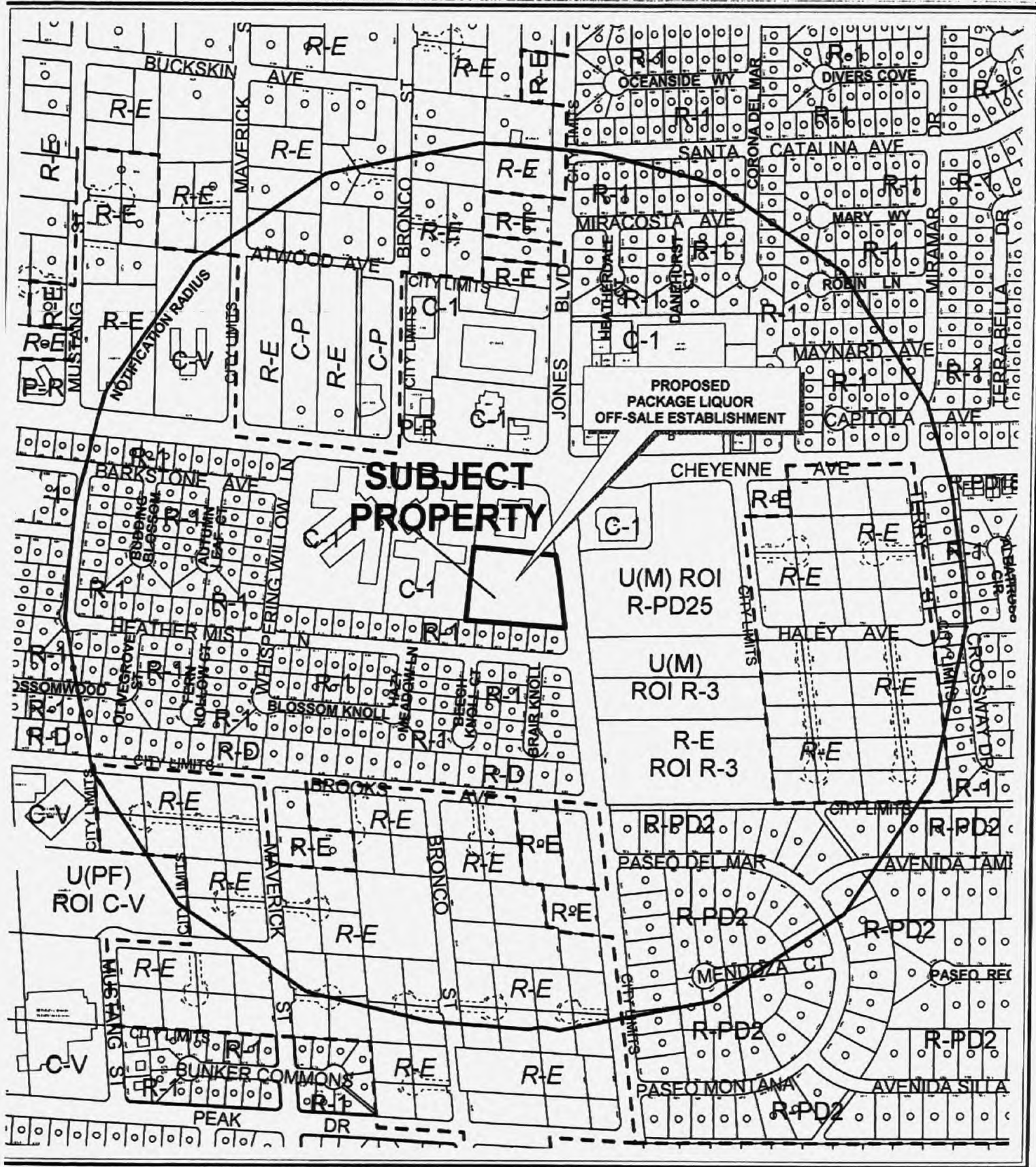
Motion made by BRENDA J. WILLIAMS to Approve Subject to Conditions

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

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

Minutes:

See Item 128 for related discussion.



CASE: SUP-20505

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 400 800 Feet



Package Liquor Sales

Child Care/
Children Facility

Supper Club/
Restaurant Service Bar

☐ Liquor on/off Sales

CITY PARKS

SCHOOLS

400 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-20505 - APPLICANT: DRAKE REAL ESTATE
SERVICES - OWNER: OUTPAR, LLC

**** CONDITIONS ****

The Planning Commission (6-0-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-20495), and Site Development Plan Review (SDR-20503) if approved.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-20495) and Site Development Plan Review (SDR-20503) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
7. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for an Retail Establishment with Accessory Package Liquor off-sale located on the west side of Jones Boulevard approximately 275 feet south of Cheyenne Avenue. The project will comply with the special use conditions in accordance with Title 19.04. Staff recommendation is for approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/04/87	The City Council approved the Reclassification of Property southwest of Cheyenne Avenue and Jones Boulevard from N-U (Non-Urban) to R-CL (Single Family Compact Lot), R-PD10 (Residential Planned Development), C-1 (Limited Commercial), for a proposed Single Family Residential, Townhouses, and Shopping Center uses. Planning Commission and staff recommended denial.
04/26/07	The Planning Commission recommended approval of companion items ZON-50495 and SDR-20503 concurrently with this application. The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #52/ja).
<i>Related Building Permits/Business Licenses</i>	
None	
<i>Pre-Application Meeting</i>	
02/12/07	A Pre-application meeting was held where Planning staff advised the applicant of the submittal requirements.
<i>Neighborhood Meeting</i>	
A Neighborhood meeting is not required for this type of application nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.13 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	U (SC): Undeveloped (Service Commercial – General Plan Designation)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single-family residential	L (Low Density Residential)	C-1 (Limited Commercial)

East	Undeveloped	SC (Service Commercial)	R-1 (Single-family Residential)
West	Institutional – Community Service	M (Medium Density Residential)	U(M): Undeveloped (Medium Density Residential – General Plan Designation)

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

DEVELOPMENT STANDARDS

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

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail Store – Other (>3,500 sf)	14,028 square feet	1 space / 175 square feet gross floor area	80	4	85	4	Y
SubTotal			80		85		
TOTAL			80		85		Y
Loading Spaces			2		2		Y
Percent Deviation							

ANALYSIS

The proposed project to allow liquor retail sales at a proposed commercial (grocery store) establishment complies with the special use requirements for a Retail Establishment with Accessory Package Liquor Off-sale establishment. The square footage for the liquor sales display will be less than 10 percent of the floor area for the proposed grocery store.

The project will be located within 500 feet of the City boundary with Clark County. In accordance with Ordinance No. 5477, an Environmental Impact Assessment was prepared and is available for review at the Planning and Development Department offices.

FINDINGS

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

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

The proposed use can be operated to complement neighboring retail, community service, and residential uses.

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

The project site is vacant and is capable of accommodating the project.

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

A public street adequately serves the project site via Jones Boulevard.

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

The proposed use can be implemented without detrimental effects to human health and public safety.

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

The project will meet all requirements of Title 19.04 for Retail Establishment with Accessory Package Liquor Off-sale Establishment.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 1

SENATE DISTRICT 3

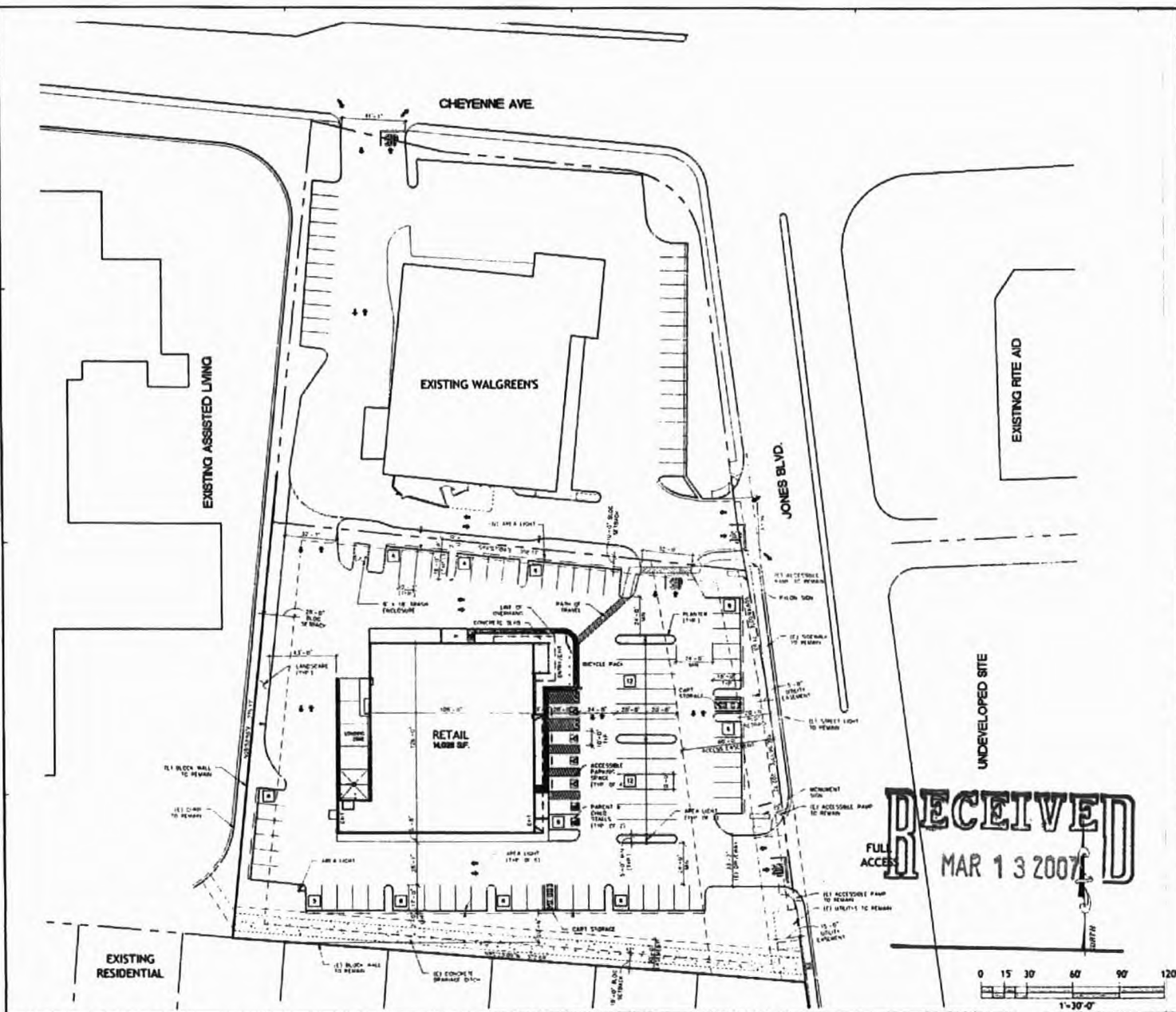
NOTICES MAILED 455 by City Clerk

APPROVALS 0

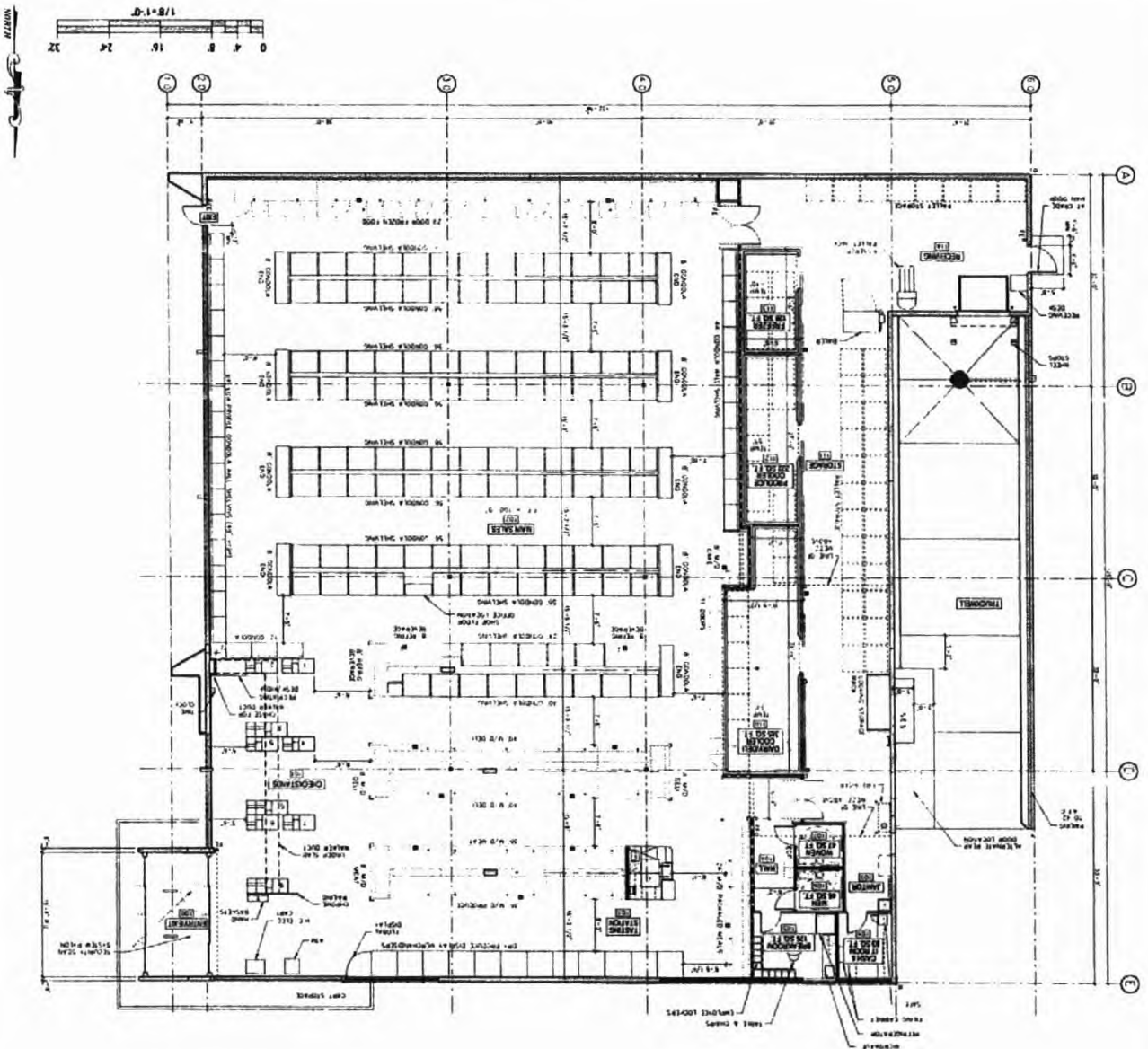
PROTESTS 1



1. Proposed site plan for the proposed development at the intersection of Jones Blvd. and Cheyenne Ave. in Las Vegas, NV. The site is located within the City of Las Vegas, Clark County, Nevada. The site is bounded by Cheyenne Ave. to the north, Jones Blvd. to the east, and an undeveloped site to the south. The site is currently zoned M-1 (Manufacturing). The proposed development consists of a retail building, a parking lot, and a loading dock. The site plan shows the layout of the building, parking spaces, and landscaping. The site is shown in relation to the surrounding area, including existing buildings and streets. The site is shown in relation to the proposed development, including the retail building, parking lot, and loading dock. The site is shown in relation to the surrounding area, including existing buildings and streets. The site is shown in relation to the proposed development, including the retail building, parking lot, and loading dock.



DRAWING INDEX 001 PROPOSED SITE PLAN 002 SITE PLAN EXHIBIT 003 FUTURE PLANNING 004 BUILDING ELEVATIONS 005 BUILDING ELEVATIONS (CONTINUED) 006 LANDSCAPE PLAN 007 EXISTING LANDSCAPE PLAN		 ADD 1114 STREET BLVD. SUITE 100 LAS VEGAS, NV 89102 TEL: 702-735-1000 FAX: 702-735-1000
PROJECT DATA PROJECT: RETAIL BUILDING RETAIL BUILDING: 1114 N. CHEYENNE BLVD. PARKING SPACES: 1114 N. CHEYENNE BLVD. PARKING: 1114 N. CHEYENNE BLVD. STANDARD: 1114 N. CHEYENNE BLVD. ACCESSIBLE: 1114 N. CHEYENNE BLVD. PARKING: 1114 N. CHEYENNE BLVD. PROPERTY: 1114 N. CHEYENNE BLVD. DENSITY: 1114 N. CHEYENNE BLVD. LANDSCAPE: 1114 N. CHEYENNE BLVD.		
PROJECT DIRECTORY PROPERTY OWNER: THE SCHWABER COMPANY 1114 N. CHEYENNE BLVD. LAS VEGAS, NV 89102 TEL: 702-735-1000 FAX: 702-735-1000 DEVELOPER: DRAKE REAL ESTATE, INC. 1114 N. CHEYENNE BLVD. LAS VEGAS, NV 89102 TEL: 702-735-1000 FAX: 702-735-1000 ARCHITECT: JOHN A. JOHNSON ARCHITECT 1114 N. CHEYENNE BLVD. LAS VEGAS, NV 89102 TEL: 702-735-1000 FAX: 702-735-1000 LANDSCAPE ARCHITECT: JOHN A. JOHNSON ARCHITECT 1114 N. CHEYENNE BLVD. LAS VEGAS, NV 89102 TEL: 702-735-1000 FAX: 702-735-1000		PROPOSED SITE PLAN CHEYENNE AVE & JONES BLVD LAS VEGAS, NV
AERIAL MAP 		
VICINITY MAP 		PROPOSED SITE PLAN SUP-20505 04/26/07 PC
RECEIVED MAR 13 2007		



MAXIMUM OCCUPANCY

Year	Age	Sex	Height	Weight	Body Mass Index	Waist Circumference	Waist-Hip Ratio	Trunk Fat (%)	Visceral Fat (cm)	Subcutaneous Fat (cm)	Visceral Fat Index	Subcutaneous Fat Index
1990	20	M	170	65	22.0	85	0.95	15	10	12	0.15	0.12
1995	25	M	175	75	24.2	90	0.98	18	12	15	0.18	0.15
2000	30	M	180	85	26.3	95	1.00	20	15	18	0.20	0.18
2005	35	M	185	95	28.4	100	1.02	22	18	20	0.22	0.20
2010	40	M	190	105	30.5	105	1.05	25	20	22	0.25	0.22

RECEIVED
MAR 13 2007

SUP-20505
04/26/07 PC

FIXTURE PLAN

CHEYENNE AVE & JONES BLVD
LAS VEGAS, NV

JOHN. W. JOHNSON, ARCHITECT
1137 NORTH McDOWELL BLVD.,
PETALUMA, CALIFORNIA 94954
(707) 785-1440



Bradshaw & Associates

A Land Use Consulting Company

January 25, 2007

Dear Sir or Madam,

Our client, Tesco Stores West, would like to build a grocery store on the vacant lot adjacent to the west side of Jones, just south of Cheyenne. The APN # is 138-14-501-007.

This parcel is master planned SC (Service Commercial) and the current zoning is U (Undeveloped). We are requesting a Zone Change to C-1, in conformance with the master plan.

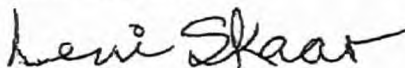
Tesco, like other grocery retailers throughout the valley, would like to be able to provide package liquor as a convenience for its customers. Therefore, we will also be seeking a Special Use Permit to allow the sale of beer, wine and distilled spirits at this location.

Due to the existing concrete drainage conveyance along the southern portion of the site, which accepts flows from the Assisted Living facility to the west, we are proposing an alternative landscape planter design in that area, which may require a waiver from the City's landscaping standards.

We believe a grocery store is an appropriate use at this location because it will allow the residents of the Assisted Living facility to shop for everyday items without having to cross a busy street. Because Tesco's store will be smaller, and therefore more convenient than a large super store, we also believe many of the retired people, who will soon live in the Senior Apartments on the east side of Jones, will also enjoy shopping in this store.

Both Jones and Cheyenne are major streets, designed to carry significant traffic, and are capable of accommodating any additional vehicle trips generated by this use.

Sincerely yours,

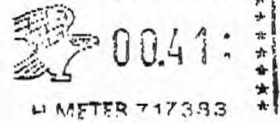


Leni Skaar

SUP-20505
04/26/07 PC

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

RECEIVED
 CITY CLERK



Return Service Requested
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 and for further information, please call 229-6301

MORRIS LEONARD & CAROL
 3116 TERRY ST
 LAS VEGAS NV 89108-4234



I SUPPORT
 this Request



I OPPOSE
 this Request

SUP-20505

691084234 0025



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

RECEIVED
 CITY CLERK



U.S. POSTAGE



00.41:

METER 717383

Return Service Requested

Official Notice of Public Hearing

2007 MAY 29 A 7:56



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 and for further information, please call 229-6301



I SUPPORT
 this Request



I OPPOSE
 this Request

SUP-20505

BREWER BRENDA J
 JONES FLORENE REVOCABLE TRUST
 6204 HEATHER MIST LN
 LAS VEGAS NV 89108-4345

891084345 0043



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

RECEIVED
CITY CLERK



2007 MAY 29 A 10: 44

Return Service Requested
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 (702) 382-4803 and for further information, please call 229-6301

BORGNA JOYCE & MARSHALL
3012 OLIVEGROVE CT
LAS VEGAS NV 89108-4329



I SUPPORT
this Request



I OPPOSE
this Request

SUP-20505

891084329 C043



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

RECEIVED
CITY CLERK



2007 MAY 29 A 10: 44

Return Service Requested
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 and for further information, please call 229-6301

GENTILE CHARLES D & TINA M
6124 HEATHER MIST LN
LAS VEGAS NV 89108-4229



I SUPPORT
this Request



I OPPOSE
this Request

SUP-20505

891084229 C043



Application Information

SUP-20505 – SPECIAL USE PERMIT – PUBLIC HEARING –
APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER:
OUTPAR, LLC - Request for a Special Use Permit FOR A RETAIL
ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-
SALE on the west side of Jones Boulevard, approximately 275 feet
south of Cheyenne Avenue (APN 138-14-501-007), U
(Undeveloped) Zone [SC (Service Commercial) General Plan
Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5
(Williams)

Application Location



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

Public Hearing Information

Meeting: City Council
Date: *June 6, 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>.

Application Information

SUP-20505 – SPECIAL USE PERMIT – PUBLIC HEARING –
 APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER.
 OUTPAR, LLC - Request for a Special Use Permit FOR A RETAIL
 ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-
 SALE on the west side of Jones Boulevard, approximately 275 feet
 south of Cheyenne Avenue (APN 138-14-501-007), U
 (Undeveloped) Zone [SC (Service Commercial) General Plan
 Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5
 (Williams)

Application Location



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

Public Hearing Information

Meeting: City Council
Date: *June 6, 2007*
Time: 1:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

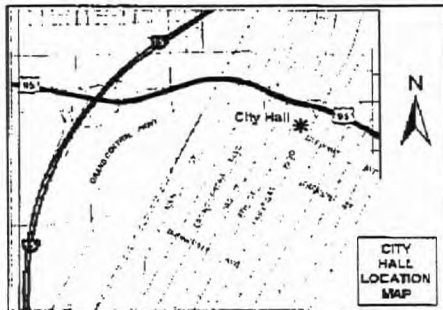
Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada 89101. For further information, please call 702-229-6301 (TDD 702-386-9108),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

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

RECEIVED
CITY CLERK

2007 MAY 30 P 4: 27

Return Service Requested
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 City Clerk at the address listed above or fax this side of this card to (702) 382-4803 and for further information, please call 229-6301.



I SUPPORT
this Request

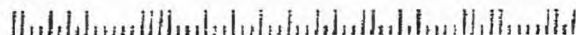


^{we}
I OPPOSE
this Request

SUP-20505

BUCKLEY JAMES B & DONNA J
6116 BLOSSOM KNOLL AVE
LAS VEGAS NV 89108-4235

8910834235 CD43



Submitted after final agenda

Date 5/30/07 Item #129

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

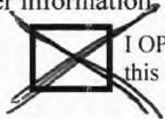
Return Service Requested
Official Notice of Public Hearing



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 (702) 382-4803 and for further information, please call 229-6301

☐

I SUPPORT
this Request



I OPPOSE
this Request

SUP-20505



2007 JUN -1 A 10:40



U.S. POSTAGE

00.41:

METER 717383

PRUET LLOYD K & JAN LAREE
5720 AVENIDA TAMPICO
LAS VEGAS NV 89108-4162

891084162 0026



Application Information

SUP-20505 - SPECIAL USE PERMIT - PUBLIC HEARING -
 APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER:
 OUTPAR, LLC - Request for a Special Use Permit FOR A RETAIL
 ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-
 SALE on the west side of Jones Boulevard, approximately 275 feet
 south of Cheyenne Avenue (APN 138-14-501-007), U
 (Undeveloped) Zone [SC (Service Commercial) General Plan
 Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5
 (Williams)

*I don't believe this type of
 establishment would attract
 the type of people we want in
 this neighborhood - There is already
 PKG liquor available at 3 of the 4 corners
 a. West Cheyenne was greens
 Rite Aid
 Vons*

Application Location



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

Public Hearing Information

Meeting: City Council
 Date: June 6, 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>.

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

Return Service Requested

Official Notice of Public Hearing 2007 MAY 30 A 10:30



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 and for further information, please call 229-6301

☐ I SUPPORT
 this Request

☒ I OPPOSE
 this Request

SUP-20505

COOK THERESA
 3109 WHISPERING WILLOW LN
 LAS VEGAS NV 89108-4349

891084349 0043



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

RECEIVED
CITY CLERK



Return Service Requested
Official Notice of Public Hearing

2007 MAY 30 A 10: 22



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 and for further information, please call 229-6301

CARTER THOMAS L & BARBARA JEAN
6100 HEATHER MIST LN
LAS VEGAS NV 89108-4227



I SUPPORT
this Request



I OPPOSE
this Request

SUP-20505

891084227 0043



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

RECEIVED
CITY CLERK



Return Service Requested
Official Notice of Public Hearing

2007 MAY 30 10: 28



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 and for further information, please call 229-6301

COOKE KENNETH D & SHARON L
3090 BRETON DR
LAS VEGAS NV 89108-4221



I SUPPORT
this Request



I OPPOSE
this Request

SUP-20505

891084221 0026



Application Information

SUP-20505 - SPECIAL USE PERMIT - PUBLIC HEARING -
APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER:
OUTPAR, LLC - Request for a Special Use Permit FOR A RETAIL
ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-
SALE on the west side of Jones Boulevard, approximately 275 feet
south of Cheyenne Avenue (APN 138-14-501-007), U
(Undeveloped) Zone [SC (Service Commercial) General Plan
Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5
(Williams)

Application Location



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

Public Hearing Information

Meeting: City Council
Date: *June 6, 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>.

Application Information

SUP-20505 - SPECIAL USE PERMIT - PUBLIC HEARING -
APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER:
OUTPAR, LLC - Request for a Special Use Permit FOR A RETAIL
ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-
SALE on the west side of Jones Boulevard, approximately 275 feet
south of Cheyenne Avenue (APN 138-14-501-007), U
(Undeveloped) Zone [SC (Service Commercial) General Plan
Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5
(Williams)

Application Location



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

Public Hearing Information

Meeting: City Council
Date: *June 6, 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>.

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

RECEIVED
CITY CLERK



Return Service Requested
Official Notice of Public Hearing 2007 MAY 30 A 10: 30



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 (702) 382-4803 and for further information, please call 229-6301

SMITH CONSTANCE D
4916 CAPO GALLO ST
LAS VEGAS NV 89130-2146

☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

VAR-20550

89130\$2146 C019



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

RECEIVED
CITY CLERK



Return Service Requested
Official Notice of Public Hearing 2007 MAY 30 A 10: 30



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 and for further information, please call 229-6301

BEHUNIAK EDWARD J & ANNA MARIA
3116 AUTUMN LEAF CT
LAS VEGAS NV 89108-4324

☐

I SUPPORT
this Request

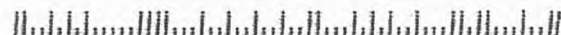
☒

I OPPOSE
this Request

VEHEMENTLY

SUP-20505

89108\$4324 C043



Application Information

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

Application Location



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

Public Hearing Information

Meeting: City Council
Date: June 6, 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>.

Application Information

SUP-20505 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER: OUTPAR, LLC - Request for a Special Use Permit FOR A RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE on the west side of Jones Boulevard, approximately 275 feet south of Cheyenne Avenue (APN 138-14-501-007), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Williams)

Application Location



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

Public Hearing Information

Meeting: City Council
Date: June 6, 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>.

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

RECEIVED
CITY CLERK



Return Service Requested
Official Notice of Public Hearing

2007 MAY 30 A 10: 30



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 (702) 382-4803 and for further information, please call 229-6301

MORRIS FAMILY TRUST
MORRIS GERALD F TRS
3116 BUDDING BLOSSOM CT
LAS VEGAS NV 89108-4367

☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

SUP-20505

Gerald F Morris, Trustee

6910834367 0043



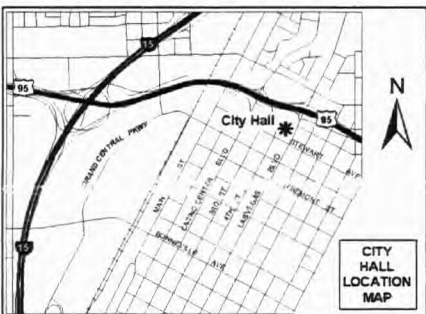
City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK



Return Service Requested
Official Notice of Public Hearing

2007 MAY 30 A 10: 30



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 and for further information, please call 229-6301

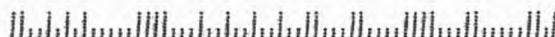
AIRD JOHN R & MARCHELLE B
3000 FERN HOLLOW CT
LAS VEGAS NV 89108-4331

☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

SUP-20505

6910834331 0043



Application Information

SUP-20505 – SPECIAL USE PERMIT – PUBLIC HEARING –
APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER:
OUTPAR, LLC - Request for a Special Use Permit FOR A RETAIL
ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-
SALE on the west side of Jones Boulevard, approximately 275 feet
south of Cheyenne Avenue (APN 138-14-501-007), U
(Undeveloped) Zone [SC (Service Commercial) General Plan
Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5
(Williams)

Application Location



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

Public Hearing Information

Meeting: City Council
Date: *June 6, 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>.

Application Information

SUP-20505 – SPECIAL USE PERMIT – PUBLIC HEARING –
APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER:
OUTPAR, LLC - Request for a Special Use Permit FOR A RETAIL
ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-
SALE on the west side of Jones Boulevard, approximately 275 feet
south of Cheyenne Avenue (APN 138-14-501-007), U
(Undeveloped) Zone [SC (Service Commercial) General Plan
Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5
(Williams)

Application Location



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

Public Hearing Information

Meeting: City Council
Date: *June 6, 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>.

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

RECEIVED
CITY CLERK



2007 MAY 30 A 10: 30

Return Service Requested
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 and for further information, please call 229-6301

ROJAS BENJAMIN THOMAS & ARLENE
G
3121 AUTUMN LEAF CT
LAS VEGAS NV 89108-4342



I SUPPORT
this Request



I OPPOSE
this Request

SUP-20505

891084342 C043



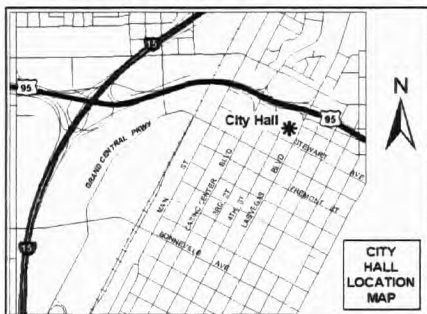
City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK



2007 MAY 30 A 10: 30

Return Service Requested
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 and for further information, please call 229-6301

MCSHERRY ROBERT J & CHU MEI
6208 HEATHER MIST LN
LAS VEGAS NV 89108-4345



I SUPPORT
this Request



I OPPOSE
this Request

SUP-20505

891084345 C043



Application Information

SUP-20505 – SPECIAL USE PERMIT – PUBLIC HEARING –
 APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER:
 OUTPAR, LLC - Request for a Special Use Permit FOR A RETAIL
 ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-
 SALE on the west side of Jones Boulevard, approximately 275 feet
 south of Cheyenne Avenue (APN 138-14-501-007), U
 (Undeveloped) Zone [SC (Service Commercial) General Plan
 Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5
 (Williams)

Application Location



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

Public Hearing Information

Meeting: City Council
Date: *June 6, 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>.

Application Information

SUP-20505 – SPECIAL USE PERMIT – PUBLIC HEARING –
 APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER:
 OUTPAR, LLC - Request for a Special Use Permit FOR A RETAIL
 ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-
 SALE on the west side of Jones Boulevard, approximately 275 feet
 south of Cheyenne Avenue (APN 138-14-501-007), U
 (Undeveloped) Zone [SC (Service Commercial) General Plan
 Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5
 (Williams)

Application Location



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

Public Hearing Information

Meeting: City Council
Date: *June 6, 2007*
Time: 1:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

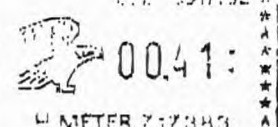
Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada 89101. For further information, please call 702-229-6301 (TDD 702-386-9108),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

RECEIVED
CITY CLERK

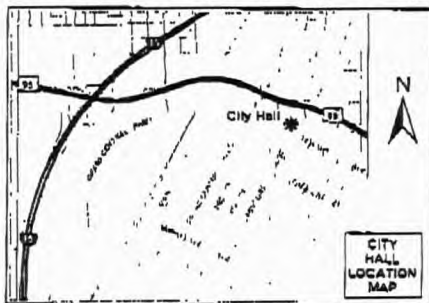
2007 JUN -4 P 3: 37

Protest

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



Return Service Requested
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 and for further information, please call 229-6301



I SUPPORT
this Request



I OPPOSE
this Request

SUP-20505

STEPHENS DAVID A & CARMA
6121 BLOSSOM KNOLL AVE
LAS VEGAS NV 89108-4236

Submitted after final agenda

6-407 Item #129

691084236 0043

|||||

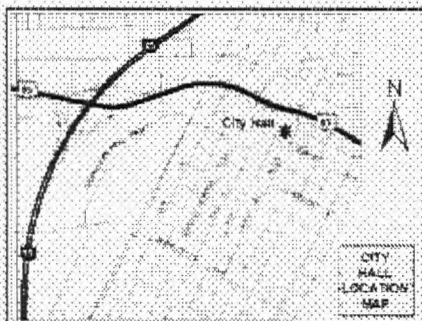
RECEIVED
CITY CLERK

2007 JUN -4 A 8:17

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



Return Service Requested
Official Notice of Public Hearing



Protest

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 and for further information, please call 229-6301

KRAMER AARON J
6024 HEATHER MIST LN
LAS VEGAS NV 89108-4227



I SUPPORT
this Request



I OPPOSE
this Request

SUP-20505

891084227 0043



Submitted after 12:00 PM

Date 6-4-07 Item #129

Jun 02 07 09:48a Jim & Louise Perry 1-702-515-1368 p.1

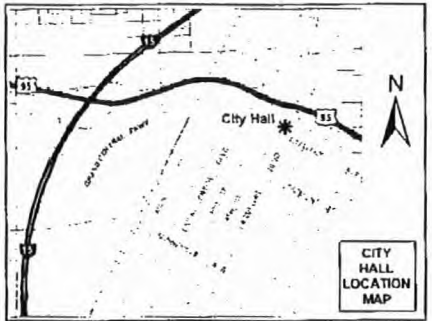
RECEIVED
CITY CLERK

2007 JUN -4 A 8:17

Protest

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

Return Service Requested
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 and for further information, please call 229-6301

PERRY JAMES J & LOUISE C
3075 WOODS DR
LAS VEGAS NV 89108-4208

☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

SUP-20505

8910834208 0026



Submitted after final agenda

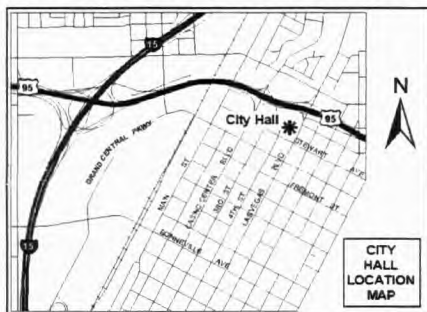
Date 6-4-07 Item #129

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

RECEIVED
CITY CLERK



Return Service Requested 2007 JUN -4 A 10: 42
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 (702) 382-4803 and for further information, please call 229-6301

MUNS GEORGE F & VELMA A
5916 PASEO DEL MAR
LAS VEGAS NV 89108-4155

Submitted after final agenda

Date 6-4-07 Item #129



I SUPPORT
this Request



I OPPOSE
this Request

SUP-20505

891084155 0026



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

RECEIVED
CITY CLERK



Return Service Requested 2007 JUN -4 A 10: 41
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 and for further information, please call 229-6301

ZAWISLAK NORBERT E & NORBERT
6224 HEATHER MIST LN
LAS VEGAS NV 89108-4345

Submitted after final agenda

Date 6-4-07 Item #129



I SUPPORT
this Request



I OPPOSE
this Request

SUP-20505

891084345 0043



Application Information

SUP-20505 – SPECIAL USE PERMIT – PUBLIC HEARING –
APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER:
OUTPAR, LLC - Request for a Special Use Permit FOR A RETAIL
ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-
SALE on the west side of Jones Boulevard, approximately 275 feet
south of Cheyenne Avenue (APN 138-14-501-007), U
(Undeveloped) Zone [SC (Service Commercial) General Plan
Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5
(Williams)

Application Location



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

Public Hearing Information

Meeting: City Council
Date: *June 6, 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 there of 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>.

Application Information

SUP-20505 – SPECIAL USE PERMIT – PUBLIC HEARING –
APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER:
OUTPAR, LLC - Request for a Special Use Permit FOR A RETAIL
ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-
SALE on the west side of Jones Boulevard, approximately 275 feet
south of Cheyenne Avenue (APN 138-14-501-007), U
(Undeveloped) Zone [SC (Service Commercial) General Plan
Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5
(Williams)

Application Location



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

Public Hearing Information

Meeting: City Council
Date: *June 6, 2007*
Time: 1:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

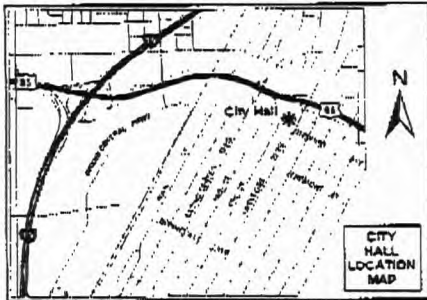
Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals there of with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada 89101. For further information, please call 702-229-6301 (TDD 702-386-9108),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

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

RECEIVED
CITY CLERK

2007 JUN -5 A 8: 25

Return Service Requested
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 and for further information, please call 229-6301

W Y C O NEVADA
%B MICHELS
9000 LITCHFIELD AVE
LAS VEGAS NV 89134-8598

☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

SUP-20505

891348598 CCE1



also enter final agenda

6/5/07 Item #129

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

RECEIVED
CITY CLERK



Return Service Requested
Official Notice of Public Hearing

2007 JUN -5 A 10:44



The neighbors were not properly "notified". This section of Jones is the narrow section of the way too much traffic already.

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 and for further information, please call 229-6301

☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

SUP-20505

W Y C O NEVADA
%B MICHELS
9000 LITCHFIELD AVE
LAS VEGAS NV 89134-8598

891348598 0001



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

RECEIVED
CITY CLERK



Return Service Requested
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 and for further information, please call 229-6301



I SUPPORT
this Request



I OPPOSE
this Request

SUP-20505

FLYNN DAVID & THERESA F
3301 HEATHERDALE CT
LAS VEGAS NV 89108-4810

891084810 C098



RECEIVED
CITY CLERK

2007 JUN -1 A 8:01

James and Donna Buckley
6116 Blossom Knoll Ave.
Las Vegas, NV 89108
(702) 655-6456

May 31, 2007

City Clerks Office
1st Floor
City Hall
400 Stewart Avenue
Las Vegas, Nevada 89101

RE: Objections to a Proposed Liquor Store – Application for a Special Use Permit

To Whom It May Concern:

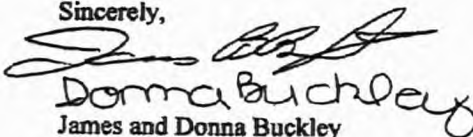
We are voicing our objection a second time to a proposed special use permit for a liquor store next to our development, The Willows, which is off the southwest corners of Cheyenne and Jones. We are putting our concerns in writing, as we will not be able to attend your City Council Meeting in Chambers on June 6th at 1:00pm due to our work schedules.

Please understand that we both are in agreement that the use of this land should not be rezoned for this purpose. There is currently a Walgreen's and a Rite Aid pharmacy on both the southwest and southeast corners of Cheyenne and Jones, and there are also some senior apartments being built off the southeast corner, which is across the street from our development's entrance at Heather Mist. Our development only has two entrance/exits. This one is in question. (The other entrance/exit is onto Cheyenne from Whispering Willow nearest to The Plaza Assisted Living.) We wholeheartedly believe this is not in the best interest of the neighborhood. We have been a resident here for almost eleven years now and bought our home at this location because this area didn't have strip shopping. It is our belief if someone wishes to purchase liquor product, they can go to the Vons grocery store across the street, or to another store elsewhere. This proposed facility would also make it very difficult for ingress and egress from our development due to more traffic from a facility such as this, let alone the possibility of excessive loitering.

We sincerely hope that these two votes against this special use permit are heard loudly during your City Council Meeting. Should you wish to discuss this with us further, you may do so by contacting us at the number above. We welcome your feedback regarding this most important issue. Please do your best to make our wishes heard in the effort of keeping our neighborhood as you would your own.

Thank you very much for your time and efforts in this matter.

Sincerely,



Donna Buckley
James and Donna Buckley

cc: Councilwoman Brenda Williams

Submitted after final agenda

Date 6/1/07 Item #129

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

RECEIVED
CITY CLERK



Return Service Requested
Official Notice of Public Hearing

2007 JUN 11 A 10: 44



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 and for further information, please call 229-6301

DOUD FRANK W & SHIRLEY
6085 W BROOKS AVE
LAS VEGAS NV 89108-4220

☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

SUP-20505

891084220 0063



Submitted after City Council

Date 6/11/07 Item #1029

129

RECEIVED
CITY CLERK

2007 JUN 12 A 8:46

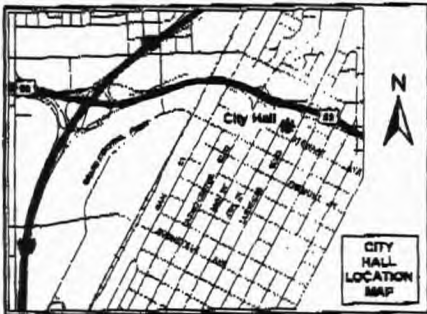
City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

ma



Return Service Requested

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 and for further information, please call 229-6301



I SUPPORT
this Request



I OPPOSE
this Request

SUP-20505

ALBA MAX & EVELYN
5804 HALEY
LAS VEGAS NV 89108-4211

Submitted after City Council

Date 6/12/07 Item #129

8910834211 0026



**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**

Aaron J. Kramer
6024 Heather Mist Lane
Las Vegas, Nevada 89108
(702) 658-2135
Email: ajkramer@cox.net

April 15, 2007

Planning & Development Department,
Current Planning Division,
Development Services Center
731 South Fourth Street
Attn: ZON-19673, SDR-19670, VAR-19672
Las Vegas, Nevada 89101

RE: ZON-20495, SDR-20503 & SUP-20505

Dear Mr. Reed:

I am **OPPOSED** to the Rezoning (ZON-20495), Site Development Plan Review (SDR-20503) and the Special Use Permit (SUP-20505) as proposed by Drake Real Estate Services-Outpar, LLC.

Traffic congestion is an existing and growing problem at the intersection of North Jones Boulevard and West Cheyenne Avenue with no room for expansion. Another grocery/convenience type store will greatly increase vehicular and pedestrian traffic at the intersection. We already have a grocery store on the northwest corner and two convenience type stores on the opposing corners with the proposed site located next door to a convenience store. We have absolutely no need for a package liquor store with the same across the street.

Another consideration is increased loitering, by juveniles, which has increased substantially over the last couple of years around these type establishments that are already here.

Sincerely


Aaron J. Kramer

James and Donna Buckley
6116 Blossom Knoll Ave.
Las Vegas, NV 89108
(702) 655-6456

April 19, 2007

Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

RE: Objections to a Proposed Liquor Store – Rezoning Issue

To Whom It May Concern:

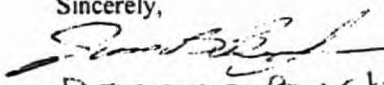
We are voicing our objection to a proposed rezoning for a liquor store next to our development, The Willows, which is off the southwest corners of Cheyenne and Jones. We are putting our concerns in writing as we will not be able to attend your City Council Meeting in Chambers on April 26th at 6:00pm.

Please understand that we both are in agreement that the use of this land should not be rezoned for this purpose. There is currently a Walgreen's and a Rite Aid pharmacy on both the southwest and southeast corners of Cheyenne and Jones, and there is also some senior apartments being built off the southeast corner, which is across the street from our development's entrance at Heather Mist. Our development only has two entrance/exits. This one is in question. (The other entrance/exit is onto Cheyenne from Whispering Willow nearest to The Plaza Assisted Living.) We wholeheartedly believe this is not in the best interest of the neighborhood. We have been a resident here for over ten years now and bought our home at this location because this area didn't have strip shopping, and believe if someone wishes to purchase liquor product, they can go to the Vons grocery store across the street. This proposed facility would also make it very difficult for ingress and egress from our development due to more traffic from a facility such as this.

We hope that these two votes against this rezoning issue are heard loudly during your City Council Meeting. Should you wish to discuss this with us further, you may do so by contacting us at the number above. We welcome your feedback regarding this most important issue.

Thank you very much for your time and efforts in this matter.

Sincerely,


Donna Buckley
James and Donna Buckley

cc: Councilwoman Brenda Williams

SDR-20603
SUP-20505
ZON-20495
4.19

Telephone Protest/ Approval Log

Meeting Date: 4/26/07

Case Number: Sup 20505

Date: 4/25/07
Name: Diane Muntal
Address: 6300 Crosswood Ave
Las Vegas, 89108
Phone: (702) 895-3772
☒ PROTEST ☐ APPROVE

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

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

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

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-20495 AND SUP-20505

SDR-20503 - PUBLIC HEARING - APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER: OUTPAR, LLC - Request for a Site Development Plan Review FOR A PROPOSED 14,028-SQUARE FOOT GROCERY STORE AND A WAIVER OF THE PERIMETER LANDSCAPING STANDARDS TO ALLOW A 7.5-FOOT WIDE BUFFER ALONG THE EAST PROPERTY LINE WHERE 15 FEET IS REQUIRED on 2.13 acres on the west side of Jones Boulevard, approximately 275 feet south of Cheyenne Avenue (APN 138-14-501-007), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Williams). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 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. Backup referenced from the 04-26-07 Planning Commission Meeting Item 53

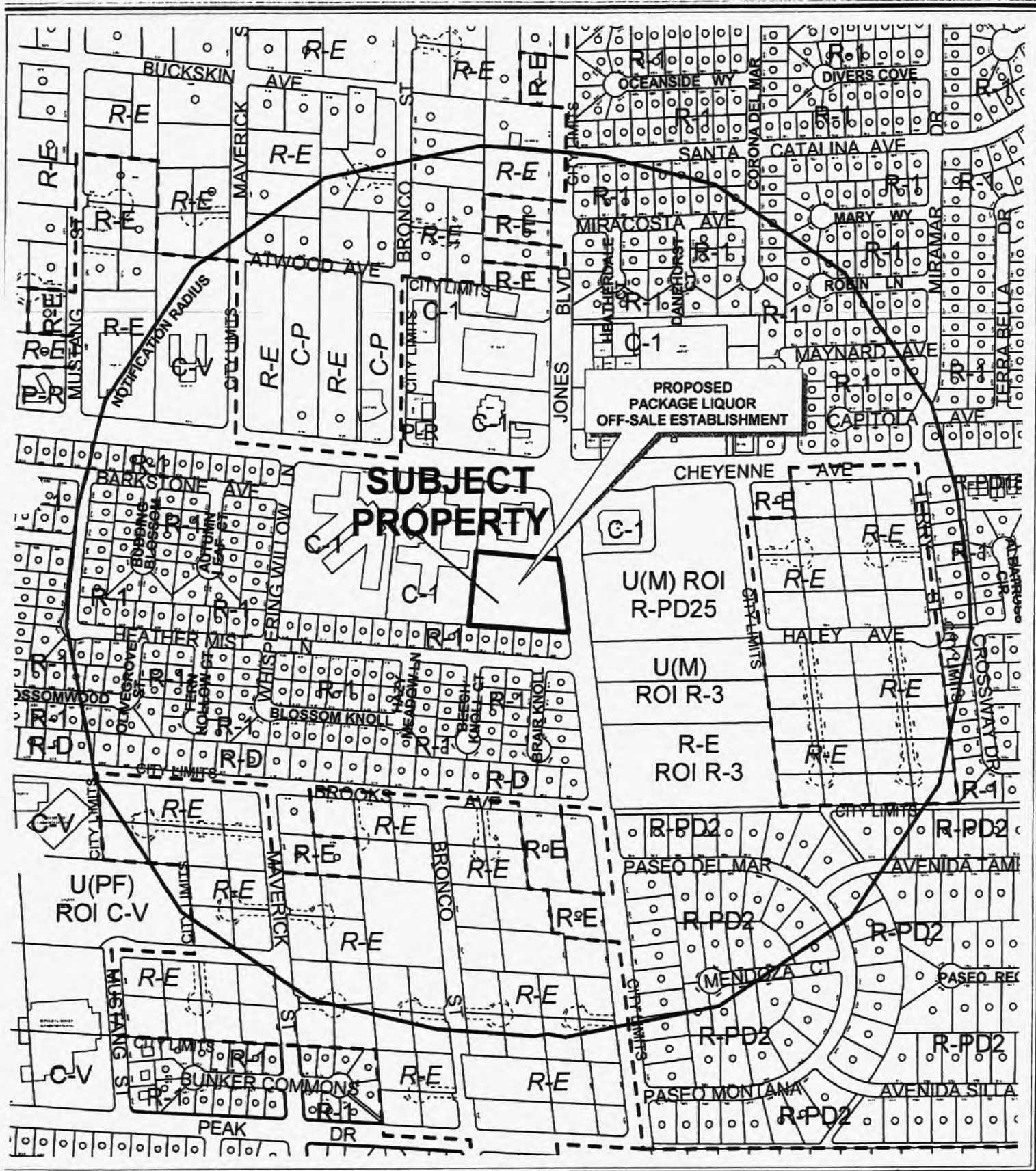
Motion made by BRENDA J. WILLIAMS to Approve Subject to Conditions

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

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

Minutes:

See Item 128 for related discussion.



CASE: SDR-20503

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-20503 - APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER: OUTPAR, LLC

**** CONDITIONS ****

The Planning Commission (6-0-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-20495), and Special Use Permit (SUP-20505) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/13/07, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow a 7.5 landscape buffer where 15 feet is required along the east property line.
5. Prior to issuance of the Certificate of Occupancy a shared access agreement with the property directly north of the project site shall be submitted to the Planning and Development Department.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

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

Public Works

14. 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.
15. The proposed driveway shall be designed, located and constructed in accordance with Standard Drawing #222a, alternatively, submit an application for a deviation from Standard Drawing #222a for the driveway accessing this site from Jones Boulevard.
16. Landscape and maintain all unimproved right(s)-of-way, if any, on Jones Boulevard adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-20495 and all other subsequent site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Site Development Plan Review for a proposed 14,028-square foot grocery store and a Waiver of the perimeter landscaping standards to allow a 7.5-foot wide buffer along the east property line where 15 feet is required on a vacant 2.13 acre site located on the west side of Jones Boulevard, approximately 275 feet south of Cheyenne Avenue. Companion requests to be considered concurrently include a Rezoning (ZON-20495), and Special Use Permit (SUP-20505).

The project is situated within a revitalization area of the General Plan and will satisfy the purpose and intent of this classification. Staff recommendation is for approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/04/87	The City Council approved the Reclassification of Property (Z-0092-86) southwest of Cheyenne Avenue and Jones Boulevard from N-U (Non-Urban) to R-CL (Single Family Compact Lot), R-PD10 (Residential Planned Development), C-1 (Limited Commercial), for proposed Single Family Residential, Townhouses, and Shopping Center uses. Planning Commission and staff recommended denial.
04/26/07	The Planning Commission recommended approval of companion items ZON-20495 and SUP-20505 concurrently with this application. The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #53/ja).
<i>Related Building Permits/Business Licenses</i>	
None	
<i>Pre-Application Meeting</i>	
02/12/07	A Pre-application meeting was held where Planning staff advised the applicant of the submittal requirements.
<i>Neighborhood Meeting</i>	
A Neighborhood meeting is not required for this type of application nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.13 acre site

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	U (SC): Undeveloped (Service Commercial – General Plan Designation)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single-family residential	L (Low Density Residential)	C-1 (Limited Commercial)
East	Undeveloped	SC (Service Commercial)	R-1 (Single-family Residential)
West	Institutional – Community Service	M (Medium Density Residential)	U (Undeveloped) [M (Medium Density Residential) General Plan Designation]

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following Commercial Development Standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	NA	Y
Min. Lot Width	100 feet	270 feet	Y or N
Min. Setbacks		137 feet	
• Front	20 feet	75 ft., 60 ft.	Y
• Side	10 feet	ft.	Y
• Corner	-	-	
• Rear	20 feet	52 feet	Y
Min. Distance Between Buildings	NA	NA	Y
Max. Lot Coverage	50%	15%	Y
Max. Building Height	NA	NA	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Screened	Y

The following Commercial Landscape Development Standards apply pursuant to Title 19.12:

<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	14 Trees	21 Trees	Y
Buffer: Min. Trees	1 Tree/30 Linear Feet along ROW and Commercial Use)	9 Trees	10 Trees	Y
	1 Tree/20 Linear Feet along Residential Property line)	12 Trees	13 Trees	Y
		14 Trees	19 Trees	Y
TOTAL		40 Trees	63 Trees	Y
Min. Zone Width	15 Feet along public Right-of-way 8 Feet along interior lot lines		7.5 Feet 8	N*
Wall Height	8 Feet		Existing	Y

*Staff supports the landscape buffer Waiver request as a result of the unique lot dimensions.

Pursuant to Title 19.10, the following Retail Establishment with parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail Store – Other (>3,500 sf)	14,028 square feet	1 space / 175 square feet gross floor area	80	4	85	4	Y
SubTotal			80		85		
TOTAL			80		85		Y
Loading Spaces			2		2		Y
Percent Deviation							

ANALYSIS

- **General Plan and Zoning**

The project site is designated as SC (Service Commercial) in the General Plan and is zoned as U (Undeveloped) [SC (Service Commercial) General Plan Designation]. The proposed Rezone is to C-1 (Limited Commercial) which is consistent with the land use designation.

- **Site Plan**

The site plan illustrates the development of a 14,028 square foot building with associated hardscape and landscape improvements. The project site will provide vehicular access along Jones Boulevard and from the adjoining parcel to the north. The project will be compatible with surrounding uses as existing retail use is situated north and northeast of the subject parcel, a community service facility lies west, and single family uses south.

- **Elevations**

The project elevations depict the use of a stucco finish, clear anodized storefront system, and white, green, and sand color scheme. Additionally, the project is subject to the 3:1 Proximity Slope Restriction for the Residential Adjacency Standards of Title 19.08 as single-family residences are located to the south. The height of the structure will be 22 feet along the south elevation and will be situated 75 feet from the southern property line well in conformance of the 66 foot requirement.

- **Parking**

The proposed General Retail use will provide 85 parking spaces including four Americans with Disabilities Act (ADA) accessible spaces and a loading dock in conformance with Title 19.10 commercial parking standards.

- **Landscaping**

Project landscaping will be provided throughout the perimeter of the site and within the parking area in accordance with Title 19 – Section 19.10 and 19.12. A 20-foot drainage easement developed as a concrete channel runs parallel along the entire length of the southern property line. Landscaping will be provided along both sides of this conveyance including additional trees offering an enhanced buffer along the residential property line. Due to the substandard dimension of the property, a Waiver of perimeter landscape buffer standards is requested to relieve the project of the 15-foot buffer zone requirement along the northeast segment of the east property line along the public Right-of-way. The buffer will taper to a minimum of 7.5 feet near the northeast corner between the inside edge of the sidewalk (2.5 feet on site and 5 feet to be landscaped within the public right-of-way) to the parking lot.

FINDINGS

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

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

The project will complement existing surrounding retail, residential, and institutional uses.

- 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 proposal will conform to the General Plan and Zoning code. Waiver of the landscaping buffer requirement will be offset by installation of additional trees proposed on-site.

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

Auto access to the site will be adequate and a shared access agreement will be required with the connecting retail site north of the subject parcel.

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

Building materials are appropriate for the area and will complement existing neighboring structures. Landscape improvements will allow for further upgrade the site and character of the community.

- 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 project is designed with a modern architecture that will improve existing site conditions.

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

Human Health and Public Safety will not be affected by the proposal as the project will be subject to Title 19.04 Special Use Conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 1

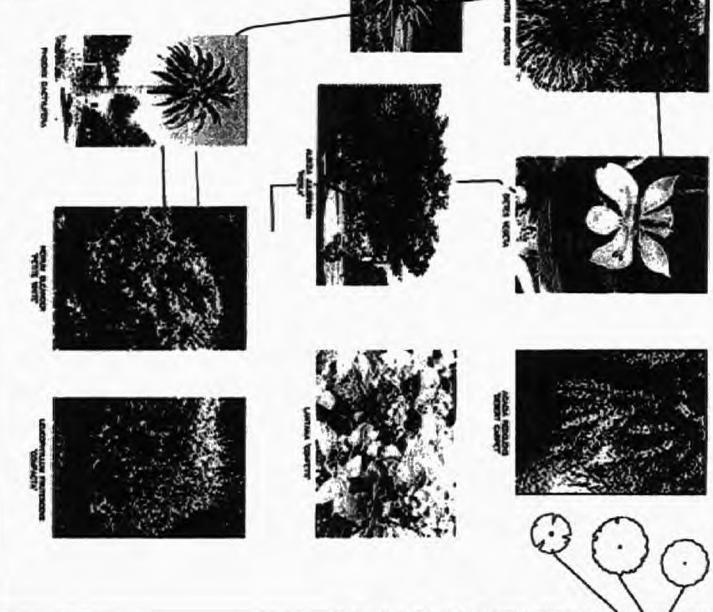
SENATE DISTRICT 3

NOTICES MAILED 441 by Planning Department

APPROVALS 0

PROTESTS 1

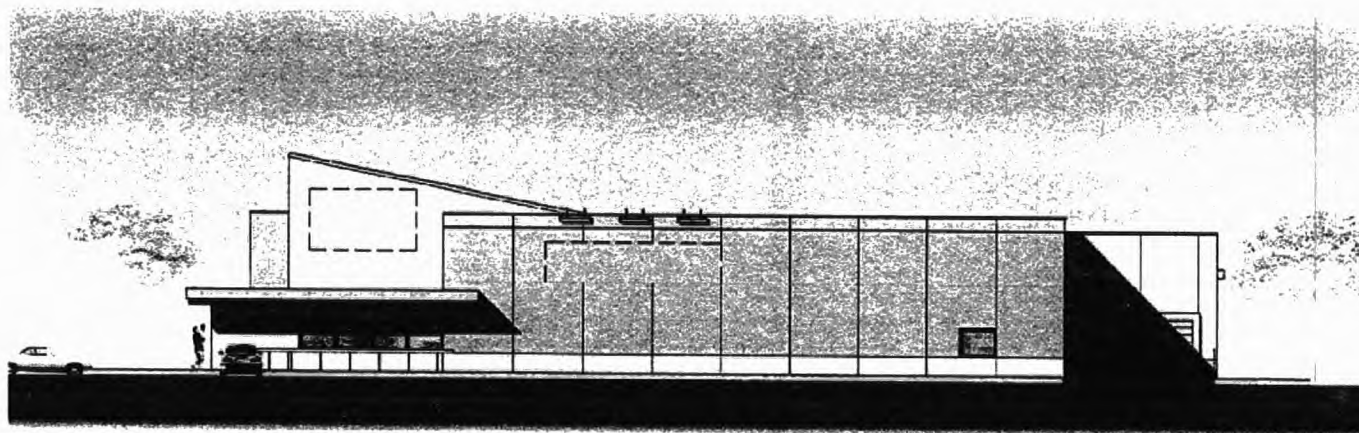




04/26/07 PC



EAST ELEVATION



NORTH ELEVATION

COLOR LEGEND:



BENJAMIN MOORE #413
"FOREST HILLS GREEN"



BENJAMIN MOORE #216
"CALIFORNIA HILLS"



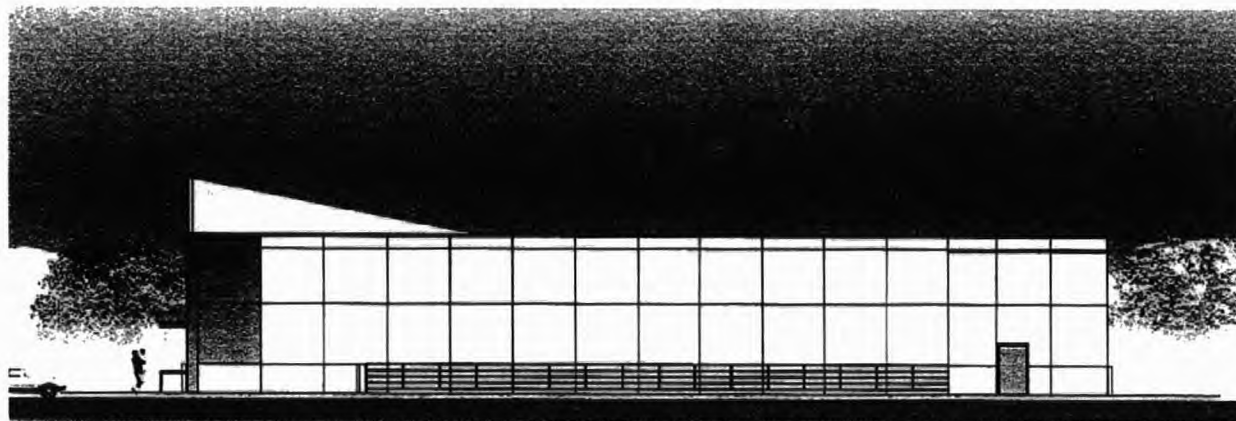
BENJAMIN MOORE #HC-30
"PHILADELPHIA CREAM"



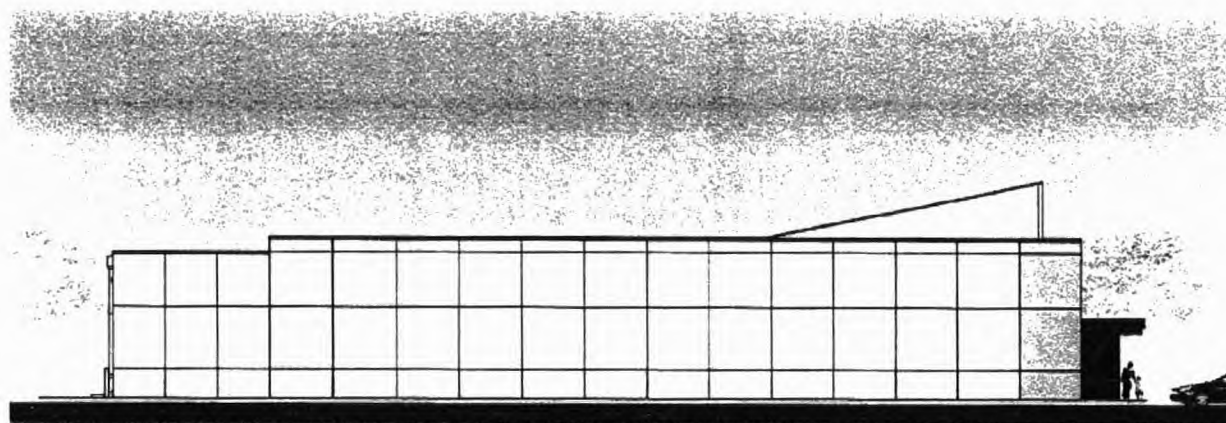
TESCO
CHEYENNE & JONES
LAS VEGAS, NV

RECEIVED
MAR 13 2007

SDR-20503
04/26/07 PC
RHL
DESIGN GROUP INC.
EXTERIORS



WEST ELEVATION



SOUTH ELEVATION

COLOR LEGEND:



BENJAMIN MOORE #433
"FOREST HILLS GREEN"



BENJAMIN MOORE #216
"CALIFORNIA HILLS"



BENJAMIN MOORE #900
"PHILADELPHIA CREAM"



TESCO
CHEYENNE & JONES
LAS VEGAS, NV

RECEIVED
MAR 13 2007

SDR-20503

04/26/07 PC

RHL
GROUP INC.
ILLUSTRATIONS



ZON-20495, SUP-20505 & SDR-20503 - APPLICANT: DRAKE REAL ESTATE SERVICES - OWNER:
OUTPAR, LLC
WEST SIDE OF JONES BOULEVARD, APPROXIMATELY 275 FEET SOUTH OF CHEYENNE AVENUE
APRIL 26, 2007 PLANNING COMMISSION

03/26/07

January 25, 2007

Dear Sir or Madam,

Our client, Fresh & Easy, would like to build a 14,028 square foot grocery store on the vacant lot adjacent to the west side of Jones, just south of Cheyenne. The APN # is 138-14-501-007.

This parcel is master planned SC (Service Commercial) and the current zoning is U (Undeveloped). We are requesting a Zone Change to C-1, in conformance with the master plan.

Fresh & Easy, like other grocery retailers throughout the valley, would like to be able to provide package liquor for off-premise consumption as a convenience for its customers. Therefore, we will also be seeking a Special Use Permit for a Retail Establishment with Accessory Package Liquor - Off-Sale. The total area used for the display of all types of alcoholic beverages available for sale is less than 525 square feet.

In order to meet the required number of parking spaces, we are requesting a waiver from Title 19.12.040, Perimeter Landscape Buffering, for a length of approximately 60 feet adjacent to the Jones frontage. The width of the waiver would vary from 13 feet down to 3 feet. An additional 5 feet of landscaping, to be located within the right-of-way, will be provided along the full length of this landscape planter. All required trees, shrubs and ground cover will be installed. A typographic error in the upper left hand corner of the landscape plan will be corrected to show all Phoenix Dactylifera with a 15 foot brown trunk height.

We believe a grocery store is an appropriate use at this location since it will allow the residents of the Assisted Living facility, located just west of this site, to shop for everyday items without having to cross a busy street. Because Fresh & Easy's store will be smaller, and therefore more convenient than a large super store, we believe many of the retirees, who will soon live in the Senior Apartments on the east side of Jones, will also enjoy shopping in this store.

Both Jones and Cheyenne are major streets, designed to carry significant traffic, and are capable of accommodating any additional vehicle trips generated by this use.

Sincerely yours,



Leni Skaar

RECEIVED

APR 06 2007

SDR-20503

04/26/07 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**

Aaron J. Kramer
6024 Heather Mist Lane
Las Vegas, Nevada 89108
(702) 658-2135
Email: ajkramer@cox.net

April 15, 2007

Planning & Development Department,
Current Planning Division,
Development Services Center
731 South Fourth Street
Attn: ZON-19673, SDR-19670, VAR-19672
Las Vegas, Nevada 89101

RE: ZON-20495, SDR-20503 & SUP-20505

Dear Mr. Reed:

I am **OPPOSED** to the Rezoning (ZON-20495), Site Development Plan Review (SDR-20503) and the Special Use Permit (SUP-20505) as proposed by Drake Real Estate Services-Outpar, LLC.

Traffic congestion is an existing and growing problem at the intersection of North Jones Boulevard and West Cheyenne Avenue with no room for expansion. Another grocery/convenience type store will greatly increase vehicular and pedestrian traffic at the intersection. We already have a grocery store on the northwest corner and two convenience type stores on the opposing corners with the proposed site located next door to a convenience store. We have absolutely no need for a package liquor store with the same across the street.

Another consideration is increased loitering, by juveniles, which has increased substantially over the last couple of years around these type establishments that are already here.

Sincerely



Aaron J. Kramer

James and Donna Buckley
6116 Blossom Knoll Ave.
Las Vegas, NV 89108
(702) 655-6456

April 19, 2007

Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

RE: Objections to a Proposed Liquor Store – Rezoning Issue

To Whom It May Concern:

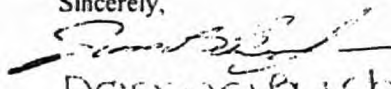
We are voicing our objection to a proposed rezoning for a liquor store next to our development, The Willows, which is off the southwest corners of Cheyenne and Jones. We are putting our concerns in writing as we will not be able to attend your City Council Meeting in Chambers on April 26th at 6:00pm.

Please understand that we both are in agreement that the use of this land should not be rezoned for this purpose. There is currently a Walgreen's and a Rite Aid pharmacy on both the southwest and southeast corners of Cheyenne and Jones, and there is also some senior apartments being built off the southeast corner, which is across the street from our development's entrance at Heather Mist. Our development only has two entrance/exits. This one is in question. (The other entrance/exit is onto Cheyenne from Whispering Willow nearest to The Plaza Assisted Living.) We wholeheartedly believe this is not in the best interest of the neighborhood. We have been a resident here for over ten years now and bought our home at this location because this area didn't have strip shopping, and believe if someone wishes to purchase liquor product, they can go to the Vons grocery store across the street. This proposed facility would also make it very difficult for ingress and egress from our development due to more traffic from a facility such as this.

We hope that these two votes against this rezoning issue are heard loudly during your City Council Meeting. Should you wish to discuss this with us further, you may do so by contacting us at the number above. We welcome your feedback regarding this most important issue.

Thank you very much for your time and efforts in this matter.

Sincerely,


Donna Buckley
James and Donna Buckley

cc: Councilwoman Brenda Williams

SDR-20603
SUF-20505
ZUN-20495
11.53

Telephone Protest/ Approval Log

Meeting Date: 4/26/07

Case Number: SDR 20503

Date: 4/25/07
Name: Deane Muntal
Address: 6300 Crosswood Ave.
Las Vegas 89108
Phone: (902) 895-3772
☒ PROTEST ☐ APPROVE

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

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

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

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VARIANCE

VAR-20544 - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE A 20-FOOT SETBACK IS REQUIRED on 0.23 acres at 6402 White Tiger Court (APN 125-35-310-010), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Ross). The Planning Commission (4-3 vote) and staff recommend DENIAL

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 (4-3 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Appeal letter filed by G.C. Wallace
6. Returned postcard support

Motion made by STEVEN D. ROSS to Hold in Abeyance Items 131-136 to 6/20/2007

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

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

Minutes:

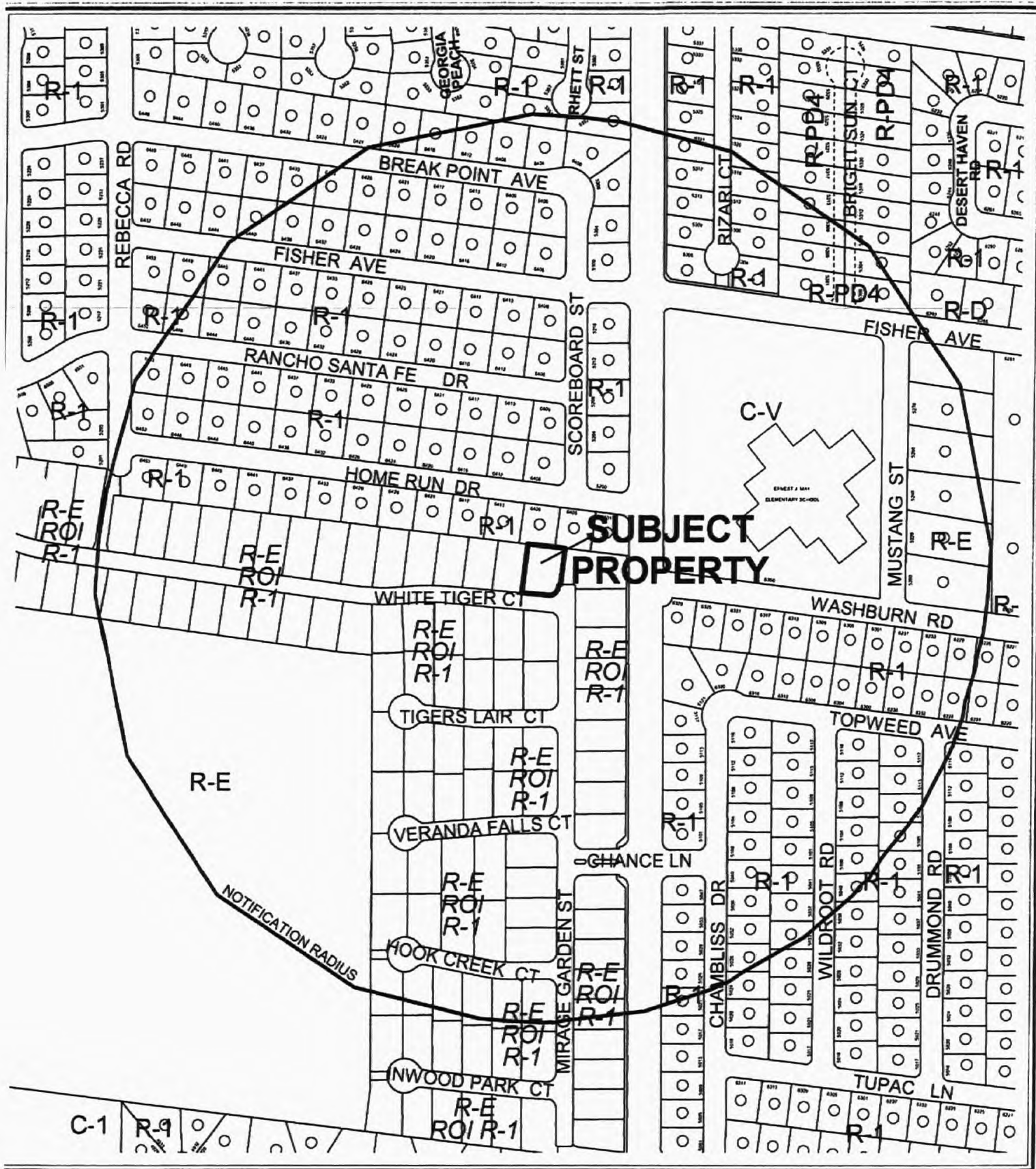
MAYOR PRO TEM REESE declared the Public Hearing open on Items 131-136.

BEN SMITH, GC Wallace, 1555 South Rainbow Boulevard, requested to hold these items in abeyance to correct an error in one of their exhibits and for the opportunity to meet with COUNCILMAN ROSS.

CITY COUNCIL MEETING OF: JUNE 6, 2007

MAYOR PRO TEM REESE declared the Public Hearing closed on Items 131-136.





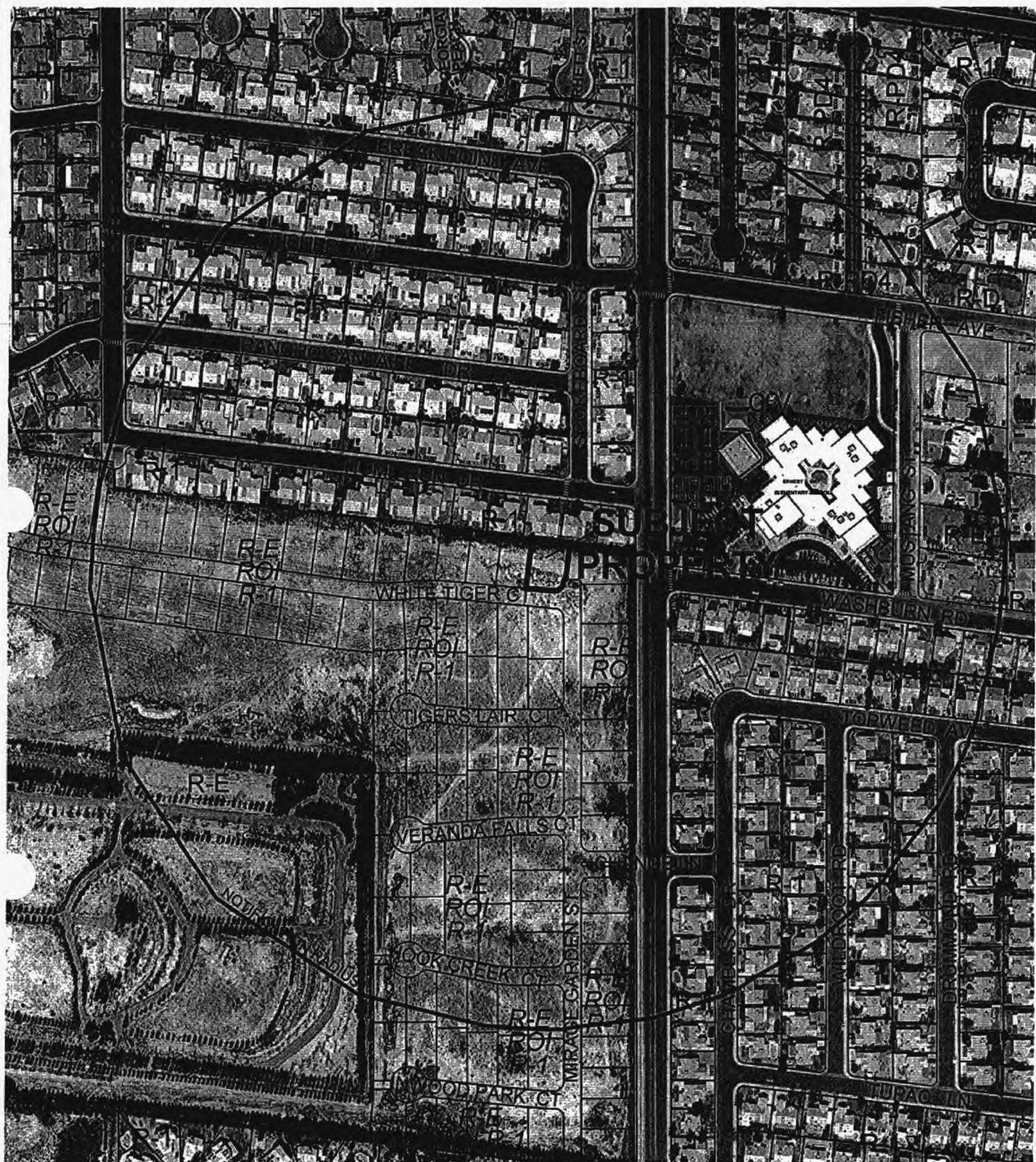
CASE: VAR-20544

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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





CASE: VAR-20544

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 500 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

The Planning Commission (4-3/gt/bg/sd vote) and staff recommend DENIAL.

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a General Plan Amendment (GPA-6296) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) and SC (Service Commercial) to L (Low Density Residential) on a 5.0 acre portion of a 74.46 acre site, and struck a Rezoning (ZON-6302) from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a petition to Vacate (VAC-6725) a portion of an existing cul-de-sac at the south end of Rebecca Road, a Rezoning (ZON-7653) from R-E (Residence Estates) to R-1 (Single-Family Residential), Special Use Permit (SUP-7656) for private streets within a proposed subdivision, and a Waiver (WVR-7659) of Title 18.12.160 to allow approximately 52 feet between street intersections where 125 feet is the minimum distance separation required. The Planning Commission and staff recommended approval.
09/22/05	The Planning Commission approved a Tentative Map (TMP-8595) for a 112-lot single family residential subdivision on 28.50 acres on the subject site. Staff recommended approval.
04/26/07	The Planning Commission voted 4-3/gt/bg/sd to recommend DENIAL (PC Agenda Item #68/rl).
<i>Related Building Permits/Business Licenses</i>	
NA	
<i>Pre-Application Meeting</i>	
02/26/02	A pre-application meeting was held to discuss the requirements for a setback Variance. Applicant was informed that a separate Variance is required for each lot.
<i>Neighborhood Meeting</i>	
A Neighborhood Meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
03/26/07	A field check was conducted on the site to determine that site conditions are as depicted in the submitted documentation. No pertinent issues were identified.

Details of Application Request	
Site Area	
Gross Acres	.23 Acres

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

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

Airport Overlay District

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

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

** The subject of this Variance.*

ANALYSIS

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Alternatively offering a product that fits within the approved setbacks would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 193 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: D.R. Horton

Name of Applicant: D.R. Horton

Name of Representative: G.C. Wallace

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

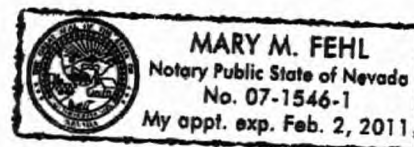
Signature of Property Owner: *Daniel D. Callihan*

Print Name: Daniel D Callihan

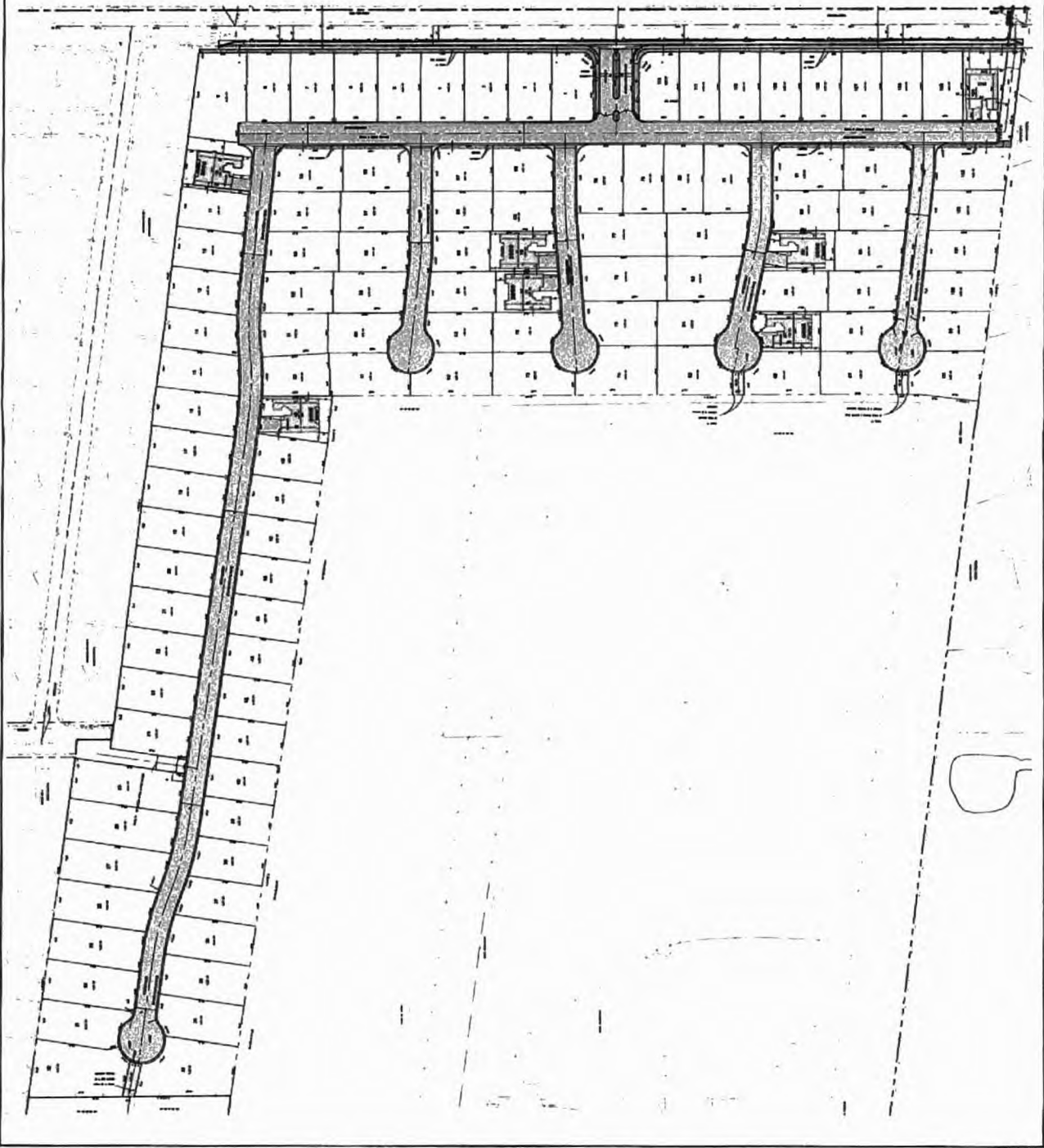
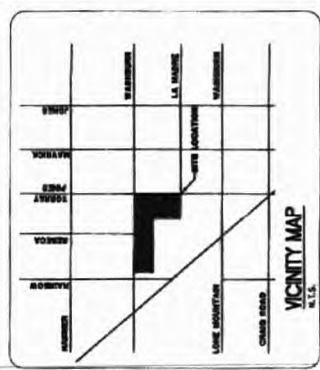
Subscribed and sworn before me

This 12 day of March, 2007

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



		PROJECT NO. 787-000 DATE 03-11-07 DRAWN BY J. L. HORTON CHECKED BY J. L. HORTON APPROVED BY J. L. HORTON		G.C. WALLACE & COMPANY ENGINEERS & ARCHITECTS 10000 W. 10TH AVE. SUITE 100 DENVER, CO 80231		RECEIVED DA HORTON INC. MAR 14 2007		DRAWING SP-1 1 OF 1	
--	--	--	--	--	--	---	--	---------------------------	--



VAR-20544
04/26/07 PC

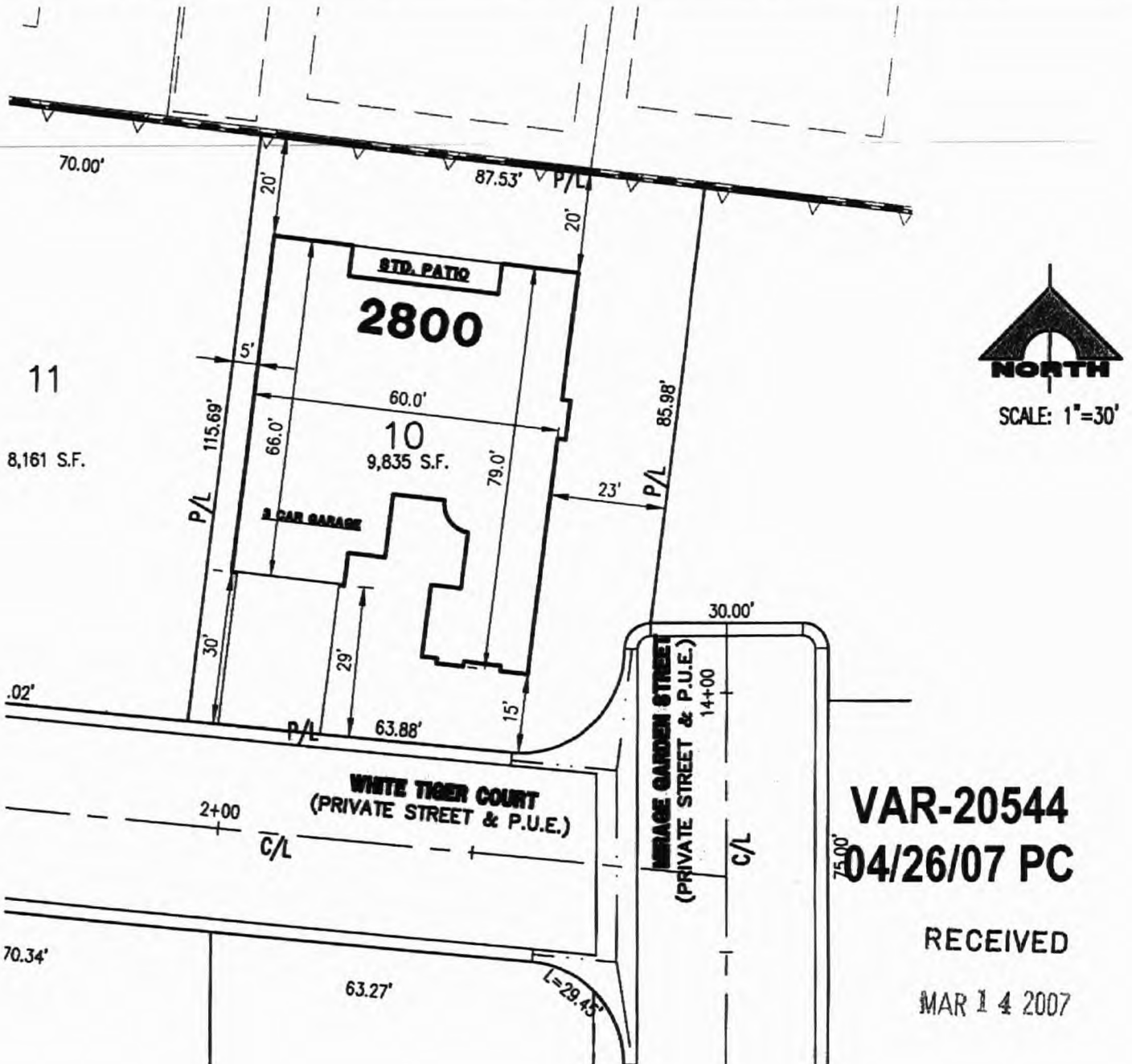
APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS

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

REC. SUBDIV: BAVARIA ESTATES ZONE -

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

APPROVAL FOR: SFD ☐ PATIO COVER ☐ BALCONY ☐ ONLY



VAR-20544
04/26/07 PC

RECEIVED

MAR 14 2007

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

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

CONDITIONS: -

PLANNING DEPARTMENT DATE BUILDING DEPARTMENT

LAND DEVELOPMENT DATE

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



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

03/26/07

March 13, 2007

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

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

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

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

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

FILED
CITY CLERK

2007 MAY -8 P 1:40



G.C. WALLACE, INC.
G.C. WALLACE OF CALIFORNIA, INC.
G.C. WALLACE HOLDINGS, INC.

Writer's Contact Information:
804-2037

767.053.3

May 4, 2007

City Clerk's Office
City of Las Vegas
400 Stewart Street
Las Vegas, Nevada 89101

Re: Appeal of Decision of the Planning Commission to Deny Application Numbers VAR-20544, VAR-20545, VAR-20546, VAR-20547, VAR-20549, VAR-20550

Ladies and Gentlemen:

G. C. Wallace, Inc. on behalf of D.R. Horton, Inc. respectfully submits this letter of appeal in order to move the subject applications for variances forward for evaluation and consideration by the Las Vegas City Council.

We believe these applications should be approved for the following reasons:

1. Due to rapid changes in the housing market, the developer is proposing to construct an updated floor plan that has proven to be very marketable in other subdivisions. The reduced front yard setback for this particular model will in fact promote variation in the streetscape, reduce monotony in the placement of the houses, and enhance the rear yard areas of the affected lots, thus producing a higher level of customer satisfaction. All setbacks to the garage face will maintain the code-required 20' setback.
2. The subject applications are limited to six (6) lots out of 112 total lots, less than 6% of the total.
3. There are irregularities in the lot shapes because of the cul-de-sacs and the street layouts themselves, which were designed to accommodate drainage flows through the site. Each of the affected lots is located within the interior of this subdivision; therefore, we do not believe that these requests will adversely affect this development or any surrounding properties.
4. A very small portion of the front yard is affected by this variance request. The front yard area still far exceeds that which would have been available if a rectangular floor plan were placed on a rectangular lot.

We believe that these variances will enhance the overall neighborhood and allow future homebuyers more flexibility in the size of home and type of yard they will be able to purchase.

City Clerk's Office
City of Las Vegas
May 4, 2007
Page 2

RECEIVED
CITY CLERK

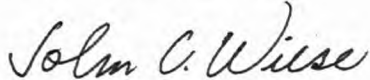
767.053.3

2007 MAY -8 P 1:40

Please contact the undersigned at 804-2037 when this appeal is scheduled for consideration by the Las Vegas City Council.

Very truly yours,

G.C. WALLACE, INC.



John C. Wiese
Senior Engineering Manager

JCW:mjj

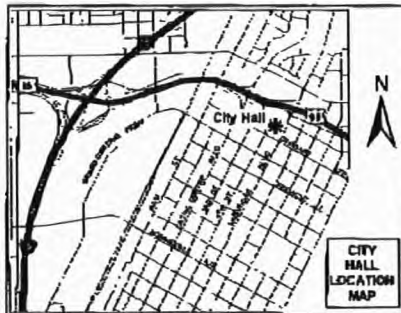
- c. T. Uribe, DRH
- J. Duddleston, GCW
- B. Smith, GCW
- J. VanWoerkom, GCW

RECEIVED
CITY CLERK

2007 MAY 29 A 8:28

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

Return Service Requested
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 and for further information, please call 229-6301

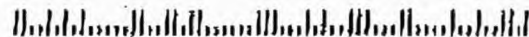
☒ I SUPPORT
this Request
VAR-20544

☐ I OPPOSE
this Request



WELLNITZ ROBERT J
5204 SCOREBOARD ST
LAS VEGAS NV 89130-1740

8913031740 0059



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VARIANCE

VAR-20545 - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE A 20-FOOT SETBACK IS REQUIRED on 0.21 acres at 6425 White Tiger Court (APN 125-35-310-049), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Ross). The Planning Commission (5-2 vote) and staff recommend DENIAL

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 (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Appeal letter filed by G.C. Wallace
6. Returned postcard support

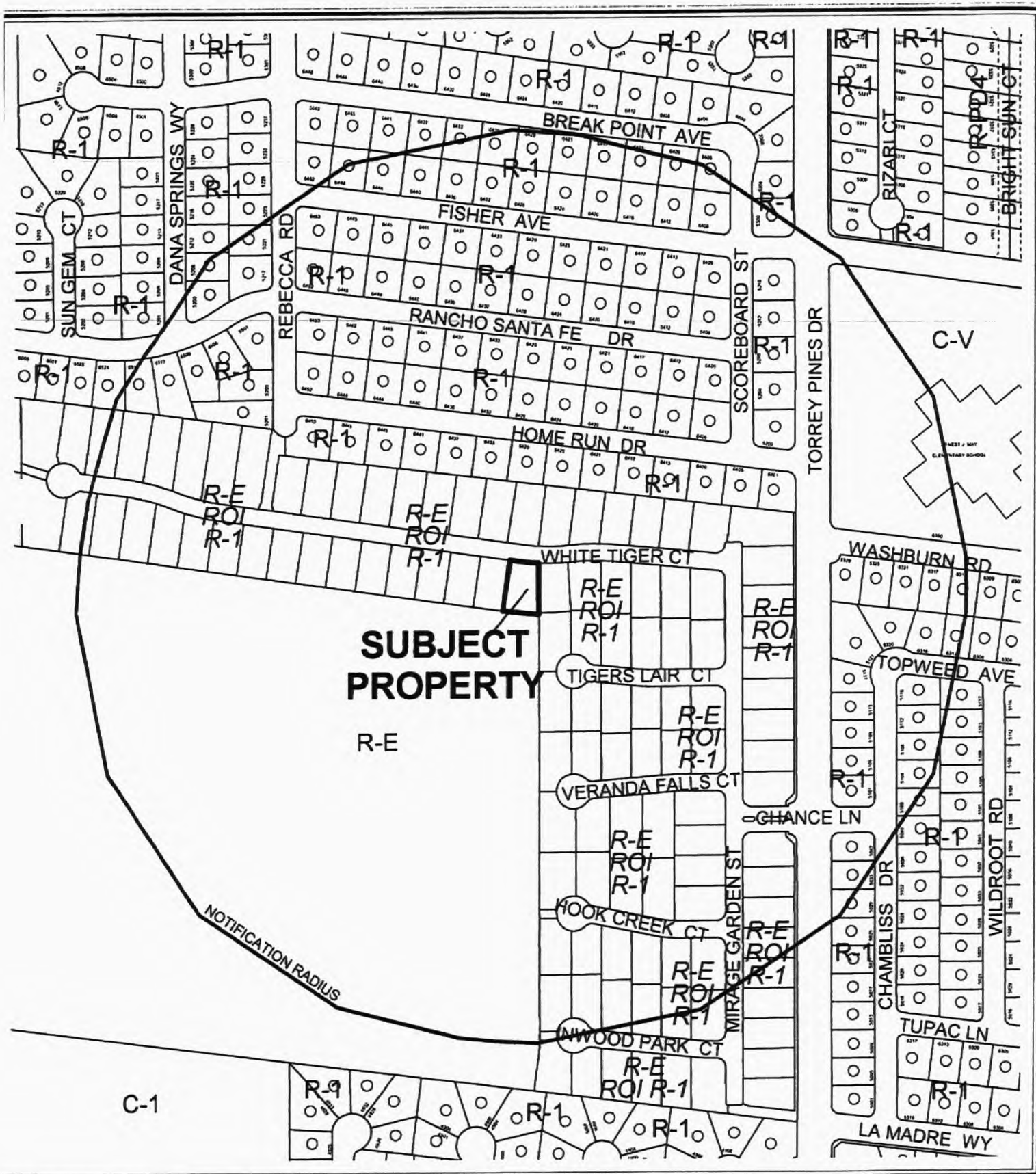
Motion made by STEVEN D. ROSS to Hold in Abeyance Items 131-136 to 6/20/2007

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

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

Minutes:

See Item 131 for related discussion.



CASE: VAR-20545

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

The Planning Commission (5-2/gt/sd vote) and staff recommend DENIAL.

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a General Plan Amendment (GPA-6296) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) and SC (Service Commercial) to L (Low Density Residential) on a 5.0 acre portion of a 74.46 acre site, and struck a Rezoning (ZON-6302) from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a petition to Vacate (VAC-6725) a portion of an existing cul-de-sac at the south end of Rebecca Road, a Rezoning (ZON-7653) from R-E (Residence Estates) to R-1 (Single-Family Residential), Special Use Permit (SUP-7656) for private streets within a proposed subdivision, and a Waiver (WVR-7659) of Title 18.12.160 to allow approximately 52 feet between street intersections where 125 feet is the minimum distance separation required. The Planning Commission and staff recommended approval.
09/22/05	The Planning Commission approved a Tentative Map (TMP-8595) for a 112-lot single family residential subdivision on 28.50 acres on the subject site. Staff recommended approval.
04/26/07	The Planning Commission voted 5-2/gt/sd to recommend DENIAL (PC Agenda Item #69/rl).

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

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

Details of Application Request	
Site Area	
Gross Acres	0.21

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

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

Airport Overlay District

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

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

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

ANALYSIS

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Alternatively offering a product that fits within the approved setbacks would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 138 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: D.R. Horton

Name of Applicant: D.R. Horton

Name of Representative: G.C. Wallace

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

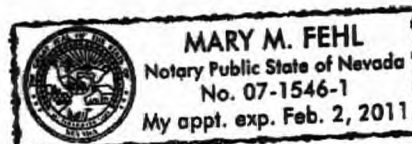
APN: _____

Signature of Property Owner: _____

Print Name: Daniel D Callihan

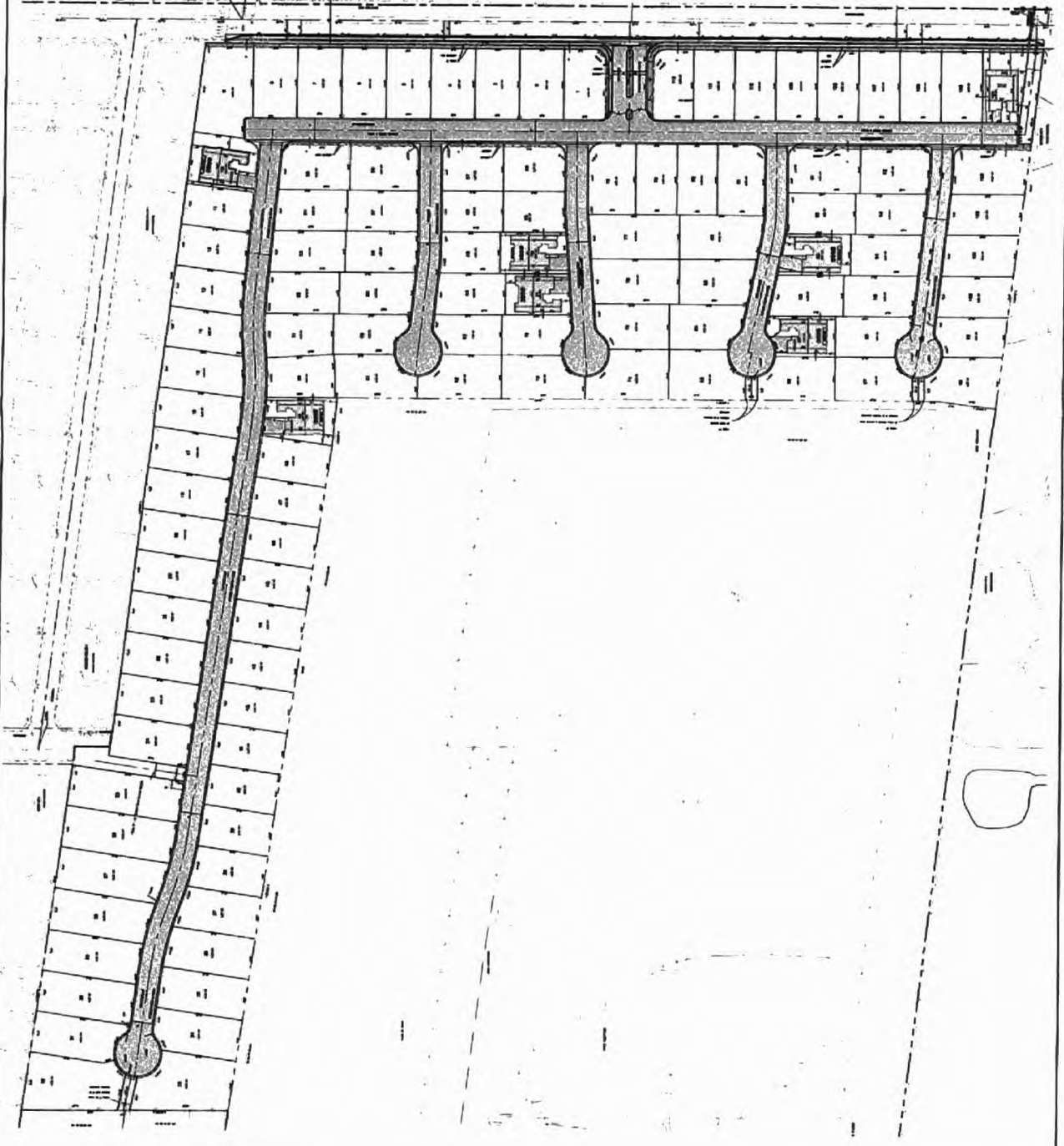
Subscribed and sworn before me

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

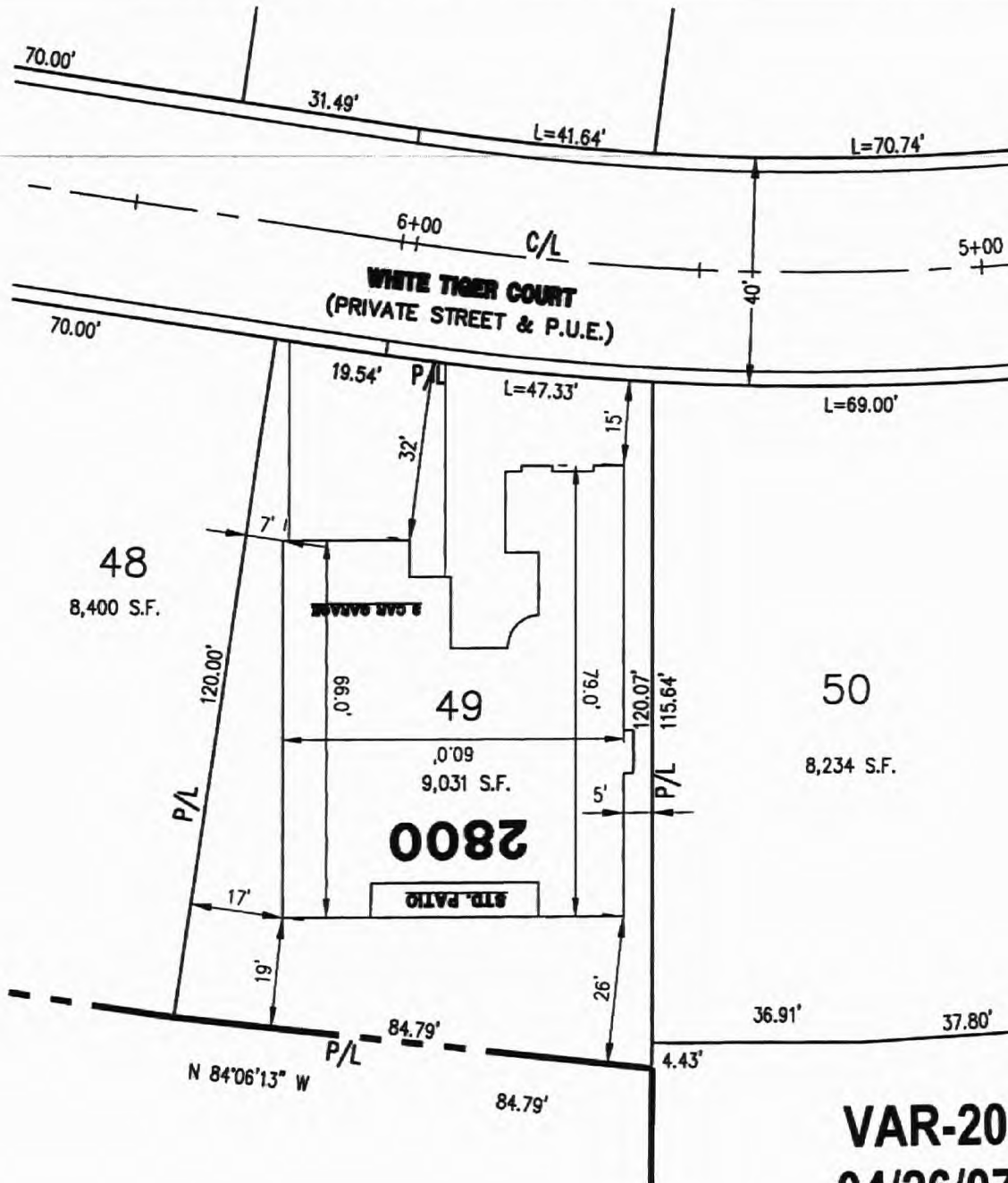




VAR-20545
04/26/07 PC



APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS			
ADDRESS: <u>6425 WHITE TIGER CT</u>		PARCEL NO. <u>125-35-310-049</u>	
REC. SUBDIV: <u>BAVARIA ESTATES</u>		ZONE <u>-</u>	
PLAN CHECK: <u>-</u>		LOT <u>49</u>	BLOCK <u>-</u> BOOK <u>-</u> PAGE <u>-</u>
APPROVAL FOR: SFD ☐		PATIO COVER ☐	BALCONY ☐ ONLY



VAR-20545
04/26/07 PC

D.R. HORTON
CONTRACTOR/AGENT/OWNER
CONTACT NAME: -
CONDITIONS:

0039179
STATE LICENSE NO.
PHONE NO. -
FAX NO. -

C12-01325-063803
CITY LICENSE NO.
RECEIVED

PLANNING DEPARTMENT	DATE	BUILDING DEPARTMENT	MAR 14 2007
LAND DEVELOPMENT	DATE	I hereby certify that I have reviewed this application and the proposed plans and have found that the proposed development meets the requirements of	

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



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

03/26/07

March 13, 2007

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

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

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

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

RECEIVED
MAR 13 2007

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

RECEIVED
CITY CLERK

2007 MAY -4 P 3: 22



G.C. WALLACE, INC.
1000 WEST HAWAIIAN AVENUE, SUITE 200
LAS VEGAS, NEVADA 89101

Writer's Contact Information:
804-2037

767.053.3

May 4, 2007

City Clerk's Office
City of Las Vegas
400 Stewart Street
Las Vegas, Nevada 89101

Re: Appeal of Decision of the Planning Commission to Deny Application Numbers VAR-20544, VAR-20545, VAR-20546, VAR-20547, VAR-20549, VAR-20550

Ladies and Gentlemen:

G. C. Wallace, Inc. on behalf of D.R. Horton, Inc. respectfully submits this letter of appeal in order to move the subject applications for variances forward for evaluation and consideration by the Las Vegas City Council.

We believe these applications should be approved for the following reasons:

1. Due to rapid changes in the housing market, the developer is proposing to construct an updated floor plan that has proven to be very marketable in other subdivisions. The reduced front yard setback for this particular model will in fact promote variation in the streetscape, reduce monotony in the placement of the houses, and enhance the rear yard areas of the affected lots, thus producing a higher level of customer satisfaction. All setbacks to the garage face will maintain the code-required 20' setback.
2. The subject applications are limited to six (6) lots out of 112 total lots, less than 6% of the total.
3. There are irregularities in the lot shapes because of the cul-de-sacs and the street layouts themselves, which were designed to accommodate drainage flows through the site. Each of the affected lots is located within the interior of this subdivision; therefore, we do not believe that these requests will adversely affect this development or any surrounding properties.
4. A very small portion of the front yard is affected by this variance request. The front yard area still far exceeds that which would have been available if a rectangular floor plan were placed on a rectangular lot.

We believe that these variances will enhance the overall neighborhood and allow future homebuyers more flexibility in the size of home and type of yard they will be able to purchase.

City Clerk's Office
City of Las Vegas
May 4, 2007
Page 2

RECEIVED
CITY CLERK

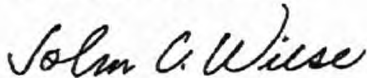
767.053.3

2007 MAY -4 P 3: 22

Please contact the undersigned at 804-2037 when this appeal is scheduled for consideration by the Las Vegas City Council.

Very truly yours,

G.C. WALLACE, INC.



John C. Wiese
Senior Engineering Manager

JCW:mjj

- c. T. Uribe, DRH
J. Duddleston, GCW
B. Smith, GCW
J. VanWoerkom, GCW

RECEIVED
CITY CLERK

2007 MAY 29 A 8:28

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

Return Service Requested
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 and for further information, please call 229-6301



I SUPPORT
this Request



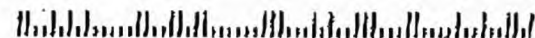
I OPPOSE
this Request

VAR-20545



WELLNITZ ROBERT J
5204 SCOREBOARD ST
LAS VEGAS NV 89130-1740

8913031740 C053



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VARIANCE

VAR-20546 - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE 20-FEET IS THE MINIMUM SETBACK REQUIRED on 0.18 acres at 6410 Veranda Falls Court (APN-125-35-310-070), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Ross). The Planning Commission (4-3 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

RECOMMENDATION:

The Planning Commission (4-3 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Appeal letter filed by G. C. Wallace
6. Returned postcard protest and support

Motion made by STEVEN D. ROSS to Hold in Abeyance Items 131-136 to 6/20/2007

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

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

Minutes:

See Item 131 for related discussion.

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

The Planning Commission (4-3/gt/bg/sd vote) and staff recommend DENIAL.

Planning and Development

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

**** STAFF REPORT ****

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a General Plan Amendment (GPA-6296) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) and SC (Service Commercial) to L (Low Density Residential) on a 5.0 acre portion of a 74.46 acre site, and struck a Rezoning (ZON-6302) from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a petition to Vacate (VAC-6725) a portion of an existing cul-de-sac at the south end of Rebecca Road, a Rezoning (ZON-7653) from R-E (Residence Estates) to R-1 (Single-Family Residential), Special Use Permit (SUP-7656) for private streets within a proposed subdivision, and a Waiver (WVR-7659) of Title 18.12.160 to allow approximately 52 feet between street intersections where 125 feet is the minimum distance separation required. The Planning Commission and staff recommended approval.
09/22/05	The Planning Commission approved a Tentative Map (TMP-8595) for a 112-lot single family residential subdivision on 28.50 acres on the subject site. Staff recommended approval.
04/26/07	The Planning Commission voted 4-3/gt/bg/sd to recommend DENIAL (PC Agenda Item #70/rl).

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

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

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.21 Acres

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

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

Airport Overlay District

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

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

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

ANALYSIS

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Alternatively offering a product that fits within the approved setbacks would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 163 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20546** APN: 125-35-310-070 / 6410 Veranda Falls Ct.

Name of Property Owner: D.R. Horton

Name of Applicant: D.R. Horton

Name of Representative: G.C. Wallace

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

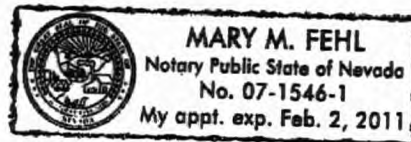
Signature of Property Owner: _____

Print Name: Daniel D Callihan

Subscribed and sworn before me

This 12th day of March, 2007

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



APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS			
ADDRESS: <u>6410 VERANDA FALLS CT.</u> PARCEL NO. <u>125-35-310-070</u>			
REC. SUBDIV: <u>BAVARIA ESTATES</u>		ZONE <u>-</u>	
PLAN CHECK: <u>-</u>		LOT <u>70</u> BLOCK <u>-</u> BOOK <u>-</u> PAGE <u>-</u>	
APPROVAL FOR: SFD ☐ PATIO COVER ☐ BALCONY ☐ ONLY			



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



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

03/26/07

March 13, 2007

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

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

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

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

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

RECEIVED
CITY CLERK

2007 MAY -4 P 3: 22



G. C. WALLACE, INC.
ENGINEERS, PLANNERS, SURVEYORS

White's Contact Information
804-2037

767.053.3

May 4, 2007

City Clerk's Office
City of Las Vegas
400 Stewart Street
Las Vegas, Nevada 89101

Re: Appeal of Decision of the Planning Commission to Deny Application Numbers VAR-20544, VAR-20545, VAR-20546, VAR-20547, VAR-20549, VAR-20550

Ladies and Gentlemen:

G. C. Wallace, Inc. on behalf of D.R. Horton, Inc. respectfully submits this letter of appeal in order to move the subject applications for variances forward for evaluation and consideration by the Las Vegas City Council.

We believe these applications should be approved for the following reasons:

1. Due to rapid changes in the housing market, the developer is proposing to construct an updated floor plan that has proven to be very marketable in other subdivisions. The reduced front yard setback for this particular model will in fact promote variation in the streetscape, reduce monotony in the placement of the houses, and enhance the rear yard areas of the affected lots, thus producing a higher level of customer satisfaction. All setbacks to the garage face will maintain the code-required 20' setback.
2. The subject applications are limited to six (6) lots out of 112 total lots, less than 6% of the total.
3. There are irregularities in the lot shapes because of the cul-de-sacs and the street layouts themselves, which were designed to accommodate drainage flows through the site. Each of the affected lots is located within the interior of this subdivision; therefore, we do not believe that these requests will adversely affect this development or any surrounding properties.
4. A very small portion of the front yard is affected by this variance request. The front yard area still far exceeds that which would have been available if a rectangular floor plan were placed on a rectangular lot.

We believe that these variances will enhance the overall neighborhood and allow future homebuyers more flexibility in the size of home and type of yard they will be able to purchase.

City Clerk's Office
City of Las Vegas
May 4, 2007
Page 2

RECEIVED
CITY CLERK

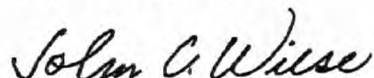
767.053.3

2007 MAY -4 P 3: 22

Please contact the undersigned at 804-2037 when this appeal is scheduled for consideration by the Las Vegas City Council.

Very truly yours,

G.C. WALLACE, INC.



John C. Wiese
Senior Engineering Manager

JCW:mjj

- c. T. Uribe, DRH
J. Duddleston, GCW
B. Smith, GCW
J. VanWoerkom, GCW

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

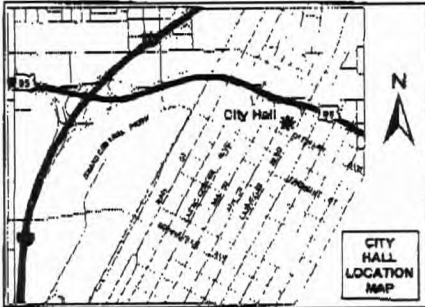
RECEIVED
CITY CLERK



Return Service Requested

2007 MAY 25 P 4: 39

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 (702) 382-4803 and for further information, please call 229-6301

WILLIAMS ALLAN R & LILY H
4900 QUASAR CT
LAS VEGAS NV 89130-1821



I SUPPORT
this Request



I OPPOSE
this Request

VAR-20546

891301821 0019

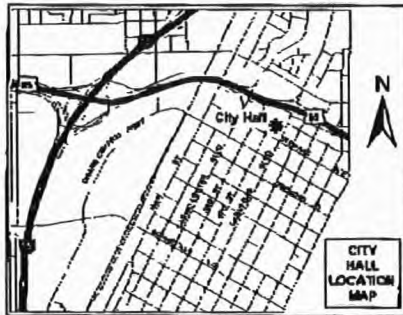


RECEIVED
CITY CLERK

2007 MAY 29 A 8:28

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

Return Service Requested
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 and for further information, please call 229-6301

☒ I SUPPORT
this Request
VAR-20546

☐ I OPPOSE
this Request



WELNITZ ROBERT J
5204 SCOREBOARD ST
LAS VEGAS NV 89130-1740

8913031740 C055



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VARIANCE

VAR-20547 - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE 20-FEET IS THE MINIMUM SETBACK REQUIRED on 0.17 acres at 6414 Veranda Falls Court (APN-125-35-310-071), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Ross). The Planning Commission (4-3 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

1

RECOMMENDATION:

The Planning Commission (4-3 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Appeal letter filed by G. C. Wallace
6. Returned postcard protest and support

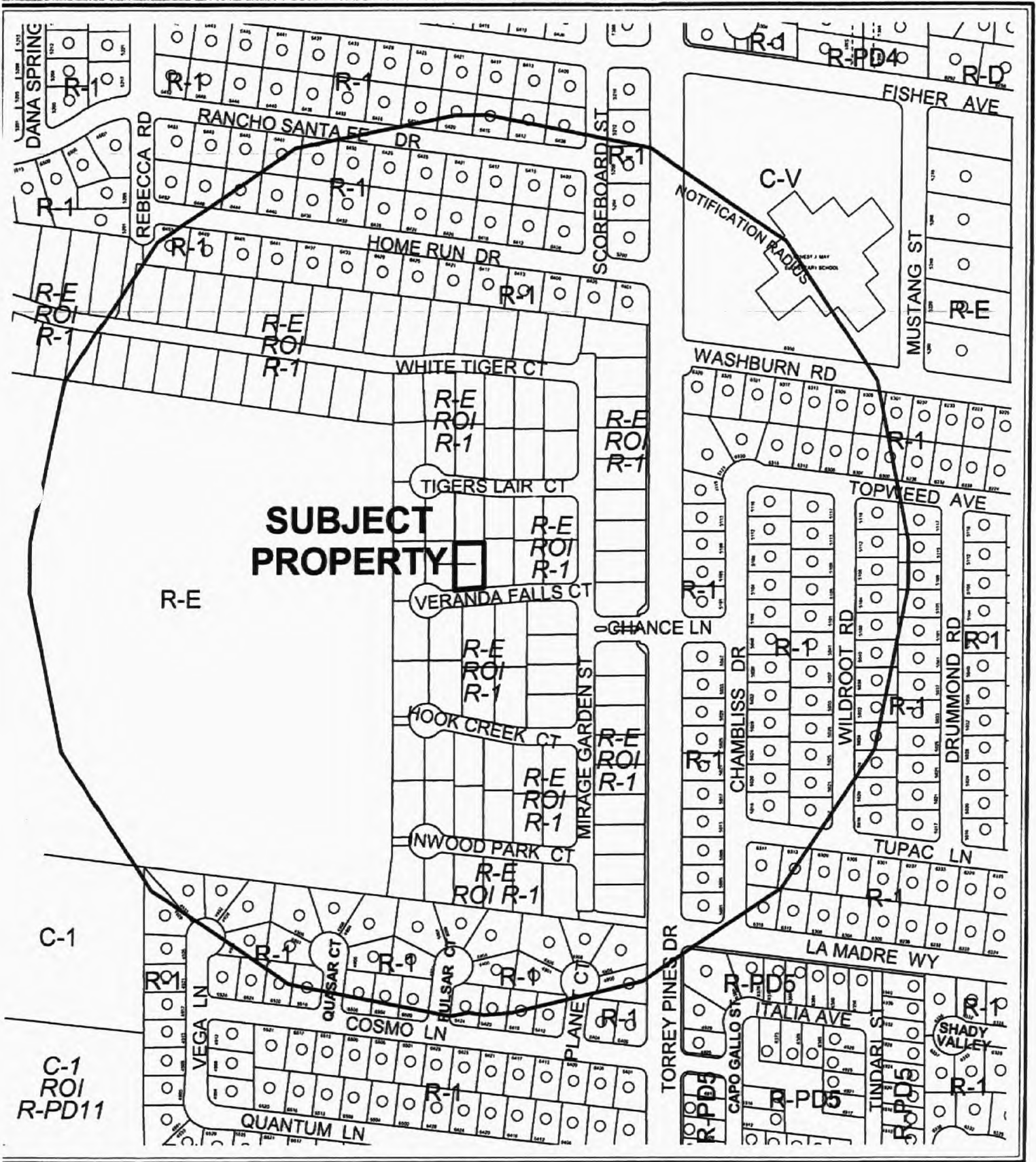
Motion made by STEVEN D. ROSS to Hold in Abeyance Items 131-136 to 6/20/2007

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

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

Minutes:

See Item 131 for related discussion.



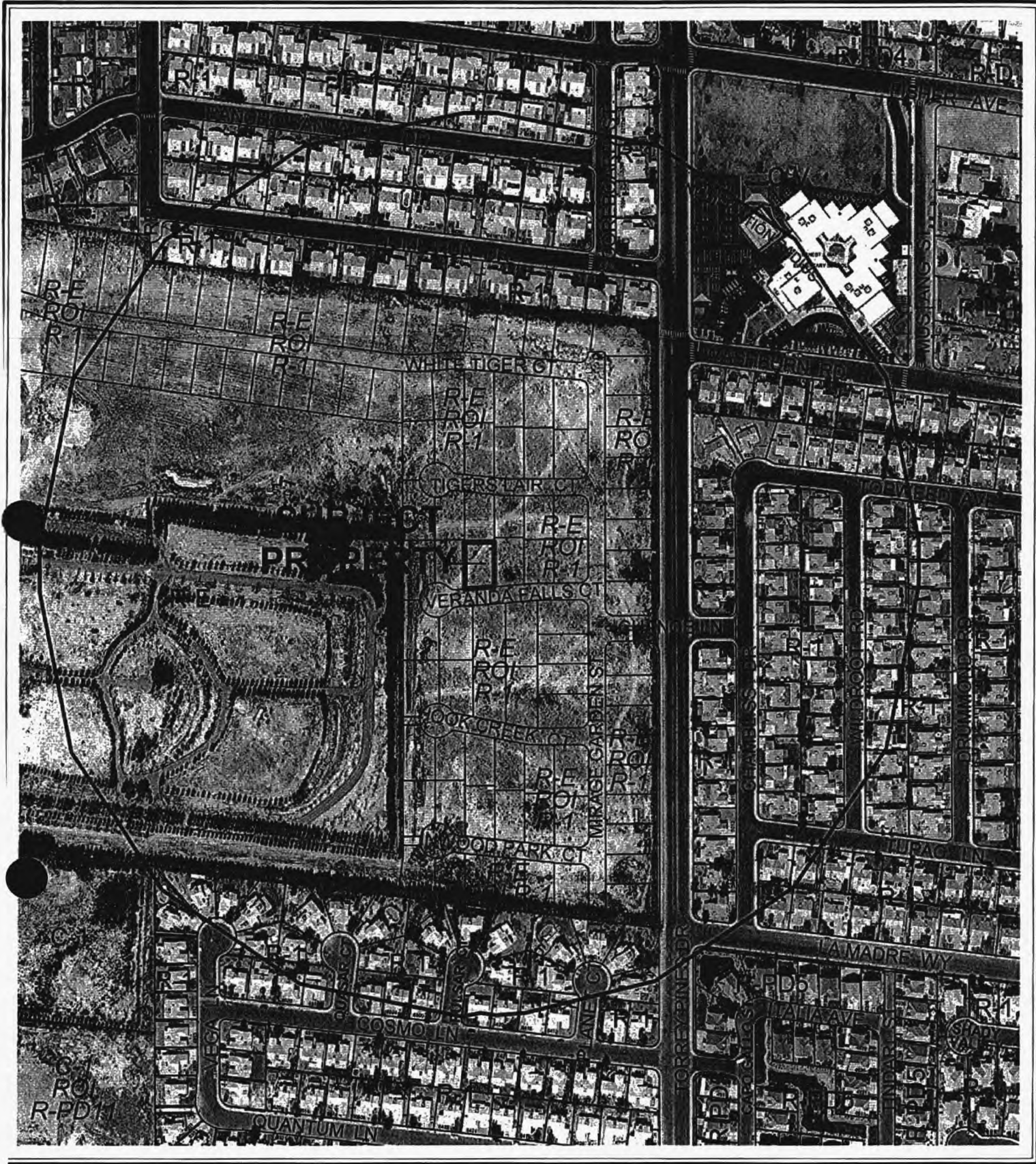
CASE: VAR-20547

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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





CASE: VAR-20547

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 500 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20547 - APPLICANT/OWNER: D.R. HORTON, INC.

**** CONDITIONS ****

The Planning Commission (4-3/gt/bg/sd vote) and staff recommend DENIAL.

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a General Plan Amendment (GPA-6296) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) and SC (Service Commercial) to L (Low Density Residential) on a 5.0 acre portion of a 74.46 acre site, and struck a Rezoning (ZON-6302) from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a petition to Vacate (VAC-6725) a portion of an existing cul-de-sac at the south end of Rebecca Road, a Rezoning (ZON-7653) from R-E (Residence Estates) to R-1 (Single-Family Residential), Special Use Permit (SUP-7656) for private streets within a proposed subdivision, and a Waiver (WVR-7659) of Title 18.12.160 to allow approximately 52 feet between street intersections where 125 feet is the minimum distance separation required. The Planning Commission and staff recommended approval.
09/22/05	The Planning Commission approved a Tentative Map (TMP-8595) for a 112-lot single family residential subdivision on 28.50 acres on the subject site. Staff recommended approval.
04/26/07	The Planning Commission voted 4-3/gt/bg/sd to recommend DENIAL (PC Agenda Item #71/r1).

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

Details of Application Request	
Site Area	
Gross Acres	0.21

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

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

Airport Overlay District

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

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

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

ANALYSIS

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Alternatively offering a product that fits within the approved setbacks would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 160 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: D.R. Horton

Name of Applicant: D.R. Horton

Name of Representative: G.C. Wallace

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

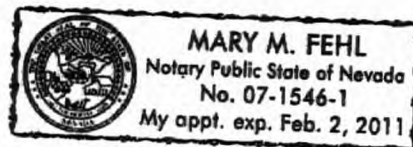
Signature of Property Owner: *Daniel D. Callihan*

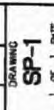
Print Name: Daniel D Callihan

Subscribed and sworn before me

This 12th day of March, 2007

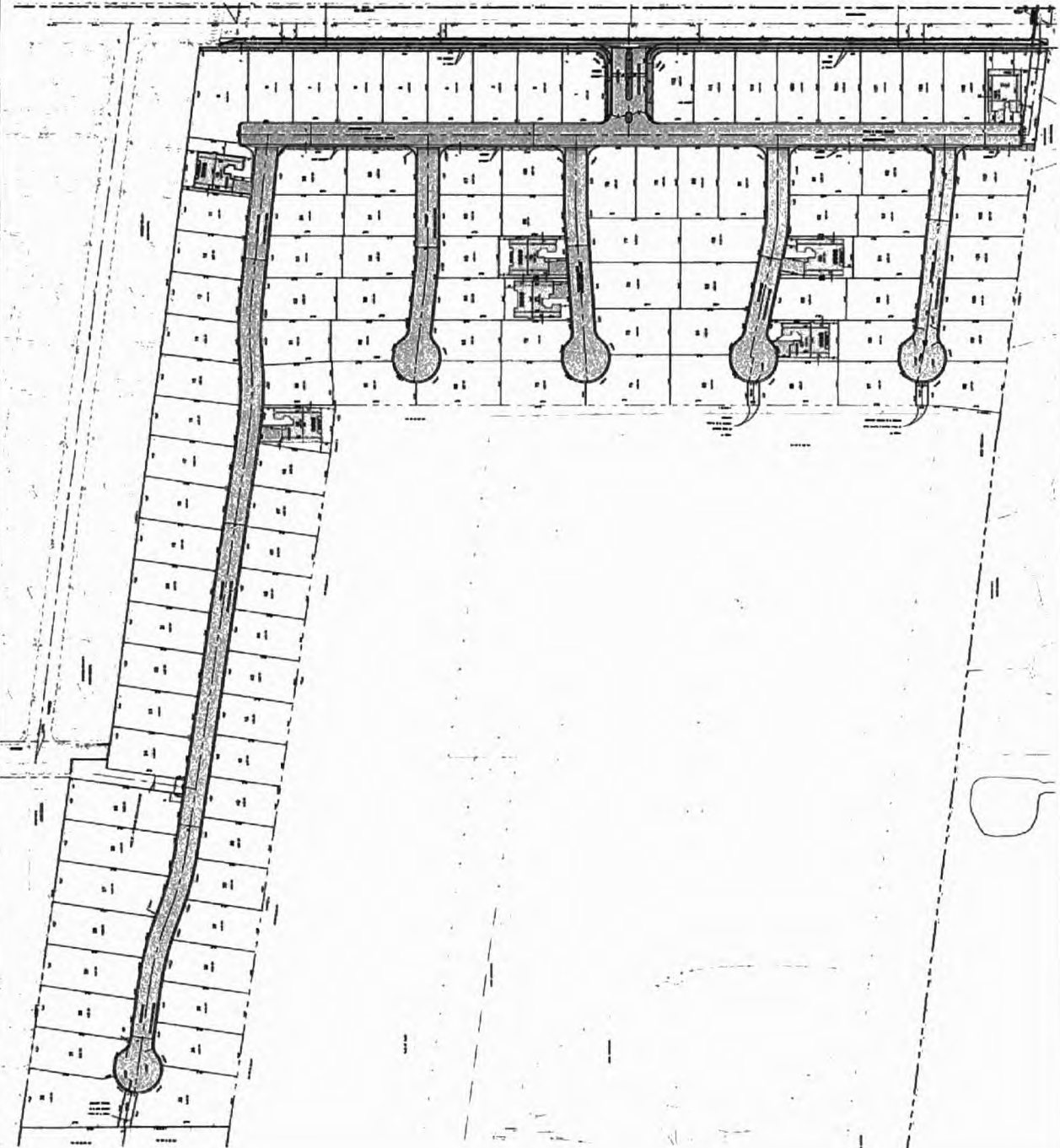
Mary M. Fehl
Notary Public in and for said County and State





VAR-20547

04/26/07 PC



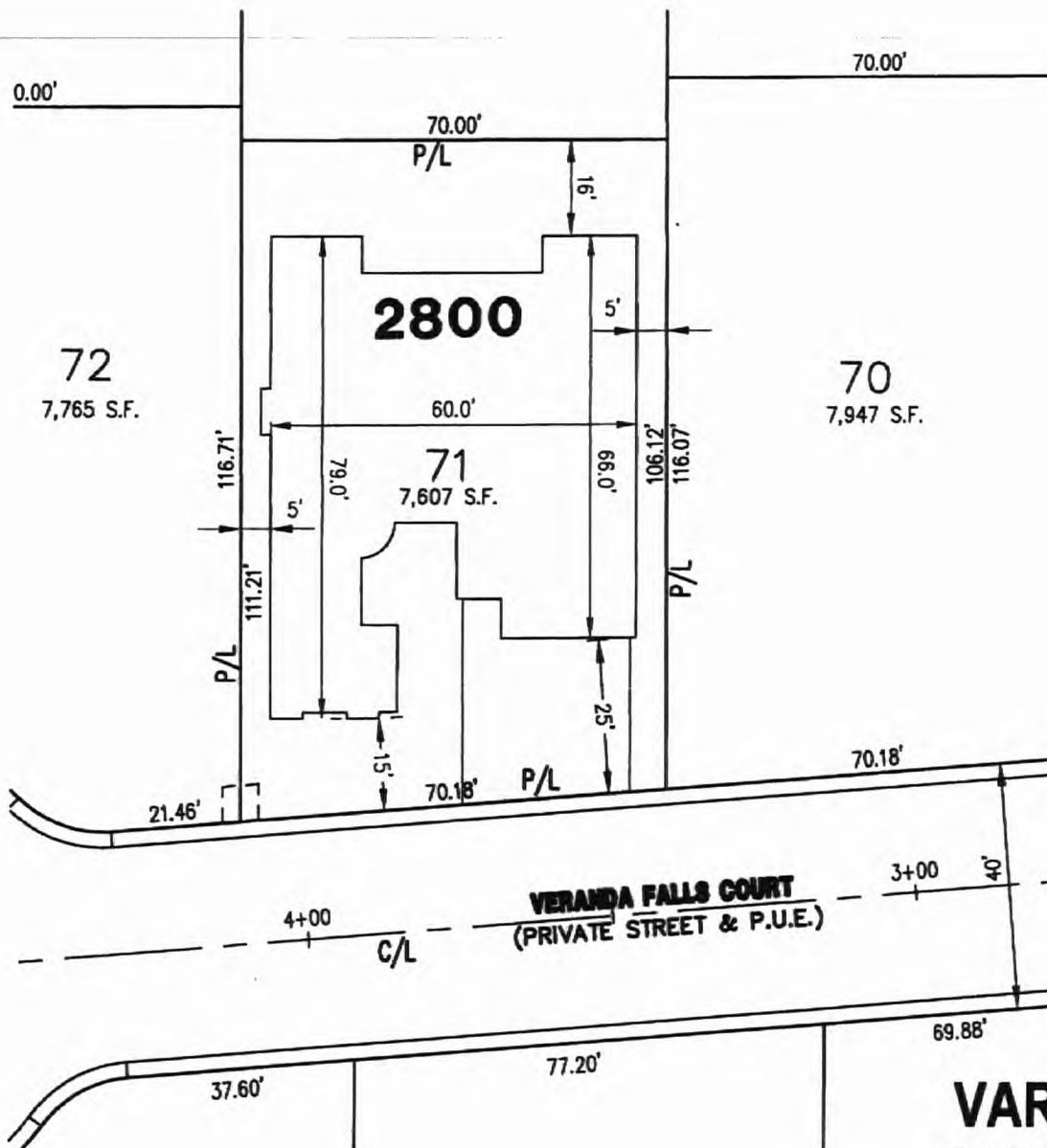
APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS

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

REC. SUBDIV: BAVARIA ESTATES ZONE -

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

APPROVAL FOR: SFD ☐ PATIO COVER ☐ BALCONY ☐ ONLY



SCALE: 1"=30'

VAR-20547
04/26/07 PC

D.R. HORTON
CONTRACTOR/AGENT/OWNER

0039179
STATE LICENSE NO.

C12-01325-063803
CITY LICENSE NO.

CONTACT NAME: -

PHONE NO. -

FAX NO. -

CONDITIONS: -

RECEIVED

PLANNING DEPARTMENT

DATE

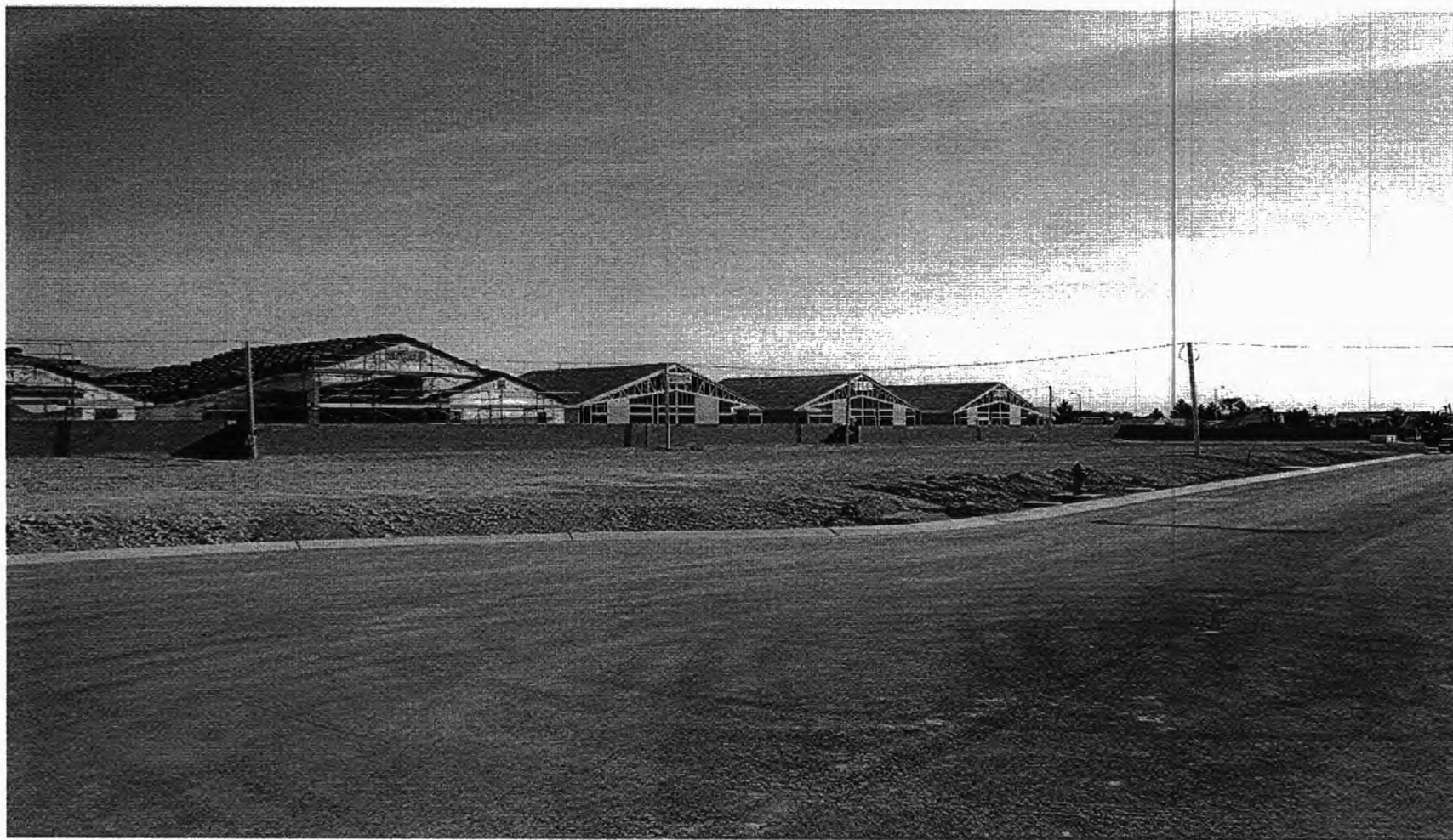
BUILDING DEPARTMENT

MAR 14 2007

LAND DEVELOPMENT

DATE

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



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

03/26/07

March 13, 2007

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

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

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

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

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

RECEIVED
CITY CLERK

2007 MAY -4 P 3: 22



G. C. WALLACE, INC.
100 WEST WASHINGTON STREET
LAS VEGAS, NEVADA 89101

Writer's Contact Information:
804-2037

767.053.3

May 4, 2007

City Clerk's Office
City of Las Vegas
400 Stewart Street
Las Vegas, Nevada 89101

Re: Appeal of Decision of the Planning Commission to Deny Application Numbers VAR-20544, VAR-20545, VAR-20546, VAR-20547, VAR-20549, VAR-20550

Ladies and Gentlemen:

G. C. Wallace, Inc. on behalf of D.R. Horton, Inc. respectfully submits this letter of appeal in order to move the subject applications for variances forward for evaluation and consideration by the Las Vegas City Council.

We believe these applications should be approved for the following reasons:

1. Due to rapid changes in the housing market, the developer is proposing to construct an updated floor plan that has proven to be very marketable in other subdivisions. The reduced front yard setback for this particular model will in fact promote variation in the streetscape, reduce monotony in the placement of the houses, and enhance the rear yard areas of the affected lots, thus producing a higher level of customer satisfaction. All setbacks to the garage face will maintain the code-required 20' setback.
2. The subject applications are limited to six (6) lots out of 112 total lots, less than 6% of the total.
3. There are irregularities in the lot shapes because of the cul-de-sacs and the street layouts themselves, which were designed to accommodate drainage flows through the site. Each of the affected lots is located within the interior of this subdivision; therefore, we do not believe that these requests will adversely affect this development or any surrounding properties.
4. A very small portion of the front yard is affected by this variance request. The front yard area still far exceeds that which would have been available if a rectangular floor plan were placed on a rectangular lot.

We believe that these variances will enhance the overall neighborhood and allow future homebuyers more flexibility in the size of home and type of yard they will be able to purchase.

City Clerk's Office
City of Las Vegas
May 4, 2007
Page 2

RECEIVED
CITY CLERK

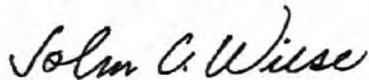
767.053.3

2007 MAY -4 P 3: 22

Please contact the undersigned at 804-2037 when this appeal is scheduled for consideration by the Las Vegas City Council.

Very truly yours,

G.C. WALLACE, INC.



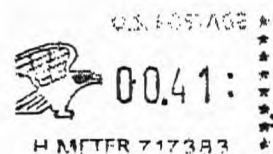
John C. Wiese
Senior Engineering Manager

JCW:mjj

- c. T. Uribe, DRH
J. Duddleston, GCW
B. Smith, GCW
J. VanWoerkom, GCW

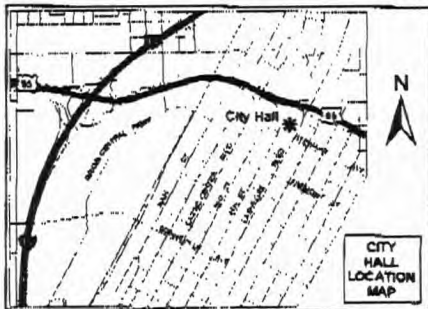
City of Las Vegas
 City Clerk
 City Hall, First Floor
 400 Stewart Avenue
 Las Vegas, Nevada 89101

RECEIVED
 CITY CLERK



Return Service Requested 2007 MAY 25 P 4: 39

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 and for further information, please call 229-6301

WILLIAMS ALLAN R & LILY H
 4900 QUASAR CT
 LAS VEGAS NV 89130-1821



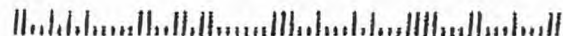
I SUPPORT
 this Request



I OPPOSE
 this Request

VAR-20547

891301821 0019



RECEIVED
CITY CLERK

2007 MAY 29 A 8:28

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

Return Service Requested
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 and for further information, please call 229-6301



I SUPPORT
this Request



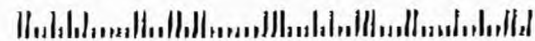
I OPPOSE
this Request

VAR-20547



WELLNITZ ROBERT J
5204 SCOREBOARD ST
LAS VEGAS NV 89130-1740

8913031740 C059



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VARIANCE

VAR-20549 - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE 20-FEET IS THE MINIMUM SETBACK REQUIRED on 0.17 acres at 6419 Hook Creek Court (APN 125-35-310-087), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Ross). The Planning Commission (4-3 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

RECOMMENDATION:

The Planning Commission (4-3 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Appeal letter filed by G. C. Wallace
6. Returned postcard protests and support
7. Submitted after final agenda – Returned postcard protest

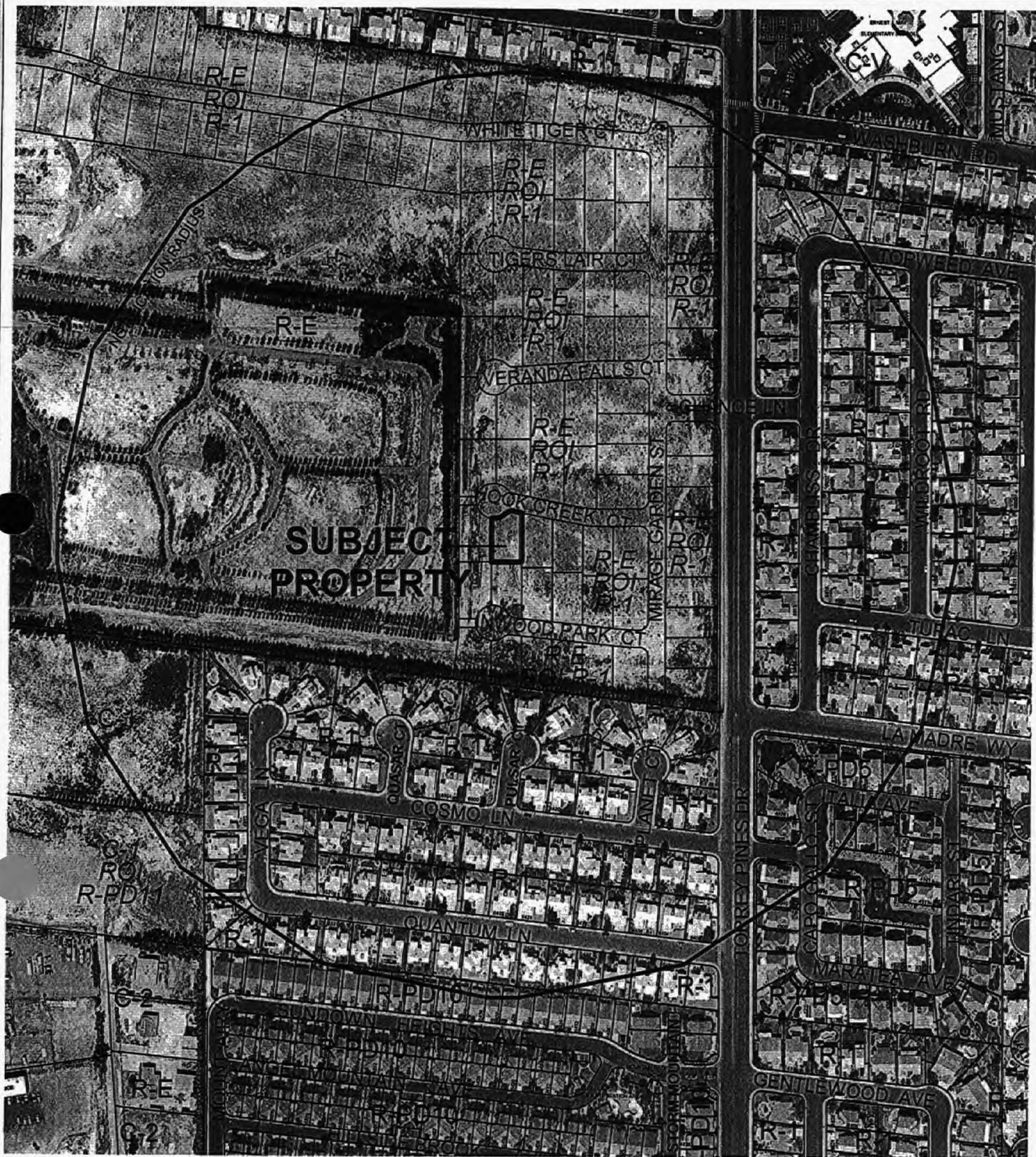
Motion made by STEVEN D. ROSS to Hold in Abeyance Items 131-136 to 6/20/2007

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
 BRENDA J. WILLIAMS, LOIS TARKANIAN, LARRY BROWN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-OSCAR B. GOODMAN)

Minutes:

See Item 131 for related discussion.





CASE: VAR-20549

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20549 - APPLICANT/OWNER: D.R. HORTON, INC.

**** CONDITIONS ****

The Planning Commission (4-3/gt/bg/sd vote) and staff recommend DENIAL.

Planning and Development

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

** STAFF REPORT **

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a General Plan Amendment (GPA-6296) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) and SC (Service Commercial) to L (Low Density Residential) on a 5.0 acre portion of a 74.46 acre site, and struck a Rezoning (ZON-6302) from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a petition to Vacate (VAC-6725) a portion of an existing cul-de-sac at the south end of Rebecca Road, a Rezoning (ZON-7653) from R-E (Residence Estates) to R-1 (Single-Family Residential), Special Use Permit (SUP-7656) for private streets within a proposed subdivision, and a Waiver (WVR-7659) of Title 18.12.160 to allow approximately 52 feet between street intersections where 125 feet is the minimum distance separation required. The Planning Commission and staff recommended approval.
09/22/05	The Planning Commission approved a Tentative Map (TMP-8595) for a 112-lot single family residential subdivision on 28.50 acres on the subject site. Staff recommended approval.
04/26/07	The Planning Commission voted 4-3/gt/bg/sd to recommend DENIAL (PC Agenda Item #72/rl).
<i>Related Building Permits/Business Licenses</i>	
NA	
<i>Pre-Application Meeting</i>	
02/26/02	A pre-application meeting was held to discuss the requirements for a setback Variance. Applicant was informed that a separate Variance is required for each lot.
<i>Neighborhood Meeting</i>	
A Neighborhood Meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
03/26/07	A field check was conducted on the site to determine that site conditions are as depicted in the submitted documentation. No pertinent issues were identified.

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

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

Airport Overlay District

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

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

** The subject of this Variance.*

ANALYSIS

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Alternatively offering a product that fits within the approved setbacks would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 186 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: D.R. Horton

Name of Applicant: D.R. Horton

Name of Representative: G.C. Wallace

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

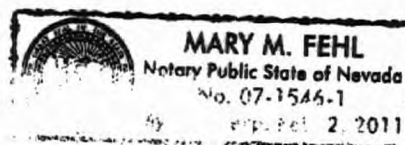
Signature of Property Owner: _____

Print Name: Daniel D Callihan

Subscribed and sworn before me

This 12th day of March, 2007

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



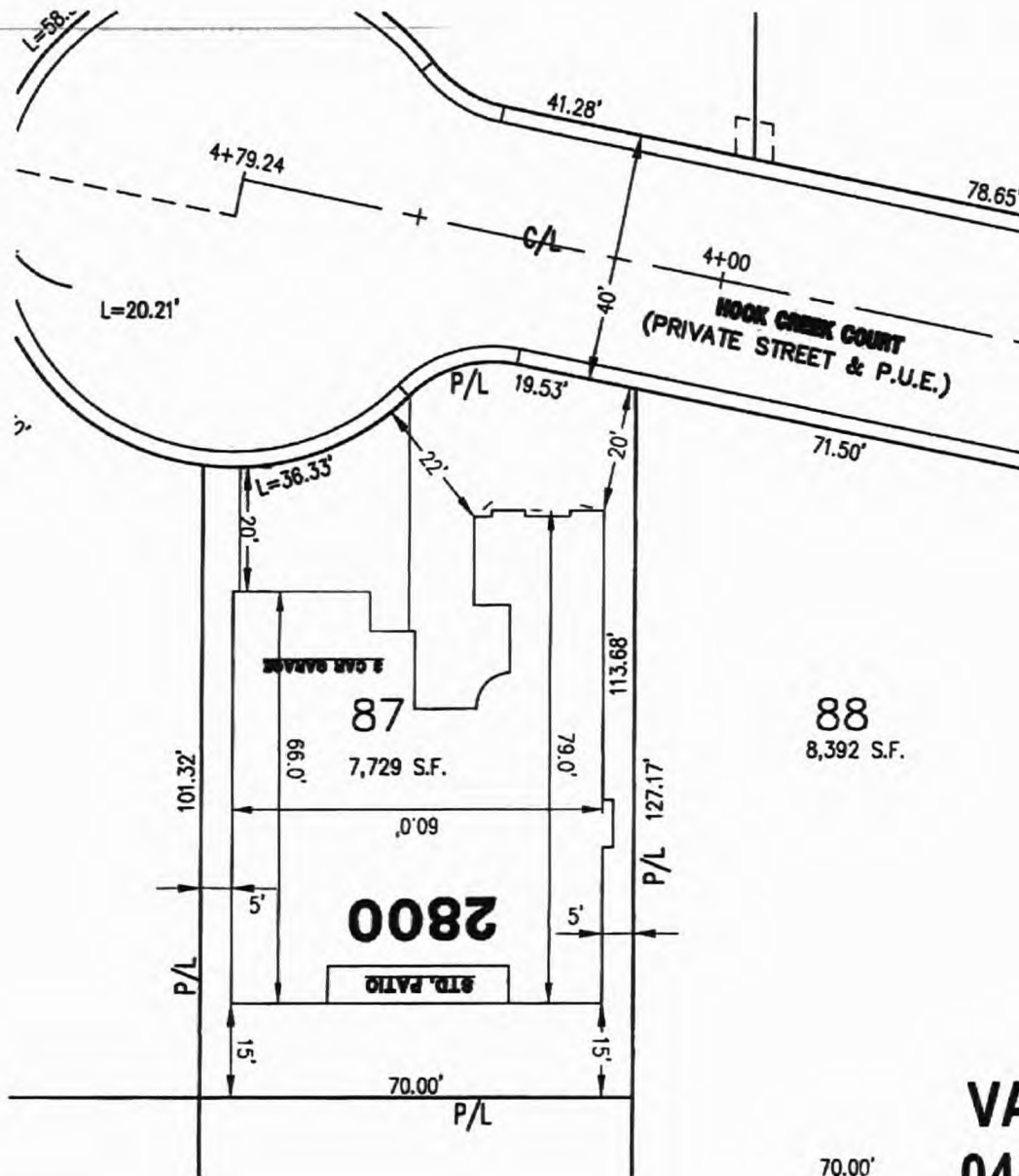
APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS

ADDRESS: 6419 HOOK CREEK CT. PARCEL NO. 125-35-310-087

REC. SUBDIV: BAVARIA ESTATES ZONE -

PLAN CHECK: - LOT 87 BLOCK - BOOK - PAGE -

APPROVAL FOR: SFD ☐ PATIO COVER ☐ BALCONY ☐ ONLY



VAR-20549
04/26/07 PC

D.R. HORTON
CONTRACTOR/AGENT/OWNER

0039179
STATE LICENSE NO.

C12-01325-063803
CITY LICENSE NO.

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

CONDITIONS: - **RECEIVED**

PLANNING DEPARTMENT DATE BUILDING DEPARTMENT

LAND DEVELOPMENT DATE

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

MAR 14 2007



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

03/26/07

March 13, 2007

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

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

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

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

RECEIVED
MAR 13 2007

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

RECEIVED
CITY CLERK

2007 MAY -4 P 3: 22



G. C. WALLACE, INC.

1000 WEST HENDERSON AVENUE, SUITE 100
LAS VEGAS, NEVADA 89101

Writer's Contact Information:

804-2037

767.053.3

May 4, 2007

City Clerk's Office
City of Las Vegas
400 Stewart Street
Las Vegas, Nevada 89101

Re: Appeal of Decision of the Planning Commission to Deny Application Numbers VAR-20544, VAR-20545, VAR-20546, VAR-20547, VAR-20549, VAR-20550

Ladies and Gentlemen:

G. C. Wallace, Inc. on behalf of D.R. Horton, Inc. respectfully submits this letter of appeal in order to move the subject applications for variances forward for evaluation and consideration by the Las Vegas City Council.

We believe these applications should be approved for the following reasons:

1. Due to rapid changes in the housing market, the developer is proposing to construct an updated floor plan that has proven to be very marketable in other subdivisions. The reduced front yard setback for this particular model will in fact promote variation in the streetscape, reduce monotony in the placement of the houses, and enhance the rear yard areas of the affected lots, thus producing a higher level of customer satisfaction. All setbacks to the garage face will maintain the code-required 20' setback.
2. The subject applications are limited to six (6) lots out of 112 total lots, less than 6% of the total.
3. There are irregularities in the lot shapes because of the cul-de-sacs and the street layouts themselves, which were designed to accommodate drainage flows through the site. Each of the affected lots is located within the interior of this subdivision; therefore, we do not believe that these requests will adversely affect this development or any surrounding properties.
4. A very small portion of the front yard is affected by this variance request. The front yard area still far exceeds that which would have been available if a rectangular floor plan were placed on a rectangular lot.

We believe that these variances will enhance the overall neighborhood and allow future homebuyers more flexibility in the size of home and type of yard they will be able to purchase.

City Clerk's Office
City of Las Vegas
May 4, 2007
Page 2

RECEIVED
CITY CLERK

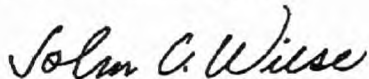
767.053.3

2007 MAY -4 P 3: 22

Please contact the undersigned at 804-2037 when this appeal is scheduled for consideration by the Las Vegas City Council.

Very truly yours,

G.C. WALLACE, INC.



John C. Wiese
Senior Engineering Manager

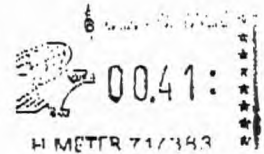
JCW:mjj

- c. T. Uribe, DRH
J. Duddleston, GCW
B. Smith, GCW
J. VanWoerkom, GCW

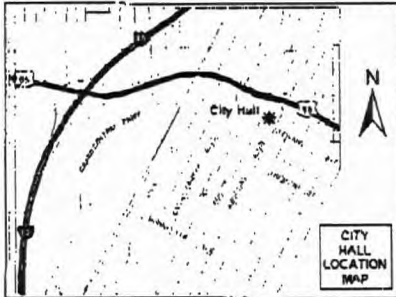
City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK

2007 MAY 29 A 11: 58



Return Service Requested
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 and for further information, please call 229-6301



I SUPPORT
this Request

VAR-20549



I OPPOSE
this Request

O'CONNOR LIVING TRUST
O'CONNOR JOHN J TRS ETAL
6513 COSMO LN
LAS VEGAS NV 89130-1817

8913081817 CO18



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

RECEIVED
 CITY CLERK



U.S. POSTAGE



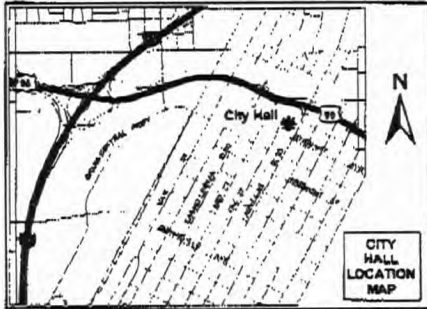
00.41:

METER 717383

Return Service Requested

2007 MAY 25 P 4: 39

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 (702) 382-4803 and for further information, please call 229-6301

WILLIAMS ALLAN R & LILY H
 4900 QUASAR CT
 LAS VEGAS NV 89130-1821



I SUPPORT
 this Request



I OPPOSE
 this Request

VAR-20549

891301821 0019

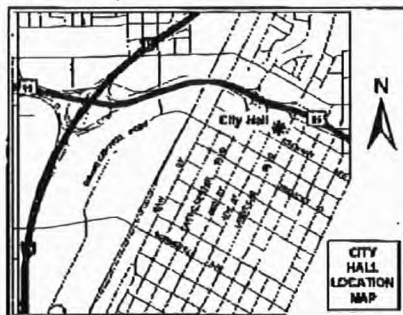


RECEIVED
CITY CLERK

2007 MAY 29 A 8:28

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

Return Service Requested
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 and for further information, please call 229-6301



I SUPPORT
this Request



I OPPOSE
this Request

VAR-20549



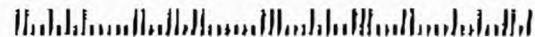
U.S. POSTAGE

00.41:

METER 717383

WELLNITZ ROBERT J
5204 SCOREBOARD ST
LAS VEGAS NV 89130-1740

89130-1740 0059



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

Return Service Requested
Official Notice of Public Hearing

2007 MAY 30 A 10:30

RECEIVED
CITY CLERK



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 and for further information, please call 229-6301

☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

SMITH CONSTANCE D
4916 CAPO GALLO ST
LAS VEGAS NV 89130-2146

VAR-20549

8913032146 0019



Submitted after final agenda

Date 5/30/07 Item #135

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VARIANCE

VAR-20550 - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE 20-FEET IS THE MINIMUM SETBACK REQUIRED on 0.18 acres at 6411 Hook Creek Court (APN 125-35-310-089), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 6 (Ross). The Planning Commission (4-3 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-3 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Appeal letter filed by G. C. Wallace
6. Returned postcard protests

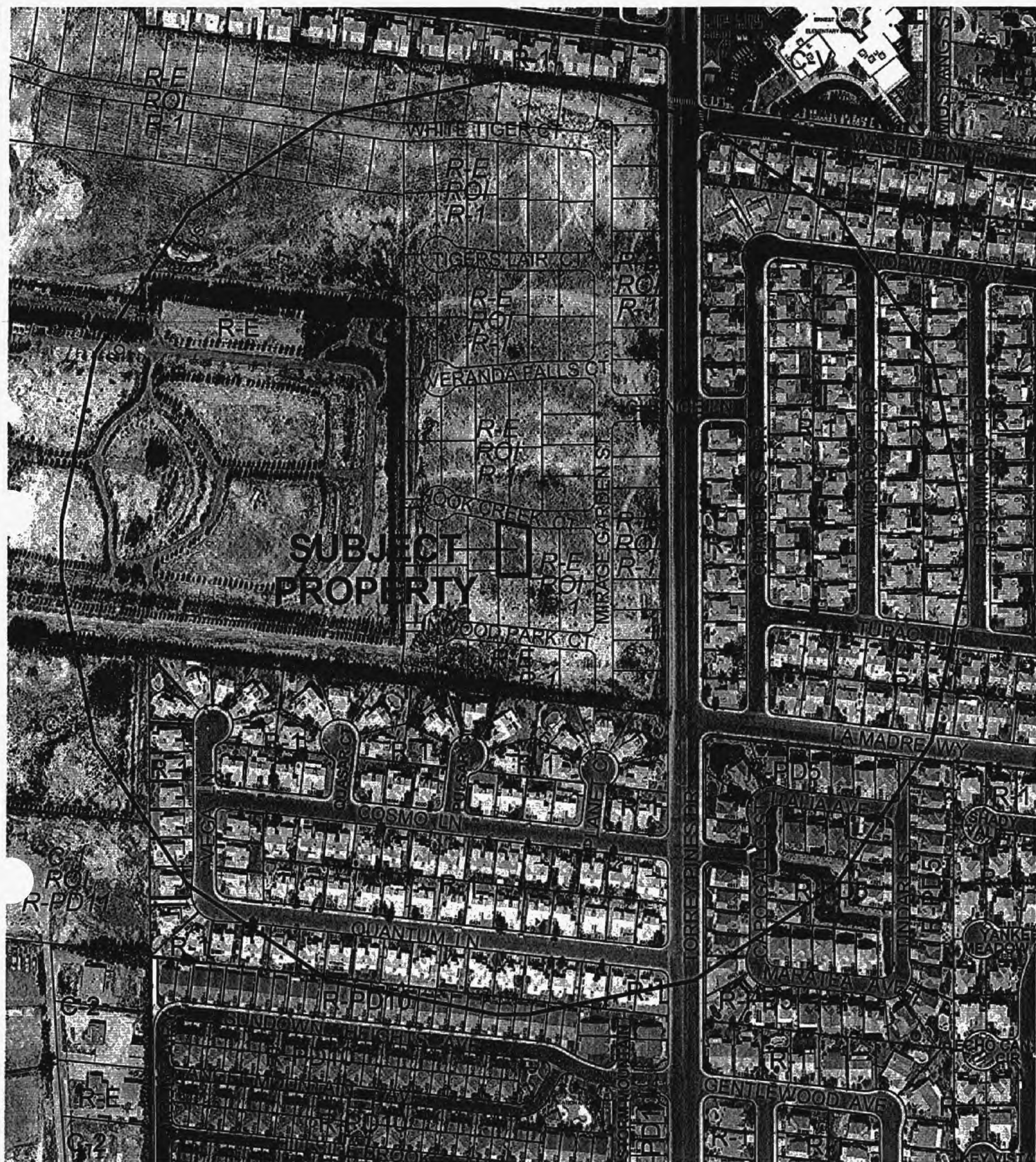
Motion made by STEVEN D. ROSS to Hold in Abeyance Items 131-136 to 6/20/2007

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

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

Minutes:

See Item 131 for related discussion.



CASE: VAR-20550

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-20550 - APPLICANT/OWNER: D.R. HORTON, INC.

**** CONDITIONS ****

The Planning Commission (4-3/gt/bg/sd vote) and staff recommend DENIAL.

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a General Plan Amendment (GPA-6296) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) and SC (Service Commercial) to L (Low Density Residential) on a 5.0 acre portion of a 74.46 acre site, and struck a Rezoning (ZON-6302) from R-E (Residence Estates) to R-1 (Single-Family Residential). The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a petition to Vacate (VAC-6725) a portion of an existing cul-de-sac at the south end of Rebecca Road, a Rezoning (ZON-7653) from R-E (Residence Estates) to R-1 (Single-Family Residential), Special Use Permit (SUP-7656) for private streets within a proposed subdivision, and a Waiver (WVR-7659) of Title 18.12.160 to allow approximately 52 feet between street intersections where 125 feet is the minimum distance separation required. The Planning Commission and staff recommended approval.
09/22/05	The Planning Commission approved a Tentative Map (TMP-8595) for a 112-lot single family residential subdivision on 28.50 acres on the subject site. Staff recommended approval.
04/26/07	The Planning Commission voted 4-3/gt/bg/sd to recommend DENIAL (PC Agenda Item #73/rl).

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

Field Check

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

Details of Application Request

Site Area

Gross Acres	.21
-------------	-----

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

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

Airport Overlay District

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

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

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

ANALYSIS

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by offering a product that does not fit within the lot as the applicant designed. Alternatively offering a product that fits within the approved setbacks would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 218 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-20550** APN: 125-35-310-089 / 6411 Hook Creek Ct.
Name of Property Owner: D.R. Horton
Name of Applicant: D.R. Horton
Name of Representative: G.C. Wallace

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

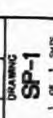
Print Name: Daniel D Callihan

Subscribed and sworn before me

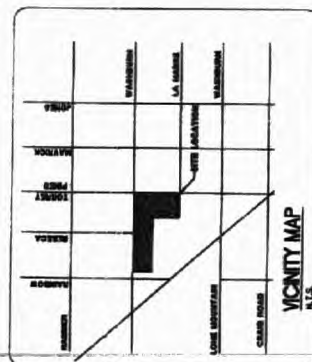
This 12th day of March, 2007

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

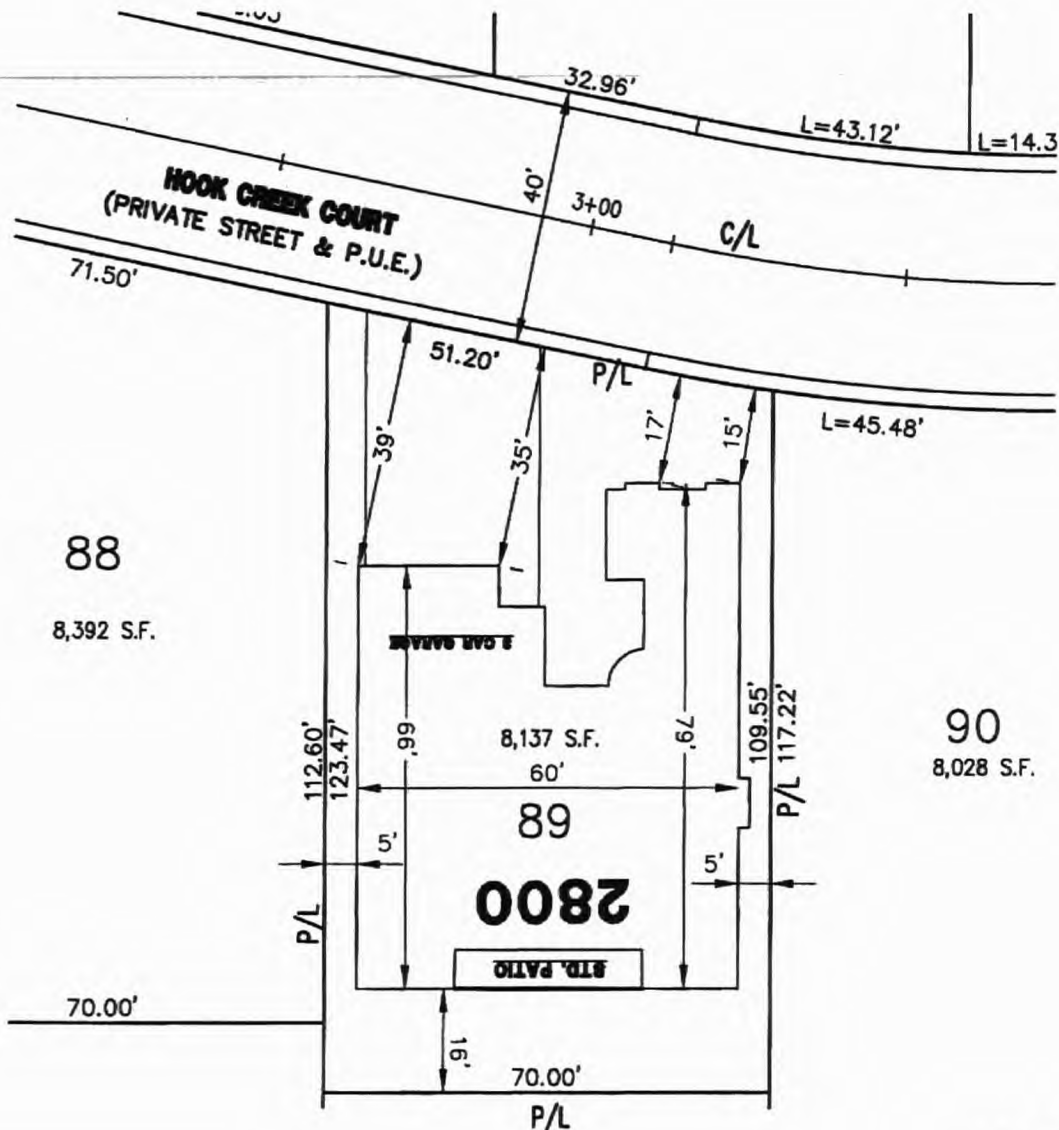




VAR-20550
04/26/07 PC



APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS			
ADDRESS: <u>6411 HOOK CREEK CT.</u>		PARCEL NO. <u>125-35-310-089</u>	
REC. SUBDIV: <u>BAVARIA ESTATES</u>		ZONE <u>-</u>	
PLAN CHECK: <u>-</u>		LOT <u>89</u>	BLOCK <u>-</u> BOOK <u>-</u> PAGE <u>-</u>
APPROVAL FOR: SFD ☐		PATIO COVER ☐	BALCONY ☐ ONLY



VAR-20550
04/26/07 PC

C12-01325-063803
CITY LICENSE NO.

~~FAX NO. RECEIVED~~

MAR 14 2007

BUILDING DEPARTMENT

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



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

03/26/07

March 13, 2007

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

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

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

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

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

RECEIVED
CITY CLERK

2007 MAY -4 P 3: 22



G. C. WALLACE, INC.
ENGINEERS, PLANNERS, SURVEYORS
1000 W. WASHINGTON AVE.
LAS VEGAS, NV 89101

Writer's Contact Information
804-2037

767.053.3

May 4, 2007

City Clerk's Office
City of Las Vegas
400 Stewart Street
Las Vegas, Nevada 89101

Re: Appeal of Decision of the Planning Commission to Deny Application Numbers VAR-20544, VAR-20545, VAR-20546, VAR-20547, VAR-20549, VAR-20550

Ladies and Gentlemen:

G. C. Wallace, Inc. on behalf of D.R. Horton, Inc. respectfully submits this letter of appeal in order to move the subject applications for variances forward for evaluation and consideration by the Las Vegas City Council.

We believe these applications should be approved for the following reasons:

1. Due to rapid changes in the housing market, the developer is proposing to construct an updated floor plan that has proven to be very marketable in other subdivisions. The reduced front yard setback for this particular model will in fact promote variation in the streetscape, reduce monotony in the placement of the houses, and enhance the rear yard areas of the affected lots, thus producing a higher level of customer satisfaction. All setbacks to the garage face will maintain the code-required 20' setback.
2. The subject applications are limited to six (6) lots out of 112 total lots, less than 6% of the total.
3. There are irregularities in the lot shapes because of the cul-de-sacs and the street layouts themselves, which were designed to accommodate drainage flows through the site. Each of the affected lots is located within the interior of this subdivision; therefore, we do not believe that these requests will adversely affect this development or any surrounding properties.
4. A very small portion of the front yard is affected by this variance request. The front yard area still far exceeds that which would have been available if a rectangular floor plan were placed on a rectangular lot.

We believe that these variances will enhance the overall neighborhood and allow future homebuyers more flexibility in the size of home and type of yard they will be able to purchase.

City Clerk's Office
City of Las Vegas
May 4, 2007
Page 2

RECEIVED
CITY CLERK

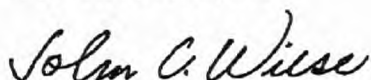
767.053.3

2007 MAY -4 P 3: 22

Please contact the undersigned at 804-2037 when this appeal is scheduled for consideration by the Las Vegas City Council.

Very truly yours,

G.C. WALLACE, INC.



John C. Wiese
Senior Engineering Manager

JCW:mjj

- c. T. Uribe, DRH
J. Duddleston, GCW
B. Smith, GCW
J. VanWoerkom, GCW

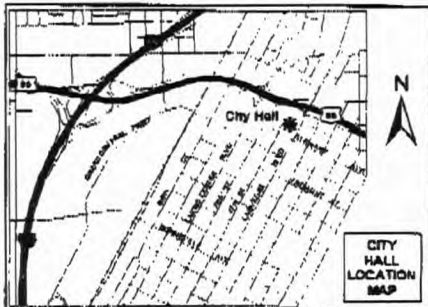
City of Las Vegas
 City Clerk
 City Hall, First Floor
 400 Stewart Avenue
 Las Vegas, Nevada 89101

RECEIVED
 CITY CLERK



Return Service Requested 2007 MAY 25 P 4:39

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 (702) 382-4803 and for further information, please call 229-6301

WILLIAMS ALLAN R & LILY H
 4900 QUASAR CT
 LAS VEGAS NV 89130-1821



I SUPPORT
 this Request



I OPPOSE
 this Request

VAR-20550

891301821 0019



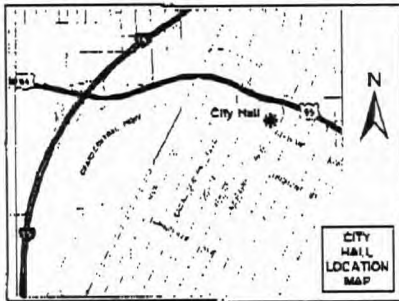
City of Las Vegas
 City Clerk
 City Hall, First Floor
 400 Stewart Avenue
 Las Vegas, Nevada 89101

RECEIVED
 CITY CLERK



Return Service Requested MAY 29 A 11: 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 and for further information, please call 229-6301



I SUPPORT
 this Request



I OPPOSE
 this Request

VAR-20550

O'CONNOR LIVING TRUST
 O'CONNOR JOHN J TRS ETAL
 6513 COSMO LN
 LAS VEGAS NV 89130-1817

8913031817 0018



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REQUIRED SIX MONTH REVIEW

RQR-21914 - PUBLIC HEARING - APPLICANT: CRISTOBAL SANTOS - OWNER: TOFFY ENTERPRISES LLC. - Request for a Required Six Month Review of an approved Special Use Permit (SUP-13271) FOR A RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE on 1.22 acres at 8251 West Charleston Boulevard (APN 163-04-117-003), C-1 (Limited Commercial), Zone, Ward 2 (Wolfson). NOTE: To be heard in conjunction with Morning Session Item 61. Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council approval letter for SUP-13271
5. Returned postcard support
6. Submitted after final agenda - Returned postcard protest and pictures of site by staff

Motion made by STEVE WOLFSON to Approve Subject to Conditions

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

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

Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open on Items 137 and 61.

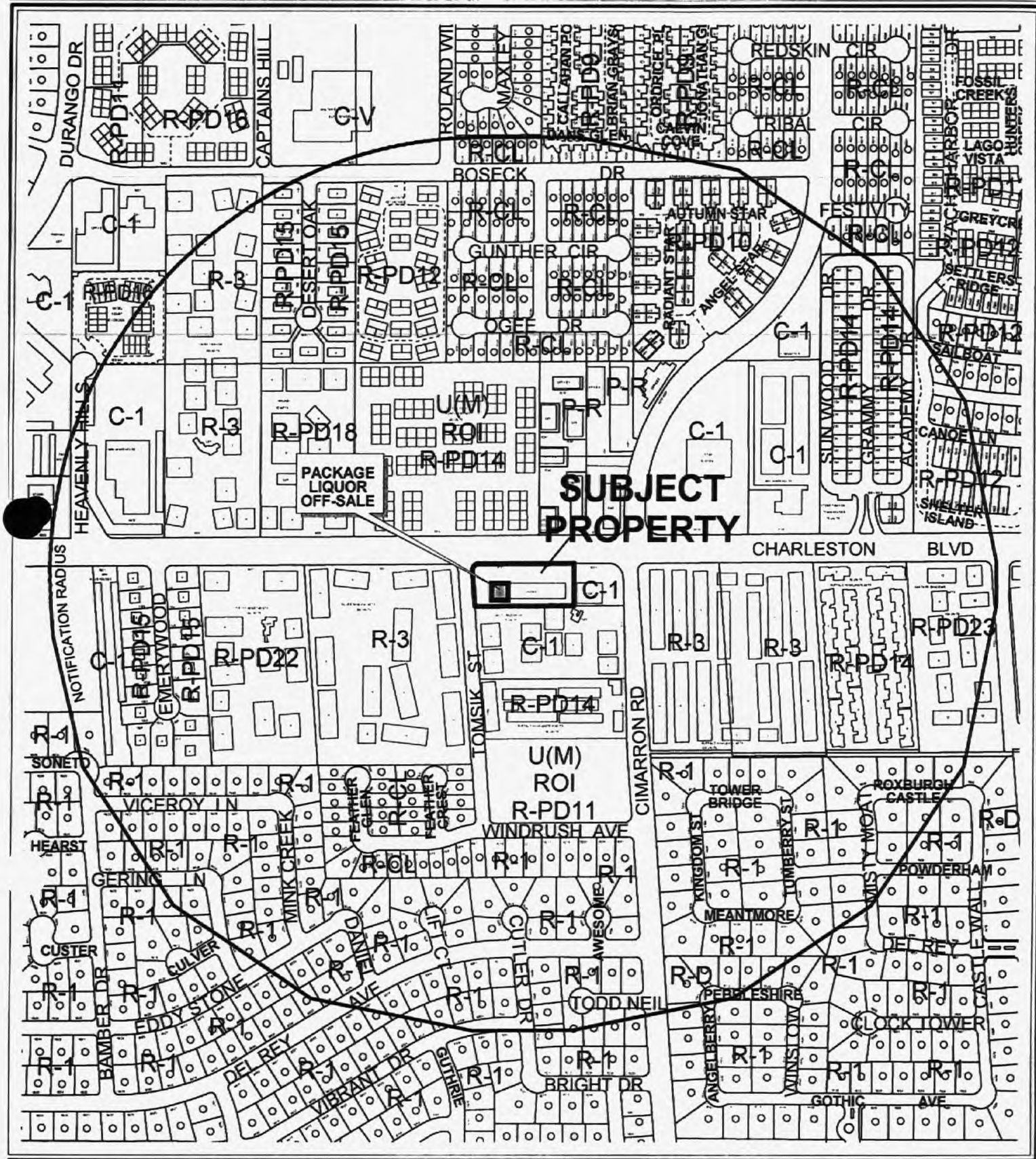
CRISTOBAL SANTOS, owner of Express Mart, was present.

CITY COUNCIL MEETING OF: JUNE 6, 2007

COUNCILMAN WOLFSON noted he had not received any complaints regarding this store and had heard only good things. MR. SANTOS explained the emphasis is more on grocery items than liquor.

MAYOR PRO TEM REESE declared the Public Hearing closed on Items 137 and 61.





CASE: RQR-21914

RADIUS: 1500 FT

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

0 400 800 Feet





CASE: RQR-21914

RADIUS: 1500 FT

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

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-21914 - APPLICANT: CRISTOBAL SANTOS - OWNER:
TOFFY ENTERPRISES LLC.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions of approval of Special Use Permit (SUP-13271) and all other site related actions.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Six Month Review of an approved Special Use Permit (SUP-13271) for a Retail Establishment with Accessory Package Liquor Off-Sale on 1.22 acres at 8251 West Charleston Boulevard.

This is the first review of the subject Special Use Permit. At the time of inspection (05/16/07) it was noted that the business was not in conformance to conditions of approval number one and number eight from the original Special Use Permit. Upon inspection temporary signage was located within the landscaping along West Charleston Boulevard. Additionally, the trash enclosure was being used for storage while the dumpster was being kept outside of the enclosure. As the site is currently not in conformance to the conditions of approval for SUP-13271, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/05/93	The City Council approved a Rezoning (Z-0026-93) of this site to C-1 (Limited Commercial). The Planning Commission and staff had recommended approval.
07/13/95	The Planning Commission approved a Site Plan Development Plan Review [Z-26-93 (3)] of a proposed retail shopping center on the subject site. The subject convenience store was part of this request.
07/17/96	The City Council approved a Special Use Permit (U-0049-96) for the sale of beer and wine in conjunction with the subject convenience store.
10/18/06 *	The City Council approved a request for a Special Use Permit (SUP-13271) for a Special Use Permit for a retail establishment with accessory package liquor off-sale in an existing convenience store on 1.22 acres at 8251 West Charleston Boulevard. The Planning Commission and staff recommended approval.
05/16/07	The site was inspected and found to be out of conformance with conditions of approval number one and eight of Special Use Permit (SUP-13271).
05/18/07	A letter was sent to the applicant requiring the site to comply with conditions of approval from Special Use Permit (SUP-13271).
<i>Related Building Permits/Business Licenses</i>	
03/28/97	A business license (L10-00162) to allow the sale of beer and wine in conjunction with the subject convenience store was issued.
08/29/06	A business license (L15-00048) was issued to allow the sale of package liquor for the subject property.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	

Neighborhood Meeting

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

Details of Application Request

Site Area

Net Acres	1.22
-----------	------

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Offices	SC (Service Commercial)	C-1 (Limited Commercial)
	Multi-Family Residential	M (Medium Density Residential)	R-PD14 (Residential Planned Development – 14 Units per Acre)
South	Multi-Family Residential	M (Medium Density Residential)	C-1 (Limited Commercial)
East	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

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

ANALYSIS

This is the first review of the subject Special Use Permit. At the time of inspection it was noted that the business was not in conformance to conditions of approval number one and number eight from the original Special Use Permit. There was signage located within the landscaping along West Charleston Boulevard that does not meet the requirements of Title 19.14. Additionally, the trash enclosure was being used for storage while the dumpster was being kept outside of the enclosure. On 05/18/07 a letter was sent to the applicant requesting that these issues be addressed. As the site is currently not in conformance to the conditions of approval for SUP-13271, denial of this request is recommended.

Conditions of approval from SUP-13271:

1. Any existing banner signs located on the establishment shall be removed. Any future temporary signs, such as banners, shall comply with the requirements of Title 19.14.090 (A).
2. The sale of alcoholic beverages shall be limited to a maximum of 10 % of the floor area of the convenience store.
3. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a retail establishment with accessory package liquor off-sale use.
4. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
 - A. Hours of operation shall be from 6 a.m. to midnight, seven days a week.
 - B. A six-month review from the date of issuance of the liquor license is required to be heard at a public hearing before the City Council.

FINDINGS

The continued operation of the subject Retail Establishment with Accessory Package Liquor Off-Sale at this location is not deemed appropriate. The site is not in conformance to the conditions of approval for SUP-13271. Denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

3

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 360

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-21914 APN: _____

Name of Property Owner: TOFFY ENTERPRISES LLC

Name of Applicant: CRISTOBAL SANTOS

Name of Representative: _____

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

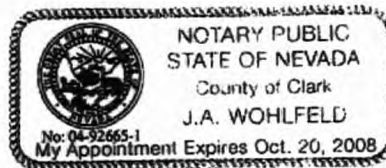
Signature of Property Owner: [Signature]

Print Name: Dorothy P. Jones

Subscribed and sworn before me

This 10 day of MAY, 2007

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



[illegible]

EXPRESS MART
BUTCHER SHOP IMPROVEMENTS
8251 W. CHARLESTON BLVD
LAS VEGAS, NV

PROJECT TITLE

8

BUTCHER SHOP IMPROVEMENTS

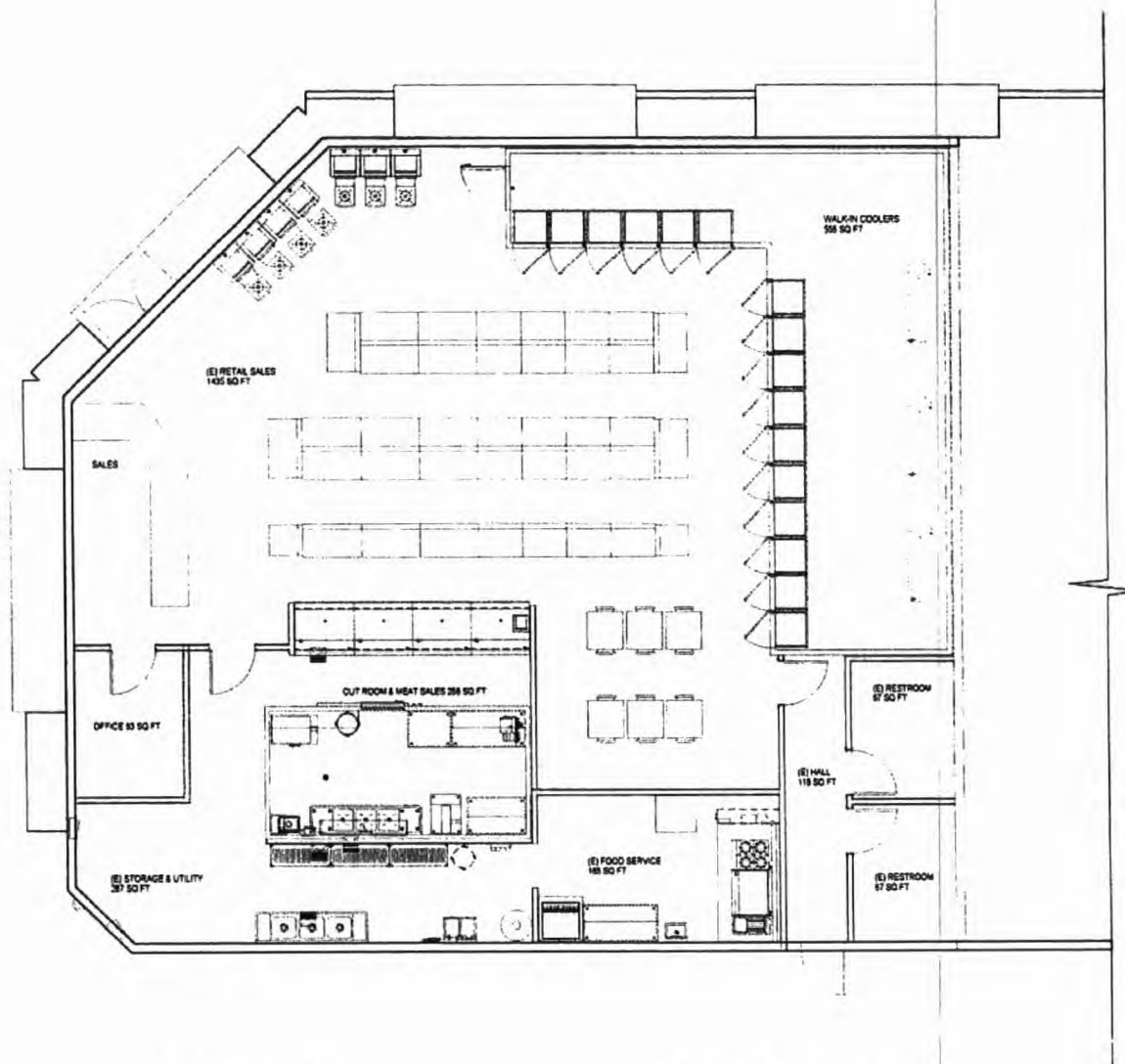
FLOOR PLAN EQUIPMENT

SCHEDULE

1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.

1. **Introduction**
 2. **Background**
 3. **Methodology**
 4. **Results**
 5. **Discussion**
 6. **Conclusion**
 7. **References**
 8. **Appendix**
 9. **Index**
 10. **Summary**
 11. **Abstract**
 12. **Keywords**
 13. **Subject Headings**
 14. **Notes**
 15. **Footnotes**
 16. **References**
 17. **Appendix**
 18. **Index**
 19. **Summary**
 20. **Abstract**
 21. **Keywords**
 22. **Subject Headings**
 23. **Notes**
 24. **Footnotes**
 25. **References**
 26. **Appendix**
 27. **Index**
 28. **Summary**
 29. **Abstract**
 30. **Keywords**
 31. **Subject Headings**
 32. **Notes**
 33. **Footnotes**
 34. **References**
 35. **Appendix**
 36. **Index**
 37. **Summary**
 38. **Abstract**
 39. **Keywords**
 40. **Subject Headings**
 41. **Notes**
 42. **Footnotes**
 43. **References**
 44. **Appendix**
 45. **Index**
 46. **Summary**
 47. **Abstract**
 48. **Keywords**
 49. **Subject Headings**
 50. **Notes**
 51. **Footnotes**
 52. **References**
 53. **Appendix**
 54. **Index**
 55. **Summary**
 56. **Abstract**
 57. **Keywords**
 58. **Subject Headings**
 59. **Notes**
 60. **Footnotes**
 61. **References**
 62. **Appendix**
 63. **Index**
 64. **Summary**
 65. **Abstract**
 66. **Keywords**
 67. **Subject Headings**
 68. **Notes**
 69. **Footnotes**
 70. **References**
 71. **Appendix**
 72. **Index**
 73. **Summary**
 74. **Abstract**
 75. **Keywords**
 76. **Subject Headings**
 77. **Notes**
 78. **Footnotes**
 79. **References**
 80. **Appendix**
 81. **Index**
 82. **Summary**
 83. **Abstract**
 84. **Keywords**
 85. **Subject Headings**
 86. **Notes**
 87. **Footnotes**
 88. **References**
 89. **Appendix**
 90. **Index**
 91. **Summary**
 92. **Abstract**
 93. **Keywords**
 94. **Subject Headings**
 95. **Notes**
 96. **Footnotes**
 97. **References**
 98. **Appendix**
 99. **Index**
 100. **Summary**
 101. **Abstract**
 102. **Keywords**
 103. **Subject Headings**
 104. **Notes**
 105. **Footnotes**
 106. **References**
 107. **Appendix**
 108. **Index**
 109. **Summary**
 110. **Abstract**
 111. **Keywords**
 112. **Subject Headings**
 113. **Notes**
 114. **Footnotes**
 115. **References**
 116. **Appendix**
 117. **Index**
 118. **Summary**
 119. **Abstract**
 120. **Keywords**
 121. **Subject Headings**
 122. **Notes**
 123. **Footnotes**
 124. **References**
 125. **Appendix**
 126. **Index**
 127. **Summary**
 128. **Abstract**
 129. **Keywords**
 130. **Subject Headings**
 131. **Notes**
 132. **Footnotes**
 133. **References**
 134. **Appendix**
 135. **Index**
 136. **Summary**
 137. **Abstract**
 138. **Keywords**
 139. **Subject Headings**
 140. **Notes**
 141. **Footnotes**
 142. **References**
 143. **Appendix**
 144. **Index**
 145. **Summary**
 146. **Abstract**
 147. **Keywords**
 148. **Subject Headings**
 149. **Notes**
 150. **Footnotes**
 151. **References**
 152. **Appendix**
 153. **Index**
 154. **Summary**
 155. **Abstract**
 156. **Keywords**
 157. **Subject Headings**
 158. **Notes**
 159. **Footnotes**
 160. **References**
 161. **Appendix**
 162. **Index**
 163. **Summary**
 164. **Abstract**
 165. **Keywords**
 166. **Subject Headings**
 167. **Notes**
 168. **Footnotes**
 169. **References**
 170. **Appendix**
 171. **Index**
 172. **Summary**
 173. **Abstract**
 174. **Keywords**
 175. **Subject Headings**
 176. **Notes**
 177. **Footnotes**
 178. **References**
 179. **Appendix**
 180. **Index**
 181. **Summary**
 182. **Abstract**
 183. **Keywords**
 184. **Subject Headings**
 185. **Notes**
 186. **Footnotes**
 187. **References**
 188. **Appendix**
 189. **Index**
 190. **Summary**
 191. **Abstract**
 192. **Keywords**
 193. **Subject Headings**
 194. **Notes**
 195. **Footnotes**
 196. **References**
 197. **Appendix**
 198. **Index**
 199. **Summary**
 200. **Abstract**
 201. **Keywords**
 202. **Subject Headings**
 203. **Notes**
 204. **Footnotes**
 205. **References**
 206. **Appendix**
 207. **Index**
 208. **Summary**
 209. **Abstract**
 210. **Keywords**
 211. **Subject Headings**
 212. **Notes**
 213. **Footnotes**
 214. **References**
 215. **Appendix**
 216. **Index**
 217. **Summary**
 218. **Abstract**
 219. **Keywords**
 220. **Subject Headings**
 221. **Notes**
 222. **Footnotes**
 223. **References**
 224. **Appendix**
 225. **Index**
 226. **Summary**
 227. **Abstract**
 228. **Keywords**
 229. **Subject Headings**
 230. **Notes**
 231. **Footnotes**
 232. **References**
 233. **Appendix**
 234. **Index**
 235. **Summary**
 236. **Abstract**
 237. **Keywords**
 238. **Subject Headings**
 239. **Notes**
 240. **Footnotes**
 241. **References**
 242. **Appendix**
 243. **Index**
 244. **Summary**
 245. **Abstract**
 246. **Keywords**
 247. **Subject Headings**
 248. **Notes**
 249. **Footnotes**
 250. **References**
 251. **Appendix**
 252. **Index**
 253. **Summary**
 254. **Abstract**
 255. **Keywords**
 256. **Subject Head**

A2.0



RECEIVED
MAY 11 2007

RQR-21914
06-06-07 CC

EXISTING APARTMENT COMPLEX

TOMSIK ST.

WEST PROPERTY LINE

WEST CHARLESTON BLVD.

NORTH PROPERTY LINE

(E) H.C. ACCESS ROUTE

EXPRESS
MART

EAST PROPERTY LINE
EXISTING DISMISSING WALL

THE WATER STORE

SOUTH PROPERTY LINE
EXISTING CONDO COMPLEX

SITE PLAN

NORTH

PARKING

PARKING STANDARD:	ONE SPACE PER 250 SQ. FT.
REGULAR SPACES (8'X12')	22
HANDICAP SPACES (8'X12')	1
TOTAL SPACES:	23

TOMSIK ST.

WEST CHARLESTON BLVD.

CHARRON RD.

VICINITY MAP

A1.0

SITE PLAN

PROJECT TITLE
SHEET TITLE

EXPRESS MART

EXISTING CONVENIENCE STORE & FOOD
EQUIPMENT REVISIONS
8251 W. CHARLESTON BLVD
LAS VEGAS, NV

REVISIONS
DATE DESCRIPTION



065661

January 16, 2007

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYORGARY REESE
MAYOR PRO TEMLARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSSDOUGLAS A. SELBY
CITY MANAGERMs. Dorthy Pansek
Toffy Enterprises LLC
P.O. Box 34060
Las Vegas, Nevada 89133RE: SUP-13271 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF OCTOBER 18, 2006

Dear Ms. Pansek:

The City Council at a regular meeting held October 18, 2006 APPROVED the request for a Special Use Permit FOR A RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE on 1.22 acres at 8251 West Charleston Boulevard (APN 163-04-117-003), C-1 (Limited Commercial). The Notice of Final Action was filed with the Las Vegas City Clerk on October 19, 2006. This approval is subject to:

Added Conditions:

- A. Hours of operation shall be from 6 a.m. to midnight, seven days a week.
- B. A six-month review from the date of issuance of the liquor license is required to be heard at a public hearing before the City Council.

Planning and Development

- 1. Any existing banner signs located on the establishment shall be removed. Any future temporary signs, such as banners, shall comply with the requirements of Title 19.14.090 (A).
- 2. The sale of alcoholic beverages shall be limited to a maximum of 10 % of the floor area of the convenience store.
- 3. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a retail establishment with accessory package liquor off-sale use.
- 4. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
- 5. Approval of this Special Use Permit does not constitute approval of a liquor license.

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

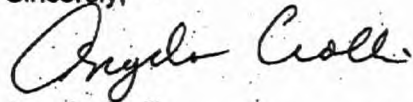
RQR-21914

06-06-07 CC

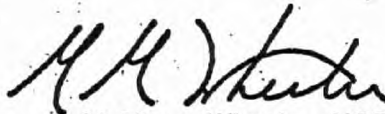
Ms. Dory Pansek
SUP-13271 - Page Two
January 16, 2007

6. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,



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



M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Cristobal Santos
C.R.E.M. Corporation
8251 West Charleston Boulevard
Las Vegas, Nevada 89117

RQR-21914
06-06-07 CC

PICTURES TAKEN ON 06-01-07



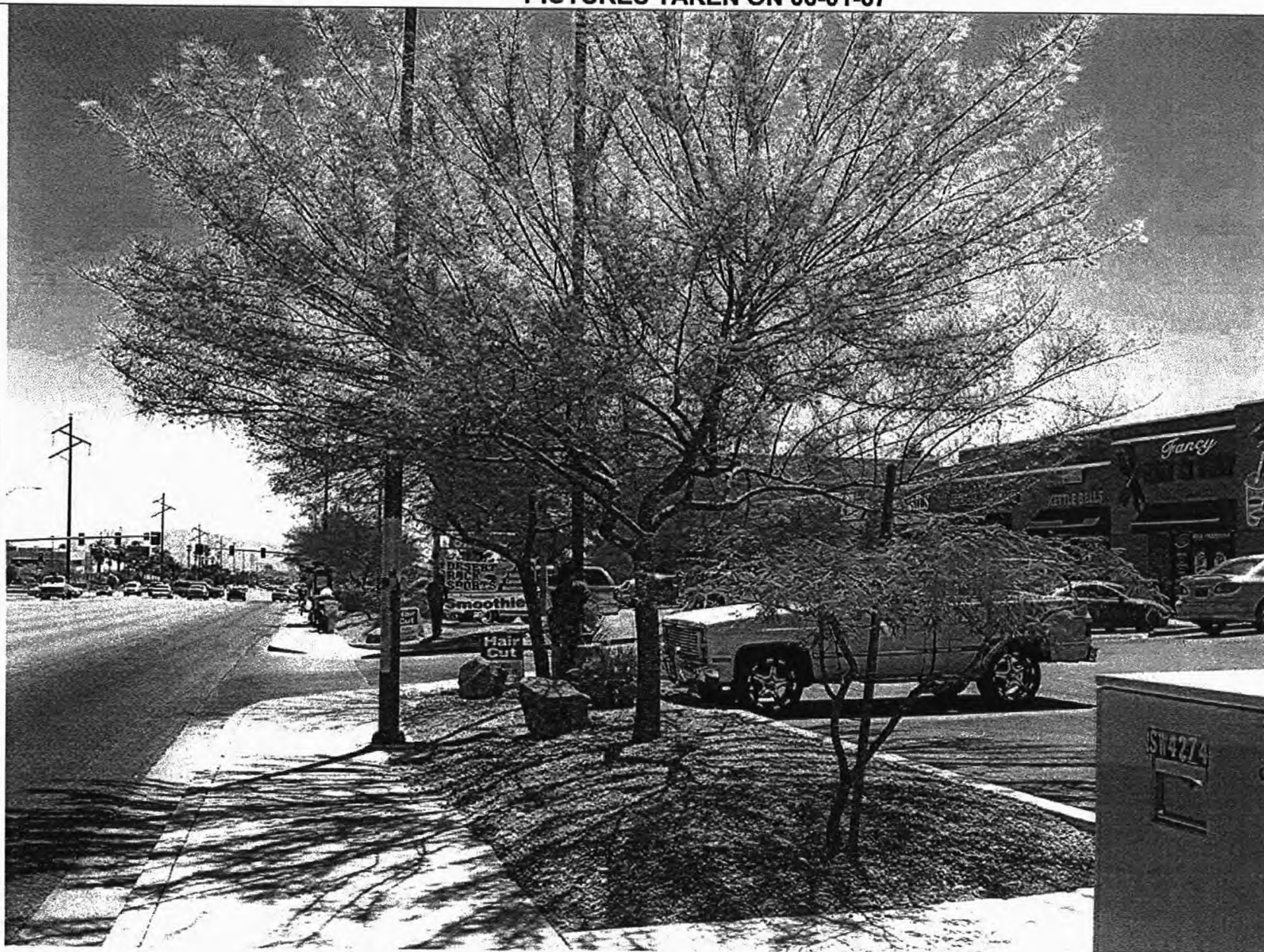
8251 W Charleston looking south on Tomsik Street

Submitted after final agenda

06-06-07 Item #137

RQR-21914 06-06-07 CC

PICTURES TAKEN ON 06-01-07



8251 W Charleston looking east

RQR-21914 06-06-07 CC

PICTURES TAKEN ON 06-01-07



8251 W Charleston looking south

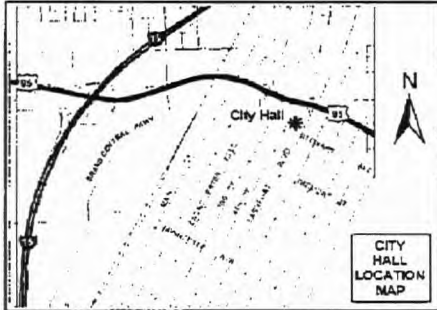
RQR-21914 06-06-07 CC

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

RECEIVED
CITY CLERK

MAY 25 A 11:59

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 (702) 382-4803 and for further information call (702) 229-6301.



I SUPPORT
this Request

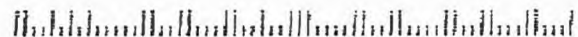


I OPPOSE
this Request

16304117003 Case: RQR-21914
TOFFY ENTERPRISES L L C
P O BOX 34060
LAS VEGAS NV 89133-4060

RQR-21914

891334060 8010



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 30 A 10:28



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 and for further information call (702) 229-6301.

☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

JOHN



CAROL

RQR-21914

16304115009
DARNELL S JOHN & CAROL ANNE
1420 AWESOME CT
LAS VEGAS NV 89117-1256

Case: RQR-21914

6911781256 0069



Submitted after final agenda

Date 5/30/07 Item #137

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-20608 - PUBLIC HEARING - APPLICANT: CASHBACK - OWNER: DURANGO & CENTENNIAL, LLC - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit FOR A AUTO TITLE LOAN ESTABLISHMENT AND FINANCIAL INSTITUTION-SPECIFIED AND A WAIVER OF THE MINIMUM SQUARE FOOTAGE REQUIREMENT at 6441 North Durango Drive, Suite #120 (APN 125-20-402-008), TC (Town Center) Zone, Ward 6 (Ross). The Planning Commission (6-0-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend DENIAL.

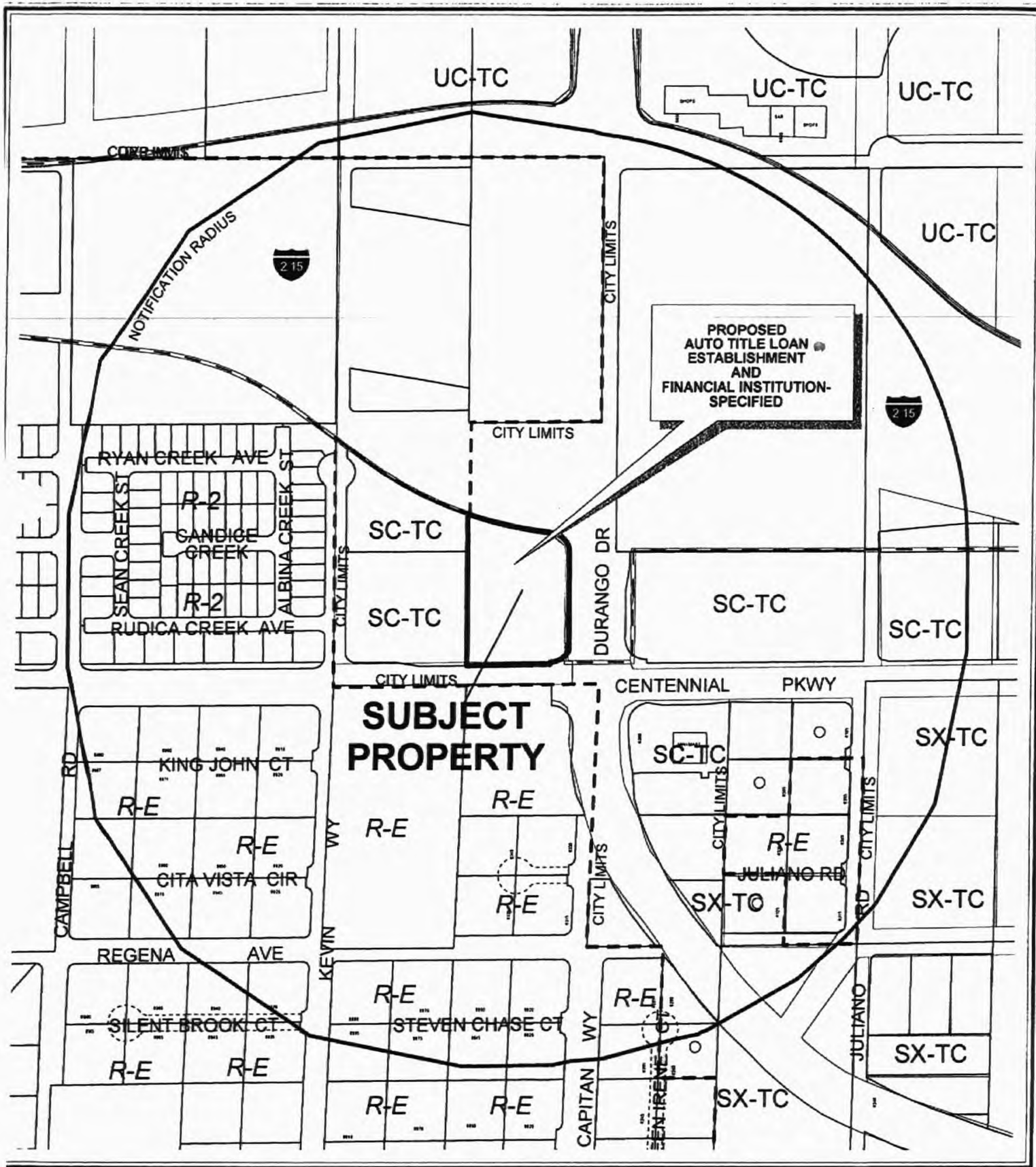
BACKUP DOCUMENTATION:

1. Location , Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Appeal letter filed by Greater Nevada Planning, Inc.
6. Returned postcard protests
7. Submitted after meeting – Returned postcard protest, abeyance request by Attorney Jay Brown

Motion made by GARY REESE to Hold in Abeyance Items 57, 101-102, 107-109, 112-113 and 138 to 6/20/2007; STRIKE Items 80 and 85-86; and WITHDRAW WITHOUT PREJUDICE Items 84 and 139

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

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



CASE: SUP-20608

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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



CASE: SUP-20608

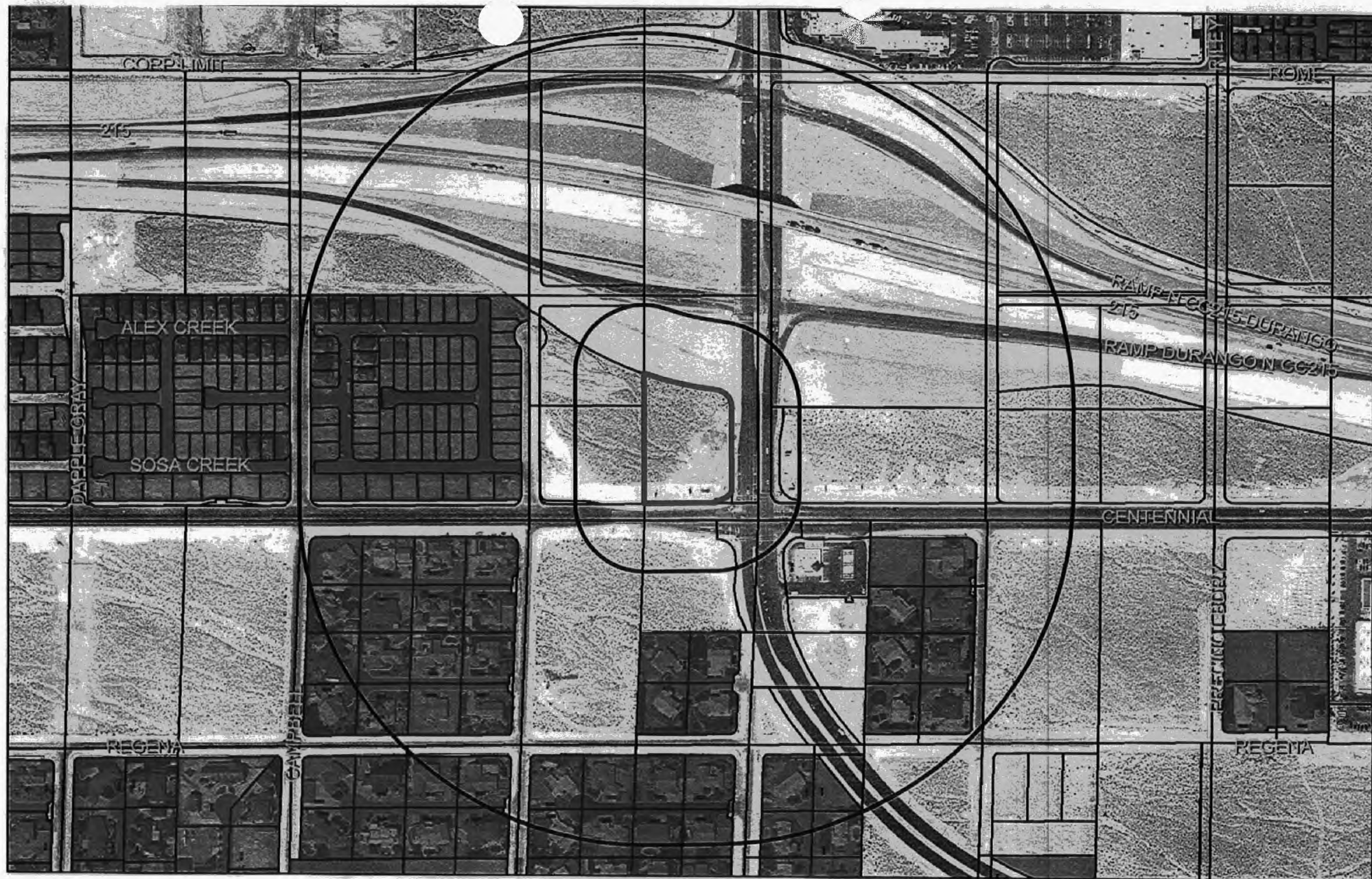
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 400 800 Feet





SUP-20608

Financial Institution

Financial Business Locations

- Financial Institution, Specified
- Pawnshops
- Automobile Title Loan

- Subject Property
- Residential Property



0 255 510 1,020 Feet

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-20608 - APPLICANT: CASHBACK - OWNER:
DURANGO & CENTENNIAL, LLC

**** CONDITIONS ****

The Planning Commission (6-0-1/sd vote) and staff recommend DENIAL.

Planning and Development

1. Conformance to the conditions for Rezoning [ZON-0076-98(18)], and Site Development Plan Review (SDR-9825) if approved.
2. This approval shall be void two years from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

Request for a Special Use Permit for an Auto Title Loan establishment and Financial Institution-Specified, and a Waiver to allow 1,070 square feet of floor space where 1,500 square feet is the minimum square footage required, at 6441 North Durango Drive, Suite #120.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request. The Planning Commission and Staff recommended approval.
12/18/2002	The City Council approved a request for an Extension of Time (EOT-1028) of an approved Site Development Plan Review which allowed a 8,144 square foot commercial development on 2.19 acres adjacent to the northwest corner of Centennial Parkway and El Capitan Way [Proposed: Durango Drive alignment].
12/18/2002	The City Council approved a request for an Extension of Time (EOT-1036) of an approved Special Use Permit which allowed a restaurant with drive-through adjacent to the northwest corner of Centennial Parkway and El Capitan Way [Proposed: Durango Drive alignment].
12/18/2002	The City Council approved a request for an Extension of Time (EOT-1037) of an approved Special Use Permit which allowed restricted gaming in conjunction with a convenience store adjacent to the northwest corner of Centennial Parkway and El Capitan Way [Proposed: Durango Drive alignment].
12/18/2002	The City Council approved a request for an Extension of Time (EOT-1038) of an approved Special Use Permit which allowed the sale of packaged liquor for off-premise consumption in conjunction with a convenience store adjacent to the northwest corner of Centennial Parkway and El Capitan Way [Proposed: Durango Drive alignment].
12/18/2002	The City Council approved a request for an Extension of Time (EOT-1039) of an approved Special Use Permit which allowed fuel pumps in conjunction with convenience store adjacent to the northwest corner of Centennial Parkway and El Capitan Way [Proposed: Durango Drive alignment].
11/17/2004	The City Council approved a request for an Extension of Time (EOT-5436) of an approved Site Development Plan Review [Z-0076-98(18)] which allowed an 8,144 square foot commercial development on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.

11/17/2004	The City Council approved a request for an Extension of Time (EOT-5437) of an approved Special Use Permit (U-0116-00) which allowed a restaurant with drive-through on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.
11/17/2004	The City Council approved a request for an Extension of Time (EOT-5438) of an approved Special Use Permit (U-0161-00) which allowed restricted gaming in conjunction with a convenience store on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.
11/17/2004	The City Council approved a request for an Extension of Time (EOT-5439) of an approved Special Use Permit (U-0115-00) which allowed the sale of packaged liquor for off-premise consumption in conjunction with a convenience store on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.
11/17/2004	The City Council approved a request for an Extension of Time (EOT-5440) of an approved Special Use Permit (U-0114-00) which allowed fuel pumps in conjunction with a proposed convenience store on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.
12/01/05	The Planning Commission approved a Site Development Plan Review for a proposed 18,000 square foot retail development and waivers of the Town Center Development Standards for building placement and the parking lot and perimeter landscaping requirements. Condition number one required all previously approved Special Use Permits on the subject site to be expunged.
06/07/2006	The City Council approved a request to Vacate (VAC-12542) a U.S. Government Patent Easement generally located at the northwest corner of Durango Drive and Centennial Parkway.
04/26/07	The Planning Commission voted 6-0-1/sd to recommend DENIAL (PC Agenda Item #82/lhm).
Related Building Permits/Business Licenses	
01/02/07	Retail Shell Building – Permit #7000405
01/29/07	Retail Shell Building C – Permit #7000406
04/03/07	TI Build out for C of O - Pending
Pre-Application Meeting	
02/27/07	Discussed application requirements and request of waiver of minimum interior square footage requirements.
Neighborhood Meeting	
N/A	A neighborhood meeting was not required, nor was one held.

Details of Application Request

Site Area

Gross Acres	2.02
Net Acres	1.97

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial	SC-TC (Service Commercial – Town Center)	TC (Town Center)
North	R.O.W. (CC215)	R.O.W. (CC215)	R.O.W. (CC215)
South	Undeveloped	Clark County	Clark County
East	Undeveloped	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
West	Undeveloped	SC-TC (Service Commercial – Town Center)	T-C (Town Center)

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

Town Center

The site is located within the Town Center Master Planned Community. The site is designated as (SC-TC) Service Commercial. The Service Commercial designation allows for the proposed retail commercial use.

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	12,589 sf Retail	1/175	72	5	103	5	Y

	1260 sf Restaurant (public)	1/50	26				Y
	840 sf restaurant (prep areas)	1/200	5				Y
SubTotal							
TOTAL (including handicap)			103	5	103	5	Y
Loading Spaces					2 Loading zones		Y

Waivers		
Request	Requirement	Staff Recommendation
1,070 Square Feet	1,500 Minimum Square Footage	Denial

ANALYSIS

- Zoning**

The subject site is currently designated SC-TC (Service Commercial – Town Center) land uses. The Auto Title Loan use is permitted in that designation with the approval of a Special Use Permit. This application, if approved, will satisfy this requirement.

- Use**

An Auto Title Loan is defined by Title 19 as a business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself. An Auto Title Loan establishment is also permitted to provide services such as payday loans and check cashing typically associated with the Financial Institution, Specified or Check Cashing, Limited uses which fall below Auto Title Loan in the use hierarchy. An Auto Title Loan establishment may not provide the services of Auto Pawn or Pawn shop establishments, in which the Pawn shop takes possession of the pledged property, and are considered more intensive uses.

- Conditions**

Title 19.04.050 lists the following conditions for the Auto Title Loan use, adopted by City Council April 21, 2004.

1. The use shall comply with all applicable requirements of Title 6.
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
4. Window signs shall not:
 - a. Cover more than twenty percent (20%) of the area of all exterior windows;
 - b. Include flashing lights or neon lighting; or
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred (1,500) square feet, and shall have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No specified financial institution use may be located closer than two hundred (200) feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to lines of fee interest parcels and not leasehold parcels.

The proposed use does not meet the required minimum square footage. The proposed floor plan is 1,070 square feet where a minimum area of 1,500 square feet is required. The subject site is located 331 feet from the nearest residential use where a minimum distance separation of 200 feet is required, and the nearest financial institution is more than the required minimum separation distance of 1,000 feet away.

FINDINGS

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

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

The proposed Auto Title Loan use is located in an approved pad site under construction in an existing shopping center. The amount of square footage provided for the business is approximately 500 square feet less than required, thus, it will be difficult to conduct the business in a manner that is harmonious and compatible with existing surrounding land uses.

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

The proposed site plan conforms to both the General Plan and the Title 19 land use designations for the site. The size of the proposed space for the Auto Title Loan, within the shopping center, does not meet the minimum 1500 square foot requirement of Title 19.

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

The subject site is served by Centennial Parkway and Durango Drive Boulevard, are 100-Foot Primary Arterials on the Master Plan of Streets and Highways, and of adequate capacity to serve the proposed use.

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

This site will be subject to inspections and business licensing requirements and will not endanger the public health or general welfare.

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

The proposed use is not compliance with all conditions of Title 19.04. The site is 331 feet from the nearest residential use where a 200-foot minimum distance separation is required, and is more than 1,000-feet from the nearest Auto Title Loan or other Financial Institution Specified, where a 1,000-foot minimum distance separation is required, but the proposed space within the shopping center is only 1,070 square feet where 1,500 square feet is required. Therefore, staff recommends denial.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

3

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 129 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-20608** APN: 125-20-402-008

Name of Property Owner: Durango & Centennial LLC

Name of Applicant: Cashback

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

 Yes ~~X~~ No

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

City Official: _____

Partner(s): _____

APN: _____

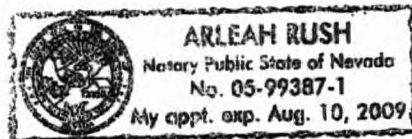
Signature of Property Owner:

Print Name: SPAN WASSERKUG

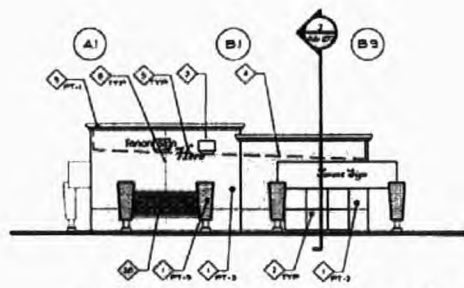
Subscribed and sworn before me

This 15th day of MARCH, 2007

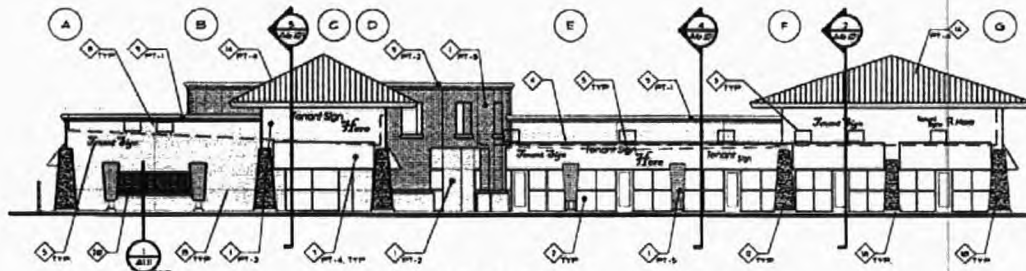
Michael
Notary Public in and for said County and State



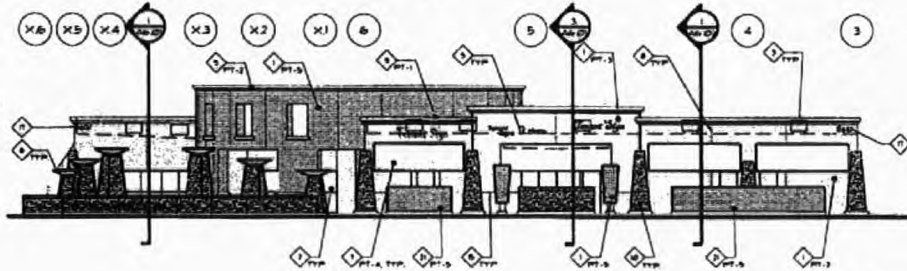




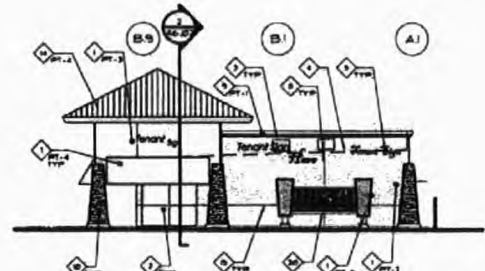
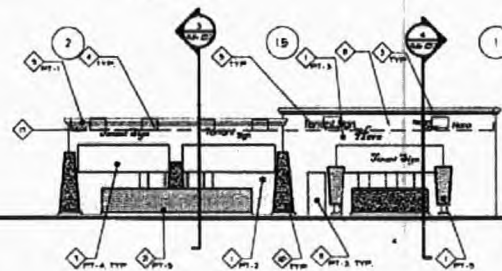
North Elevation Area C



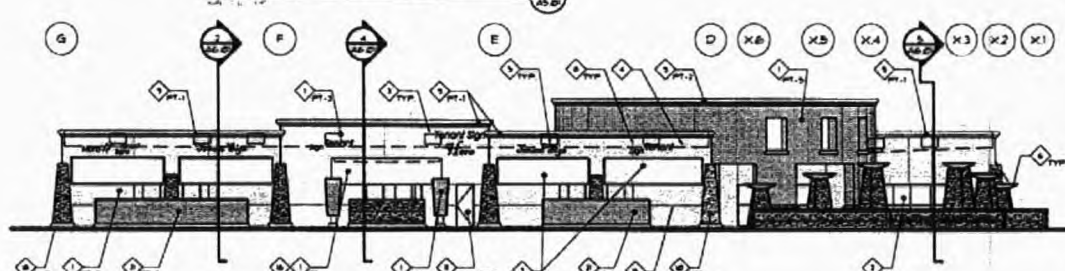
North Elevation Area A and B



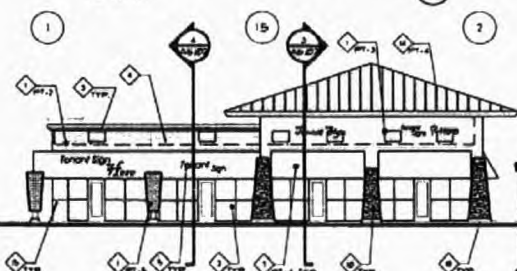
Overall East Elevation (Durango View)



South Elevation Area C



South Elevation Area A and B (Centennial View)



Overall West Elevation

RECEIVED
MAR 21 2007

SUP-20608
04/26/07 PC

Keynotes

- THREE COAT EXTENSION CEMENT PLASTER OVER PAPER BACKED METAL LATH, LIGHT SAND FINISH
- ALUMINUM STAINLESS STEEL SYSTEM
- PEACH EQUIPMENT DETAIL
- WOOD LINE DETAIL
- PROVIDE 2" BOX FOR TENSILE BRIDGE
- SEE MAP AND ELEVATION
- PLASTER, REFER TO LINGUISTIC DRAWING
- VERTICAL, JOINT COORDINATE JOINT TYP
- REFER TO PATCH SQUARE JOINT TYP
- REFER TO DETAIL, BRUSH ALL REVEALS
- PAINT TO MATCH ADJACENT WALL COLOR
- 3 COAT EXTENSION CEMENT PLASTER OVER HIGH DENSITY ROOF
- STONE VENEER ACCENT, REFER TO MATERIALS & COLORS, REAR, ALL STONE TYPICAL, REFER TO SPECIFICATIONS
- DOOR AND FRAME ASSEMBLY
- OVERLAP DRILL HOLE TO PLUMBING
- DRAINAGE AND DETAIL, DRAIN 1" FLUENT
- NOT USED
- STANDING SEAM METAL ROOFING SYSTEM
- SEE DETAILS AND SPECIFICATIONS
- HORIZONTAL, JOINT PAINT TO MATCH
- ADJACENT WALLS, REFER TO DETAIL
- BRUSH ALL REVEALS PAINT TO MATCH
- ADJACENT WALL COLOR
- WE TURN PAINT COLOR TO HIDE FACE
- BACK TO MAIN BUILDING
- BUILDING ADDRESS LOCATION PER
- PRINCIPALITY REQUIREMENTS
- CONCRETE CURB, REFER TO DETAIL, 10" W
- WALL, PAINT, REFER TO ELECTRICAL
- BRUSHING
- DECORATIVE SCREEN
- TWO COAT EXTENSION CEMENT PLASTER
- OVERLAP DRILL HOLE TO PLUMBING
- SHADED HATCHED AREA REFERENCE
- BUILDING STRUCTURE SHEET ONLY

General Notes

- ELEVATION REFERENCES TO NORTH, SOUTH, EAST AND WEST REFER TO ORIENTATION OF PLANS ON SHEETS ALSO - ALSO
- SEE ALSO HOW BUILDING ELEVATIONS BEYOND FACADES

Materials & Colors

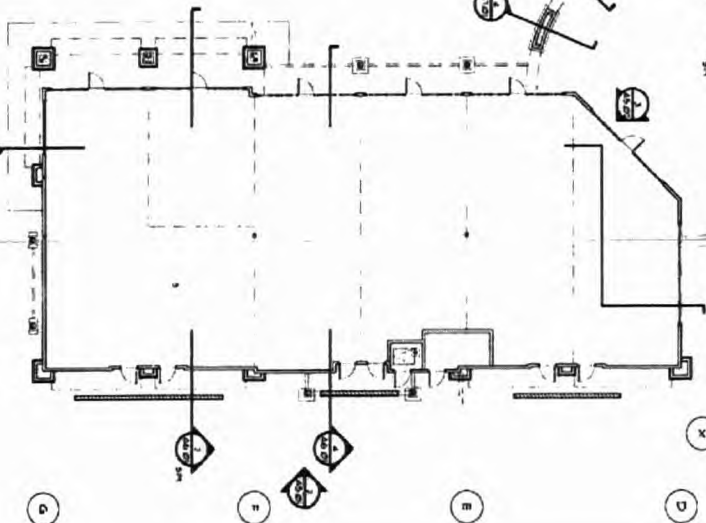
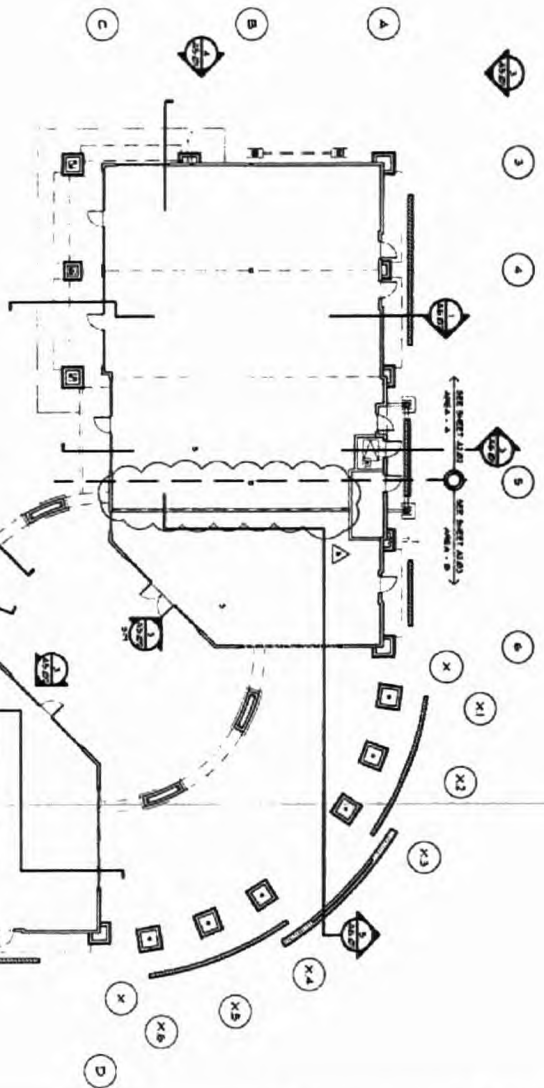
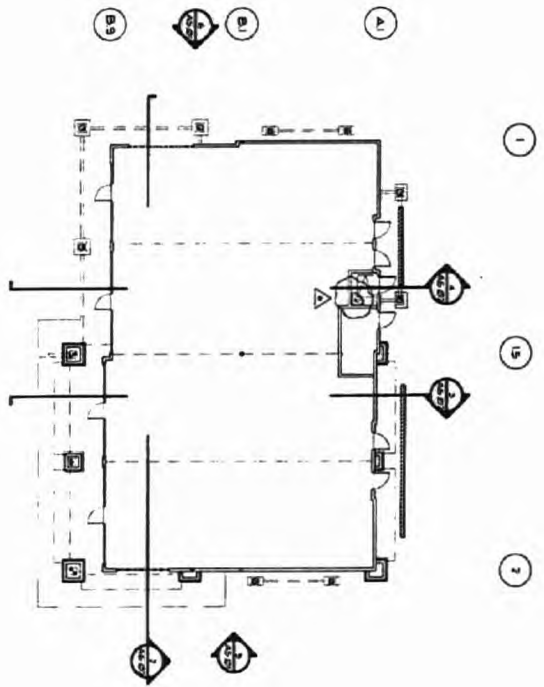
DESIGNED TO BE USED ON BUT NOT LIMITED TO THE FOLLOWING	
PAINT	FIELD
PT-1	FIELD
PT-2	FIELD
PT-3	FIELD
PT-4	ACCENT
PT-5	ACCENT
GLASS	GL-1
GL-2	GL-2
GL-3	GL-3
GL-4	GL-4
GL-5	GL-5
GL-6	GL-6
GL-7	GL-7
GL-8	GL-8
GL-9	GL-9
GL-10	GL-10
GL-11	GL-11
GL-12	GL-12
GL-13	GL-13
GL-14	GL-14
GL-15	GL-15
GL-16	GL-16
GL-17	GL-17
GL-18	GL-18
GL-19	GL-19
GL-20	GL-20
GL-21	GL-21
GL-22	GL-22
GL-23	GL-23
GL-24	GL-24
GL-25	GL-25
GL-26	GL-26
GL-27	GL-27
GL-28	GL-28
GL-29	GL-29
GL-30	GL-30
GL-31	GL-31
GL-32	GL-32
GL-33	GL-33
GL-34	GL-34
GL-35	GL-35
GL-36	GL-36
GL-37	GL-37
GL-38	GL-38
GL-39	GL-39
GL-40	GL-40
GL-41	GL-41
GL-42	GL-42
GL-43	GL-43
GL-44	GL-44
GL-45	GL-45
GL-46	GL-46
GL-47	GL-47
GL-48	GL-48
GL-49	GL-49
GL-50	GL-50
GL-51	GL-51
GL-52	GL-52
GL-53	GL-53
GL-54	GL-54
GL-55	GL-55
GL-56	GL-56
GL-57	GL-57
GL-58	GL-58
GL-59	GL-59
GL-60	GL-60
GL-61	GL-61
GL-62	GL-62
GL-63	GL-63
GL-64	GL-64
GL-65	GL-65
GL-66	GL-66
GL-67	GL-67
GL-68	GL-68
GL-69	GL-69
GL-70	GL-70
GL-71	GL-71
GL-72	GL-72
GL-73	GL-73
GL-74	GL-74
GL-75	GL-75
GL-76	GL-76
GL-77	GL-77
GL-78	GL-78
GL-79	GL-79
GL-80	GL-80
GL-81	GL-81
GL-82	GL-82
GL-83	GL-83
GL-84	GL-84
GL-85	GL-85
GL-86	GL-86
GL-87	GL-87
GL-88	GL-88
GL-89	GL-89
GL-90	GL-90
GL-91	GL-91
GL-92	GL-92
GL-93	GL-93
GL-94	GL-94
GL-95	GL-95
GL-96	GL-96
GL-97	GL-97
GL-98	GL-98
GL-99	GL-99
GL-100	GL-100

Indigo Architecture, Inc.



Durango and Centennial Center
El Capitan Way (Durango) at Centennial Parkway
Durango, CO 81301
970.247.1111
www.indigoarch.com

DESIGNED BY: NRI
DATE: February 25, 2006
SCALE: As Noted
SHEET NO: A5.01

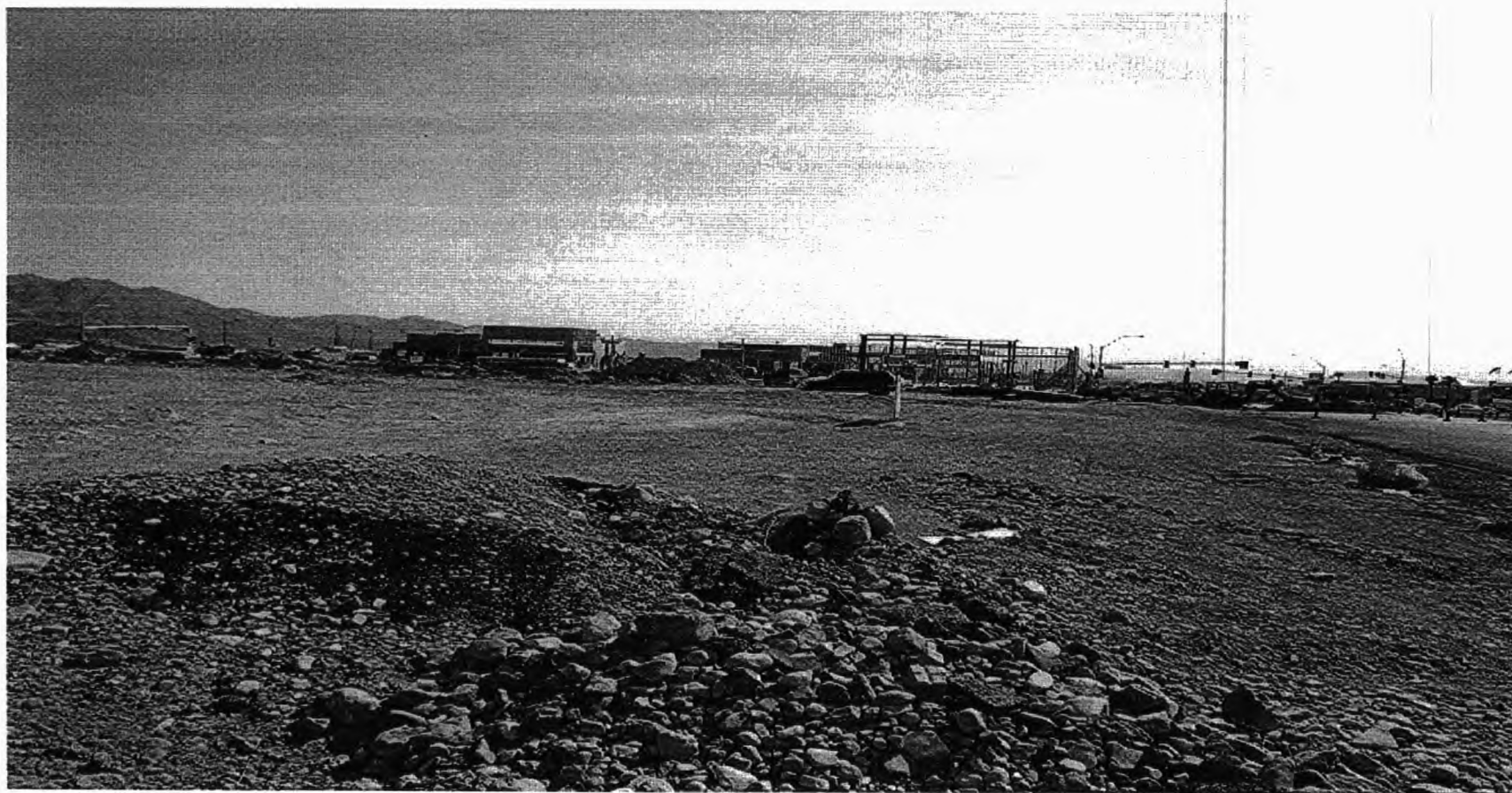


Overall Floor Plan

RECEIVED
MAR 21 2007

SUP-20608
04/26/07 PC

ARCHITECT Durango and Centennial Center El Capitol Way (Durango) at Centennial Parkway Durango, CO 81301 Phone: (303) 246-1234 Fax: (303) 246-1235 Email: info@durangoandcentennialcenter.com Website: www.durangoandcentennialcenter.com	DATE: 04/26/07 PROJECT: Durango and Centennial Center SHEET: 01 OF 01 Overall Floor Plan	Durango and Centennial Center El Capitol Way (Durango) at Centennial Parkway Durango, CO 81301 Phone: (303) 246-1234 Fax: (303) 246-1235 Email: info@durangoandcentennialcenter.com Website: www.durangoandcentennialcenter.com	REGISTERED ARCHITECT No. 3843 STATE OF NEW YORK Durango Architectural, Inc.
--	---	---	--



SUP-20608 - APPLICANT: CASHBACK - OWNER: DURANGO & CENTENNIAL, LLC
6441 NORTH DURANGO DRIVE, SUITE #120
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



SUP-20608 - APPLICANT: CASHBACK - OWNER: DURANGO & CENTENNIAL, LLC
6441 NORTH DURANGO DRIVE, SUITE #120
APRIL 26, 2007 PLANNING COMMISSION

03/26/07



GREATER
NEVADA
PLANNING
INC.

Land Use Consultants

- Zoning, Planning, Building & Land Use
- Variances, Conditional Use Permits & Waivers
- Permit Tracking
- Property Analysis & Feasibility Studies
- Business, Gaming & Liquor Licensing
- Development Services

February 16, 2007

City of Las Vegas Planning &
Development 739 South Fourth Street
Las Vegas, NV. 89101

APN: 125-20-402-008
RE: 6441 N. Durango Suite 120

Dear Sir or Madam:

Please accept this letter as our request for a use permit for a financial institution, located at the northwest corner Centennial and Durango. My client would like to start an auto title loan payday loan, check cashing business. The potential site meets all the separation requirements from other similar businesses. There is more than adequate parking within the shopping center, however, additional parking is not needed for the auto title loan business. They never take possession of the cars because they feel the owner then wouldn't be able to work and wouldn't be able to pay them back. This use will be a welcome addition to the area. We are asking for a waiver for the minimum size of a business; there is 1,070 sq. ft and the requirement is 1,500 sq. ft. Thank you for your consideration in this matter. Please contact me with any questions regarding this matter.

Sincerely,

Sandra Montgomery
Associate Planner
Greater Nevada Planning, Inc.
ph.# 312-2435

RECEIVED
MAR 21 2007



May 2, 2007

Re: SUP-20608 – Special Use Permit

Land Use Consultants

- Zoning, Planning, Building & Land Use
- Variances, Conditional Use Permits & Waivers
- Permit Tracking
- Property Analysis & Feasibility Studies
- Business, Gaming & Liquor Licensing
- Development Services

2007 MAY -2 A 11:52

RECEIVED
CITY CLERK

To Whom it may concern:

We would like to appeal the decision made by the Planning Commission on April 26, 2007. Please accept our appeal and notify us of the upcoming City Council Meeting.

Thank you for your time regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Sandra Montgomery".

Sandra Montgomery
Land Use Consultant
Greater Nevada Planning, Inc.
Ph# 312-2435

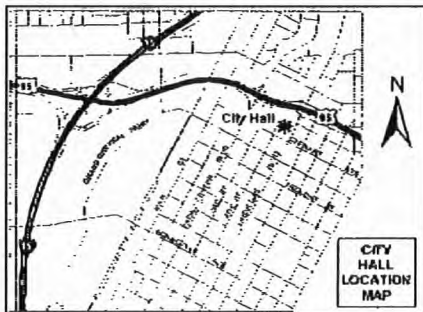
RECEIVED
CITY CLERK

2007 MAY 29 A 7:56

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

Return Service Requested

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 and for further information, please call 229-6301



I SUPPORT
this Request



I OPPOSE
this Request

SUP-20608

8914983212 C075



~~Are~~ There are enough
Pawn shops in this Town
This is an AREA of 5K to
5 million dollar homes we do
not need a Pawn shop/
check cashing store we
use Banks
R Gomoll

GOMOLL RANDY G & ARLIS D
8888 STEVEN CHASE CT
LAS VEGAS NV 89149-3212

MAY-28-2007 14:37 FROM:KALKOWSKI

7023964868

TO:3824803

P.1/1

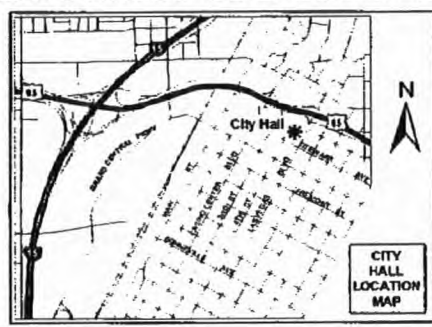
RECEIVED
CITY CLERK

2007 MAY 29 A 7:56

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



Return Service Requested
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 and for further information, please call 229-6301

☐ I SUPPORT
this Request

SUP-20608

☒ I OPPOSE
this Request

KRK
KALKOWSKI KRISTOPHER J
8940 KING JOHN CT
LAS VEGAS NV 89149-3221

THIS IS NOT THE RIGHT LOCATION
FOR THIS TYPE OF BUSINESS.

THANK YOU CLU FOR GIVING US THIS OPTION TO RESPOND!
891493221 0075

05/28/2007 MON 14:07 [TX/RX NO 99691] 001

p.1

702-455-6358

SMYC Admissions

May 29 07 07:07a

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

Return Service Requested
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 and for further information, please call 229-6301

☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

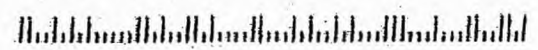
SUP-20608



2007 MAY 29 A 7:56

JONES CHRISTIAN N & SUSAN I
8971 KING JOHN CT
LAS VEGAS NV 89149-3221

891493221 0075



05/29/2007 TUE 05:47 [TX/RX NO 9970] 001

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

Return Service Requested
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 and for further information, please call 229-6301

☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

SUP-20608

9411232524 0026

Reason: The roof of the entire complex is too high obstructing the view of the North-West region landscape. The upper level of the structure is bulky, an eye sore. No character.

RECEIVED
CITY CLERK



U.S. POSTAGE

00.41

H METER 717383

2007 JUN 12 A 10:54

LOROVICO ROGELIO L & RUTH G
258 DELANO AVE
SAN FRANCISCO CA 94112-2524

Submitted after City Council

Date 6/12/07 Item #138

RECEIVED
CITY CLERK

LAW OFFICE

*Jay H. Brown, Ltd.*A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

2007 JUN -6 A 9:39

June 6, 2007

VIA FACSIMILE TO: 382-4803

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City ClerkRe: Item No. 138 - City Council Agenda of June 6, 2007
SUP-20608 Applicant: CASHBACK

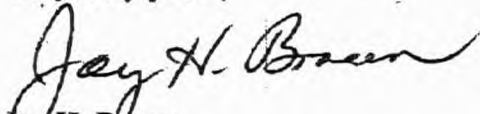
Dear Ms. Ronemus:

Please be advised that I represent the applicant in the above referenced matter.

I respectfully request that this item be abeyed from the June 6, 2007 meeting and reset for the meeting to be held on June 20, 2007.

Thank you for your cooperation.

Very truly yours,


Jay H. Brown

JHB:cc

cc: Councilman Steve Ross (fax to 382-8558)

Submitted after final agenda

3 6-6-07 Item #138

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-20490 - PUBLIC HEARING - APPLICANT/OWNER: MAR, LCC - Request for a Site Development Plan Review FOR A PROPOSED PARKING LOT AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE STANDARDS on 0.26 acres at 829 South Sixth Street (APN 139-34-410-204), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 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 (7-0 vote) and staff recommend APPROVAL, subject to conditions.

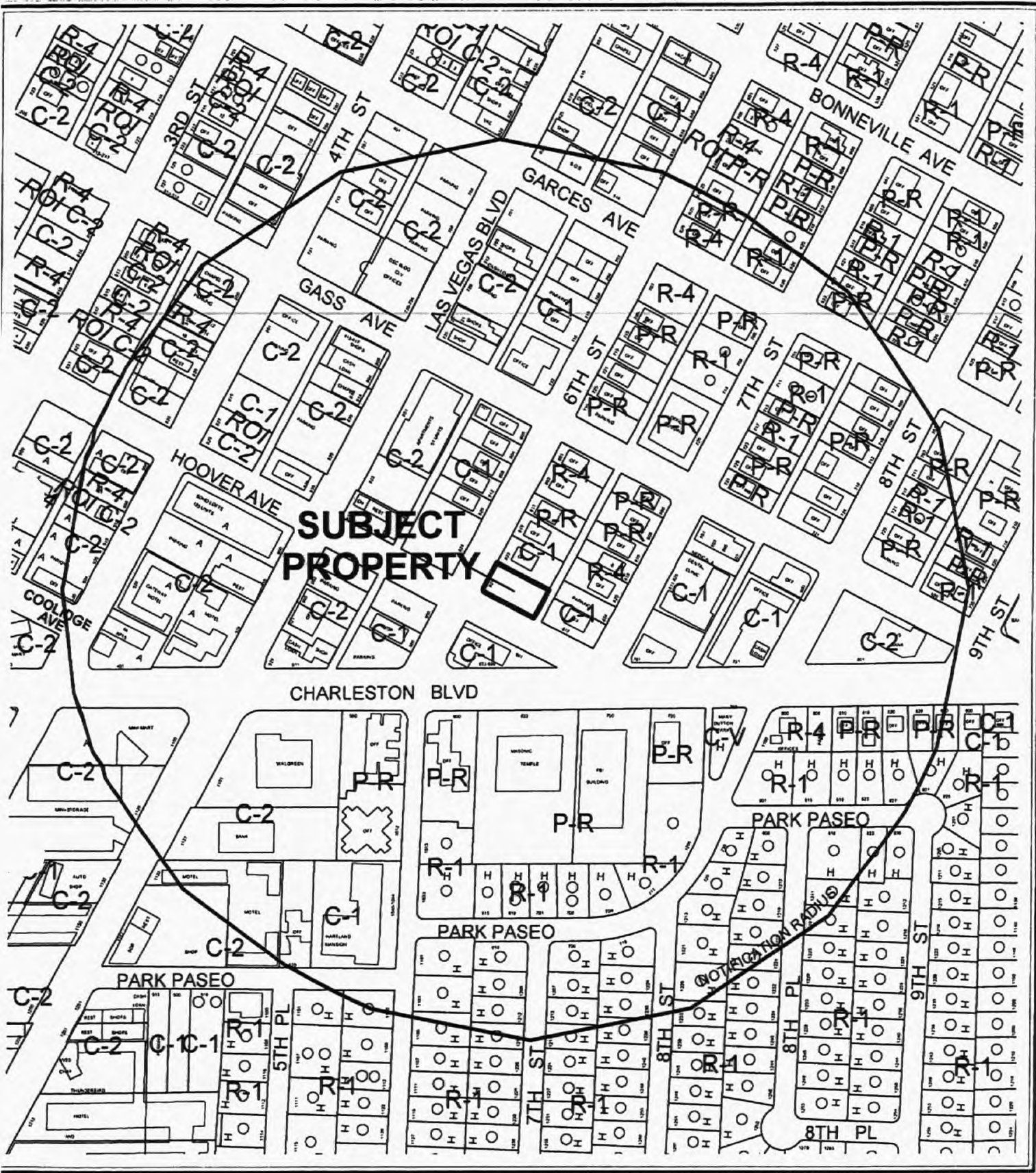
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Withdrawal without prejudice request by Welles-Pugsley

Motion made by GARY REESE to Hold in Abeyance Items 57, 101-102, 107-109, 112-113 and 138 to 6/20/2007; STRIKE Items 80 and 85-86; and WITHDRAW WITHOUT PREJUDICE Items 84 and 139

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-20490

RADIUS: 1000 FT

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

0 500 Feet





CASE: **SDR-20490**

RADIUS: 1000 FT

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

0 500 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-20490 - APPLICANT/OWNER: MAR, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan and landscape plan, date stamped 03/13/07, except as amended by conditions herein.
3. The Waiver from providing the required streetscape treatment along Hoover Avenue is hereby approved, due to the constricted width of the public right-of-way. The streetscape treatment along Hoover Avenue shall be required at such time as the street is reconfigured to allow a full-width sidewalk and amenity zone in accordance with the Downtown Centennial Plan.
4. The existing construction fence must be brought into conformance with the Construction Standards outlined in Subsection VII.C.8 of the Downtown Centennial Plan.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: a minimum of 20 five-gallon shrubs must be shown within the western and southern perimeter buffer areas and the height of the two streetscape trees within the right-of-way at the western entry must be noted and meet or exceed the 25-foot minimum height requirement.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

7. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.
8. Utilities and power service lines in alleys shall be located underground in accordance with the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as depicted in Graphic 8 of the Downtown Centennial Plan.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

10. Submit an application for a deviation from Standard Drawing #222a to the Land Development section of the Department of Public Works for the driveway accessing this site from South Sixth Street. The proposed security gates shall remain fully open during business hours; the installation of swing gates or rolling gates is acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.
11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site, except as amended by conditions herein.
12. Landscape and maintain all unimproved rights-of-way, if any, on 6th Street and Hoover Avenue adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
13. Submit an Encroachment Agreement for all landscaping, if any, located in the 6th Street and Hoover Avenue public right-of-way adjacent to this site prior to occupancy of this site.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Site Development Plan Review to allow a proposed 29 space parking lot on 0.26 acres at 829 South Sixth Street. The applicant requests a waiver of the Downtown Centennial Plan streetscape requirements in order to permit the development of the proposed surface parking lot.

The applicant states that the design of the parking lot conforms as closely as possible to the requirements of the Downtown Centennial Plan and Title 19. Due to the consistence of this plan with the previously approved site development plan review (SDR-4740) that expired for this site, approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/28/61	The Board of Zoning Adjustment approved a Special Use Permit (U-0025-61) in order to permit the construction of a professional office building on the subject site.
01/09/79	A Variance (V-0110-78) application was Withdrawn Without Prejudice by the applicant prior to consideration by the Board of Zoning Adjustment. The Variance would have allowed a wall sign in excess of size limitations.
10/15/86	The City Council approved a Reclassification of Property (Z-0072-86) from R-4 (Apartment Residence) and C-1 (Limited Commercial) to C-1 (Limited Commercial) for the properties at 823 and 829 South Sixth Street in order to permit an addition to an existing office building.
07/24/03	A Rezoning (ZON-2581) application was Withdrawn Without Prejudice prior to consideration by the Planning Commission. The request would have allowed the property to be Rezoned from C-1 (Limited Commercial) to R-5 (Apartment) in order to permit the development of a Halfway House (Criminal). A companion Site Development Plan Review (SDR-2583) application and Special Use Permit (SUP-2584) application were also withdrawn at that time.
08/26/04	The Planning Commission approved a request for a Site Development Plan Review (SDR-4740) to allow a parking lot on this site with waivers of various Downtown Centennial Plan standards. Staff had recommended approval.
08/26/06	The approval of a Site Development Plan Review (SDR-4740) to allow a parking lot on this site with waivers of various Downtown Centennial Plan standards expired.
04/26/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #86/rts).

<i>Related Building Permits/Business Licenses</i>	
06/08/87	A business license for an M01 (Maintenance Services – Janitorial: janitorial, cleaning, or maintenance services. Includes carpet cleaning and swimming pool/spa maintenance, but does not include contracting, lawn and landscape maintenance, construction cleanup, or tree trimming) category license was processed in by the Department of Finance and Business Services. This license (M01-01869) was issued by Business Services on 05/18/88 with no apparent Planning and Development review. This license is still active as of 04/04/07.
04/15/04	A building permit application, plan check L-1705-04, was submitted for the site. This was for a demolition permit for the building located at 829 South 6 th Street. This permit (04018605) was reviewed and approved by the Planning and Development Department and issued by the Building and Safety Department on 07/28/04.
<i>Pre-Application Meeting</i>	
02/21/07	A pre-application meeting was held and elements of this application were discussed. It was noted that this parking lot had previously been approved and that there would need to be waiver requests as in the previous case. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

<i>Field Check</i>	
03/22/07	The Department of Planning and Development conducted a site visit that found that there was a temporary chain link fence around the majority of the site that does not meet the Construction Standards of the Downtown Centennial Plan, that there was equipment and material being stored on-site that was not actively in use without proper screening and that vehicles were using the eastern portion of the site for illegal parking on the unimproved dirt.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.26

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)

South	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
East	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
West	Undeveloped	MXU (Mixed-Use)	C-1 (Limited Commercial)

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

* If approved, the waiver requested as a part of this review will grant relief from the City standards for streetscape requirements within the Downtown Centennial Plan.

DEVELOPMENT STANDARDS

Pursuant to the Downtown Centennial Plan, the following landscape and buffer standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces (located in islands and/or at the perimeter)	5 Trees	12 Trees	Y
Min. Square Footage	10 SF/Parking Space	290 SF	1,952 SF	Y
Buffer (when req'd): Min. Trees	1 Tree/20 Linear Feet	12 Trees	12 Trees	Y
TOTAL	12 Trees		12 Trees	Y
Min. Zone Width	n/a		8 Feet @ ROW 5 Feet @ Interior	n/a
Wall Height	3.5 Feet (Per Graphic 9, Downtown Centennial Plan)		3.5 Feet	Y

Pursuant to the Downtown Centennial Plan, the following streetscape standards apply:

Streetscape Standards	Required	Provided	Compliance
East/West Street (Hoover Avenue)	1 Shade Tree @ 15 to 20' o.c. max. (36" box)	Zero Trees	N *
North/South Street (Sixth Street)	1 Shade Tree @ 35' o.c. max. (min. 25' height)	1 Shade Tree @ <35' o.c. (2 Trees)	Y
Right-of Way Improvements:	Sidewalk and Amenity Zones (Per Graphics 11 & 12, Downtown Centennial Plan)	Not indicated on the plans	N **

* If approved, the waiver requested as a part of this review will allow for the streetscape requirements for Hoover Avenue to be delayed until the street is reconfigured at some point in the future. A condition of approval has been added to this affect.

** No streetscape treatments are shown on the plans. A condition of approval has been added that the alley treatment standards be adhered to.

Waivers		
Request	Requirement	Staff Recommendation
To not adhere to the streetscape standards along Hoover Avenue or 6 th Street.	Street Trees, Sidewalk and Amenity Zones (Per Graphics 9, 11, & 12, Downtown Centennial Plan)	Approval - for the Hoover Avenue improvements until the right-of-way is reconfigured and able to accommodate the requirements.

ANALYSIS

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as C (Commercial) on the Redevelopment Plan Area Map of the General Plan. This category allows for commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories. The proposed use is in conformance with the land use designation.

The project was previously approved under a site development plan review (SDR-4740) which expired in August of 2006. The building that was on this site at the time the 2004 case was approved has since been demolished. The proposed parking lot will provide additional parking for the office building on the abutting parcel to the north, and for a new multi-story office building under construction at 823 South Las Vegas Boulevard (SDR-4372). A parking lot is a permitted use in the C-1 zoning district. Due to this being a surface parking lot there are no Residential Adjacency or Parking Standards that apply. The two office buildings that the parking lot is intended to serve have on-site parking that meets those locations requirements.

As previously noted, the subject site is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed use is in conformance with the Redevelopment Plan. Further, the site is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Downtown South District. The district is intended to accommodate a wide variety of commercial and residential uses within a dense, urban environment. While it is intended that parking is to be located within parking structures or at the interior of a site, surface lots are allowed if properly screened from adjacent rights-of-way.

- **Site Plan**

The site plan depicts a driveway entrance located on South Sixth Street, with an exit located on the public alley at the rear of the property. The proposed circulation plan should not impact adjacent properties, and the surrounding street network has sufficient capacity to accommodate the use. The site plan notes that the proposed gates at the entrance and exit will remain open during the hours of business as required by Public Works. A screen fence in conformance with the Downtown Centennial Plan requirements will be provided on three sides of the property as required.

- **Waivers**

The applicant has requested a waiver from the Downtown Centennial Plan streetscape requirements. Staff would recommend approval of the waiver from providing the required streetscape along Hoover Avenue, as the configuration of the right-of-way does not permit a full 11-foot wide sidewalk and five-foot amenity zone as required by the plan. In addition, it is recommended that the applicant be exempt from providing the contrasting sidewalk treatment at the intersection until such time as Hoover Avenue is reconfigured. A condition has been added to approve the waiver of the Hoover Avenue portion of this site from the Downtown Centennial Plan streetscape standards until such time as the right-of-way is reconfigured and can accommodate the improvements. Further, a condition has been added that the alleyway must meet the alleyway treatment as depicted in Graphic 8 of the Downtown Centennial Plan.

- **Landscape Plan**

There are no specific landscape perimeter buffer requirements under the Downtown South portion of the Downtown Overlay district. The landscape plan indicates that there will be an eight-foot wide buffer along the public right-of-way and a five-foot wide buffer at the interior property line. According to Subsection VII.C.3 the required landscaping for a surface parking lot may be done either as islands or along the perimeter. For this site all landscaping is along the perimeter and exceeds the 10 square-feet per parking space and one tree per six parking spaces that are required. The plan shows that the site will meet the maximum tree spacing restriction that is a part of this district's landscaping standards.

There has been a condition added that when the required technical landscape plan is submitted for planning review, that the plan must reflect a minimum of 20 five-gallon shrubs either as a substitute or an addition to the depicted one-gallon shrubs indicated on the conceptual plan for the western and southern perimeter buffer areas. The added condition also requires that the heights for the streetscape trees in the South 6th Street right-of-way be noted and that they must meet or exceed the 25-foot minimum set by the Downtown Centennial Plan.

The proposed parking lot is substantially the same as the one that was approved for this site in 2004. As auxiliary parking for two area office buildings, the site meets the standards, with the streetscape standards waiver, for surface parking lots within the Downtown South portion Downtown Overlay district. For these reasons staff is recommending approval of this application.

FINDINGS

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

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

The parking lot is a conforming use, and will provide overflow parking for two office buildings in the immediate area. The parking lot is generally consistent with development in the area.

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

The parking lot is consistent with the General Plan, but does not meet the requirements of the Downtown Centennial Plan for streetscape standards. Staff is in support of the waiver that has been requested for the Hoover Avenue streetscape as conditioned.

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

The circulation plan for the parking lot will not impact the flow of traffic on adjacent streets or impact adjacent properties.

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

The proposed landscape materials are appropriate for the City, and the proposed screen fence will conform to the Downtown Centennial Plan requirements.

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

There are no structures proposed as a part of this application request.

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

Inspections will be performed to ascertain that all improvements will be constructed in accordance with Code requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 293 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-20490** APN: 139-34-410-204

Name of Property Owner: MAR LLC

Name of Applicant: MAR LLC

Name of Representative: WOLFE PULSLEY ARCHITECTS

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:

MAR 11 1964
[Signature]

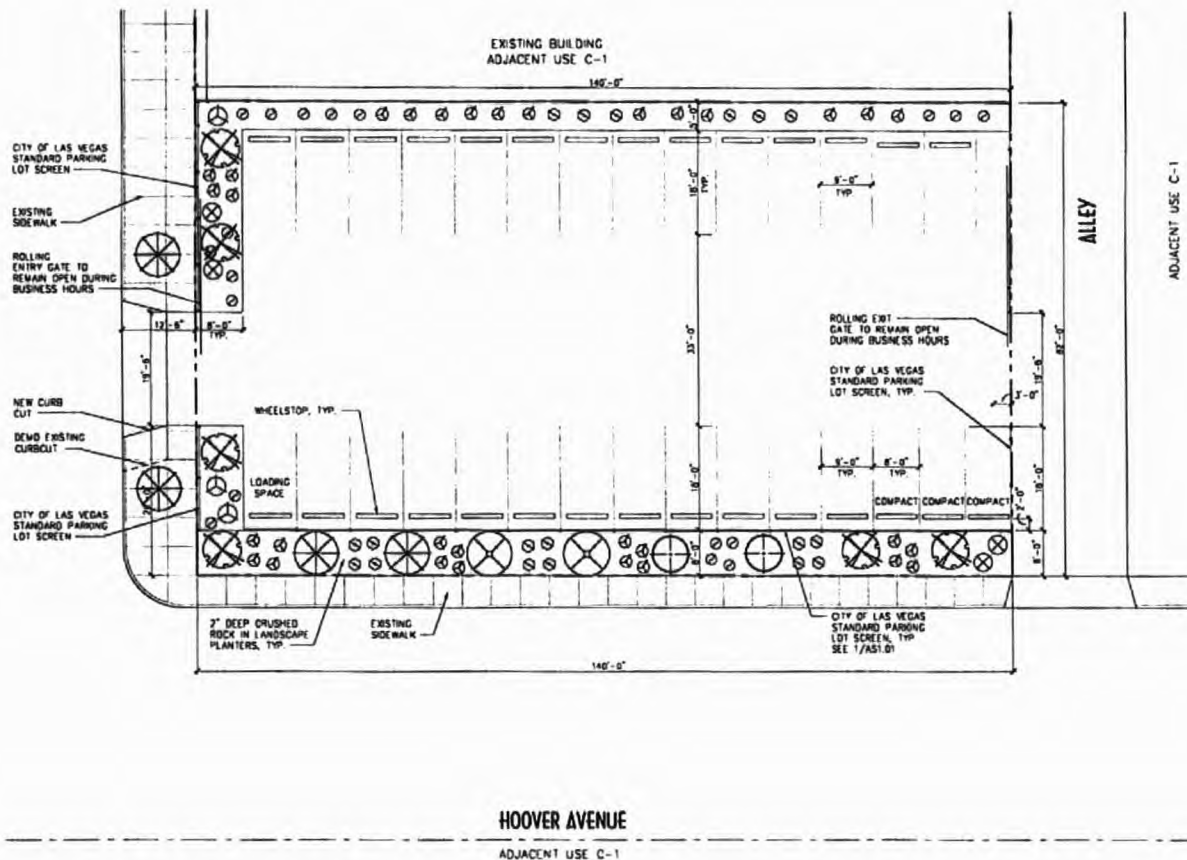
Print Name: Donald H. Reynolds 462

Subscribed and sworn before me

This 13th day of March, 2007

V. Huchmala
Notary Public in and for said County and State





PARCEL INFORMATION
APN: 13834410004
ZONED: C-1 LIMITED COMMERCIAL
LOCATED IN THE DOWNTOWN
OVERLAY DISTRICT
GENERAL PLANE C

PROPOSED USE
PARKING LOT FOR ADJACENT
9600 S.F. BUILDING & R23 S. LAS VEGAS BLVD
PROFESSIONAL OFFICE PARKING REQ:
1 PARKING SPACE PER 300 S.F.
OFFICE AREA
9600 ÷ 300 = 32 PARKING SPACES REQUIRED

PARKING ANALYSIS - 6TH STREET PARKING LOT:
1 LOADING SPACES
25 STANDARD SPACES
3 COMPACT SPACES
29 TOTAL SPACES
(BUILDINGS SERVED BY THIS OFF-SITE
PARKING LOT ALSO HAVE THEIR OWN
ON-SITE PARKING SPACES - SEE BELOW)

PARKING ANALYSIS - MAIN BUILDING
NO PARKING REQUIRED PER
DOWNTOWN OVERLAY DISTRICT
STANDARDS
PARKING STANDARD USED: DOWNTOWN
CENTRAL PLAN
20 STANDARD PARKING SPACES
1 COMPACT PARKING SPACE
2 H/C PARKING SPACE
1 LOADING ZONE SPACE
24 TOTAL PARKING SPACES

LANDSCAPE ANALYSIS
1 SHADE TREE REQ. FOR EVERY 6 SPACES
29 SPACES / 6 TREES = 4.83 TREES REQUIRED
12 TREES PROVIDED
10 S.F. OF LANDSCAPE SURFACE AREA REQUIRED
FOR EACH PARKING SPACE
29 PARKING SPACES X 10 S.F. =
290 S.F. LANDSCAPING REQ.
1,862 S.F. LANDSCAPE AREA PROVIDED AT PERIMETERS



WELLES PROSSER ARCHITECTS, LLP
2400 N. Tropicana Avenue, Suite 222, Las Vegas, Nevada 89161
(702) 461-1000 or (702) 461-1001 fax, wpa@wellesprosser.com

STAMP

REVISIONS

PROJECT NAME:
SURFACE PARKING LOT
FOR LAW OFFICE AT
824 S. 6TH STREET
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0405-103

SHEET TITLE:
SITE
PLAN

DRAWN BY
HD

CHECKED BY

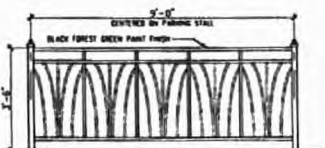
DATE:
MARCH 13, 2007

SUBMITTAL:
DESIGN REVIEW
SHEET NUMBER

AS1.01

SITE PLAN

SCALE: 1" = 10'



STANDARD PARKING LOT SCREEN DETAIL

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

1

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	REMARKS
TREES					
	CERODIUM FLORIDUM	BLUE PALM VERDE	1	24" BOX	
	LINEARS CHLOPDS	DESERT WILLOW	2	24" BOX	
	CHITALPA BIGNONIACEAE	CHITALPA	2	24" BOX	
	CLEDITSIA FABACEAE	MORRINE HONEY LOCUST	1	24" BOX	
SHRUBS					
	CASSIA FABACEAE	DESERT CASSIA	4	5 GAL	
	FALLUDIA ROSACEAE	APACHE PLUME	2	5 GAL	
	LEUCOPHYLLUM SCROPHULARIACEAE	CHIHUAHUA SAGE	6	1 GAL	
	LANTANA VERBENACEAE	BUSH LANTANA	15	1 GAL	
	WESPERALOE AGAVACEAE	RED YUCCA	12	1 GAL	

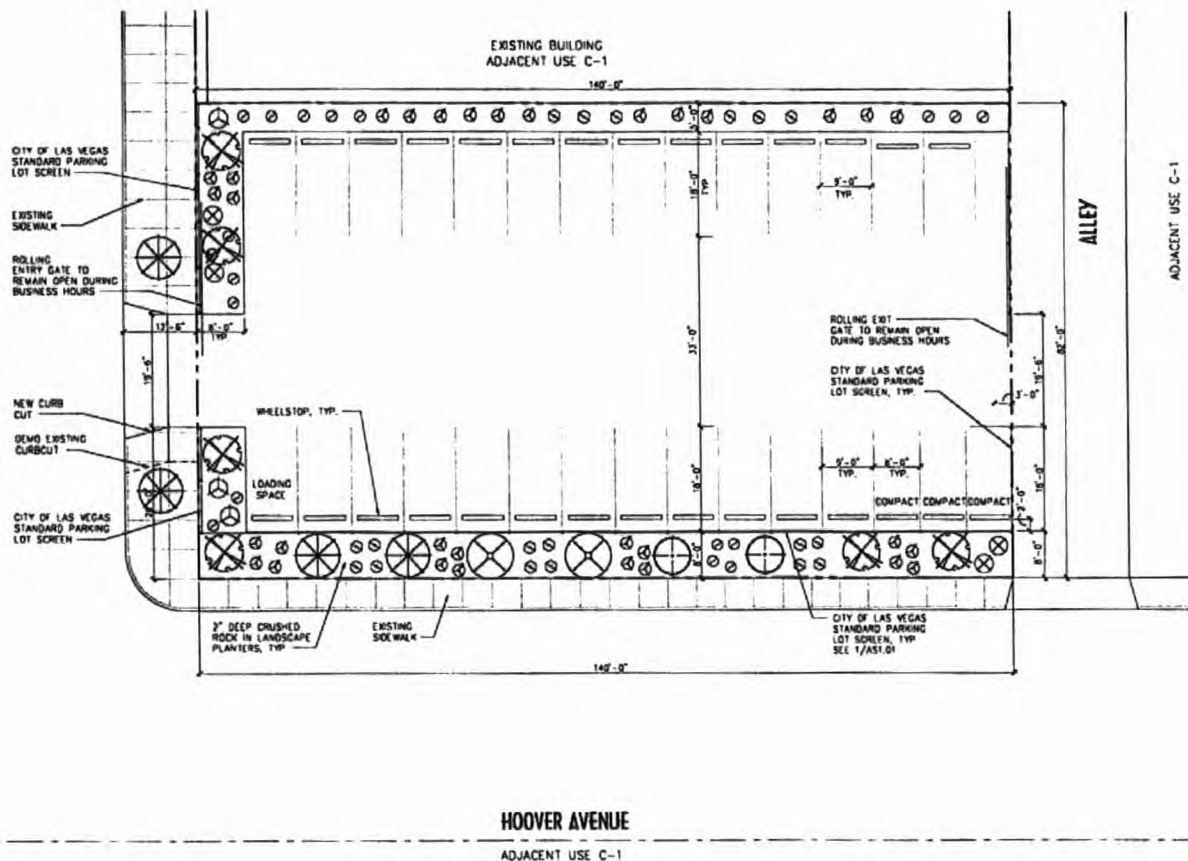
PLANT SCHEDULE

VICINITY MAP



SDR-20490
04/26/07 PC

MAR 13 2007



PARCEL INFORMATION
APN: 13034410204
ZONED: E-1: LIMITED COMMERCIAL
LOCATED IN THE DOWNTOWN
OVERLAY DISTRICT
GENERAL PLAN: C

PROPOSED USE
PARKING LOT FOR ADJACENT
9600 S.F. BUILDING & 823 S. LAS VEGAS BLVD
PROFESSIONAL OFFICE PARKING REQ.
1 PARKING SPACE PER 300 S.F.
OFFICE AREA
9600 ÷ 300 = 32 PARKING SPACES REQUIRED

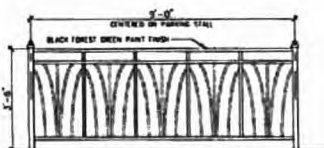
PARKING ANALYSIS - 6TH STREET PARKING LOT:
1 LOADING SPACE
25 STANDARD SPACES
3 COMPACT SPACES
29 TOTAL SPACES
(BUILDINGS SERVED BY THIS OFF-SITE
PARKING LOT ALSO HAVE THEIR OWN
ON-SITE PARKING SPACES - SEE BELOW)

PARKING ANALYSIS - MAIN BUILDING:
40 PARKING REQUIRED PER
DOWNTOWN OVERLAY DISTRICT
STANDARDS
PARKING STANDARD USED: DOWNTOWN
CENTRAL PLAN
20 STANDARD PARKING SPACES
1 COMPACT PARKING SPACE
2 H/C PARKING SPACE
1 LOADING ZONE SPACE
24 TOTAL PARKING SPACES

LANDSCAPE ANALYSIS
1 SHADE TREE REQ. FOR EVERY 6 SPACES
29 SPACES / 6 TREES = 4.83 TREES REQUIRED
12 TREES PROVIDED
10 S.F. OF LANDSCAPE SURFACE AREA REQUIRED
FOR EACH PARKING SPACE
29 PARKING SPACES X 10 S.F. =
290 S.F. LANDSCAPING REQ.
1,932 S.F. LANDSCAPE AREA PROVIDED AT PERIMETERS

SITE PLAN

SCALE: 1" = 10'



STANDARD PARKING LOT SCREEN DETAIL

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

1

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	REMARKS
TREES					
	CERODENDRUM FLORIDUM	BLUE PALO VERDE	1	24" BOX	
	LEUCOSIS CHLOPSIS	DESERT WILLOW	2	24" BOX	
	CHITALPA BIGNONIACEAE	CHITALPA	2	24" BOX	
	GLEDTISIA FABACEAE	MORONE HONEY LOCUST	1	24" BOX	
SHRUBS					
	CASSIA FABACEAE	DESERT CASSIA	4	5 GAL	
	FALLUDIA ROSACEAE	APACHE PLUME	2	5 GAL	
	LEUCOPHYLLUM SCROPHULARIACEAE	CHIHUAHUA SAGE	6	1 GAL	
	LANTANA VERBENACEAE	BUSH LANTANA	15	1 GAL	
	HEPHERALOE ACACIACEAE	RED YUCCA	12	1 GAL	

PLANT SCHEDULE

VICINITY MAP



SDR-20490
04/26/07 PC

WILL
WELLES PUGSLEY ARCHITECTS, LLP
2400 S. HARRISON AVENUE, SUITE 200, LAS VEGAS, NEVADA 89103
A REGISTRATION NO. 2005-00010001

STAMP

REVISIONS:

PROJECT NAME:
SURFACE PARKING LOT
FOR LAW OFFICE AT
824 S. 6TH STREET
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0405 - 103

SHEET TITLE:
LANDSCAPE
PLAN

DRAWN BY
MD

CHECKED BY
+

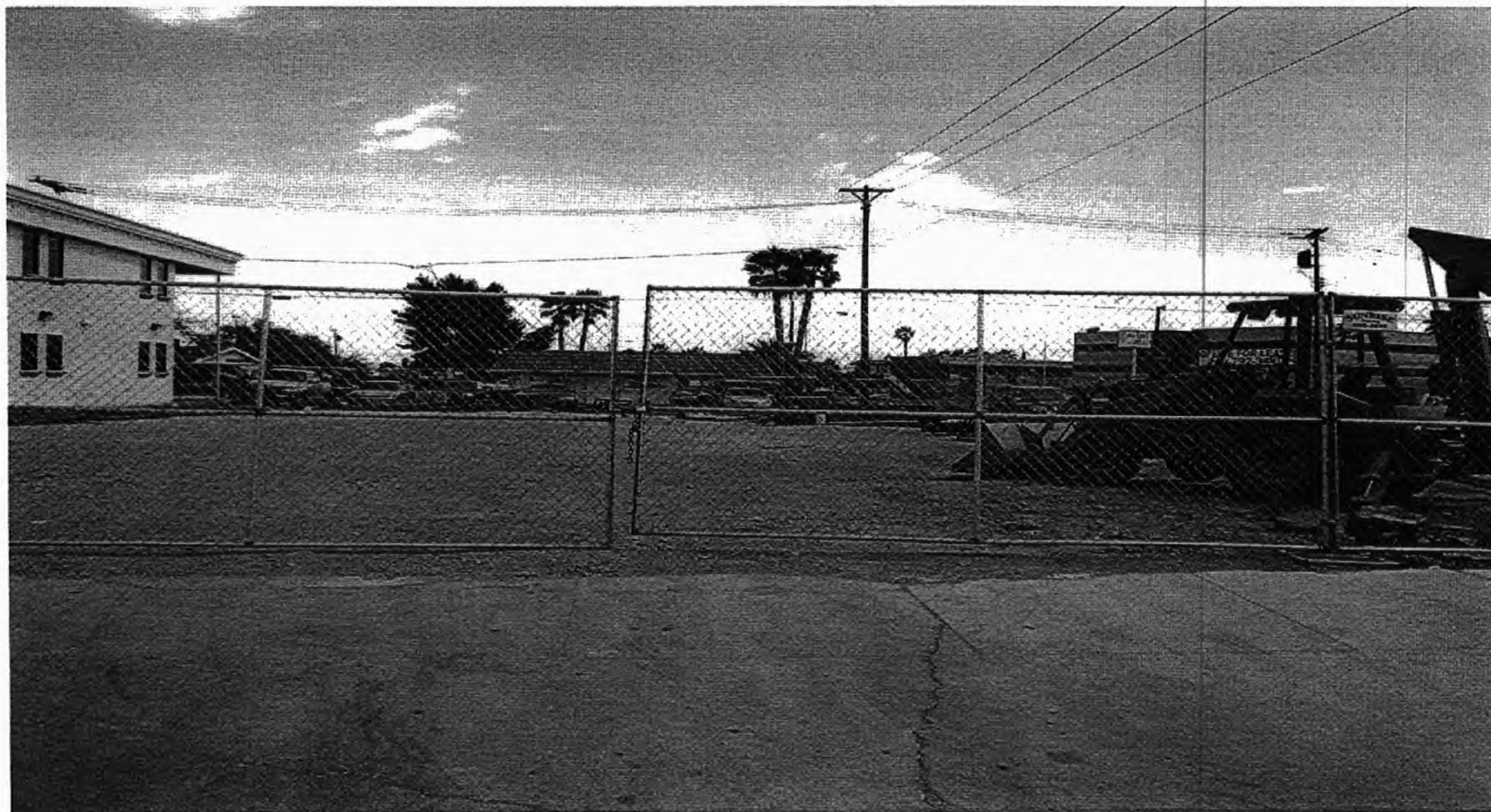
DATE:
MARCH 13, 2007

SUBMITTAL:
DESIGN REVIEW

SHEET NUMBER

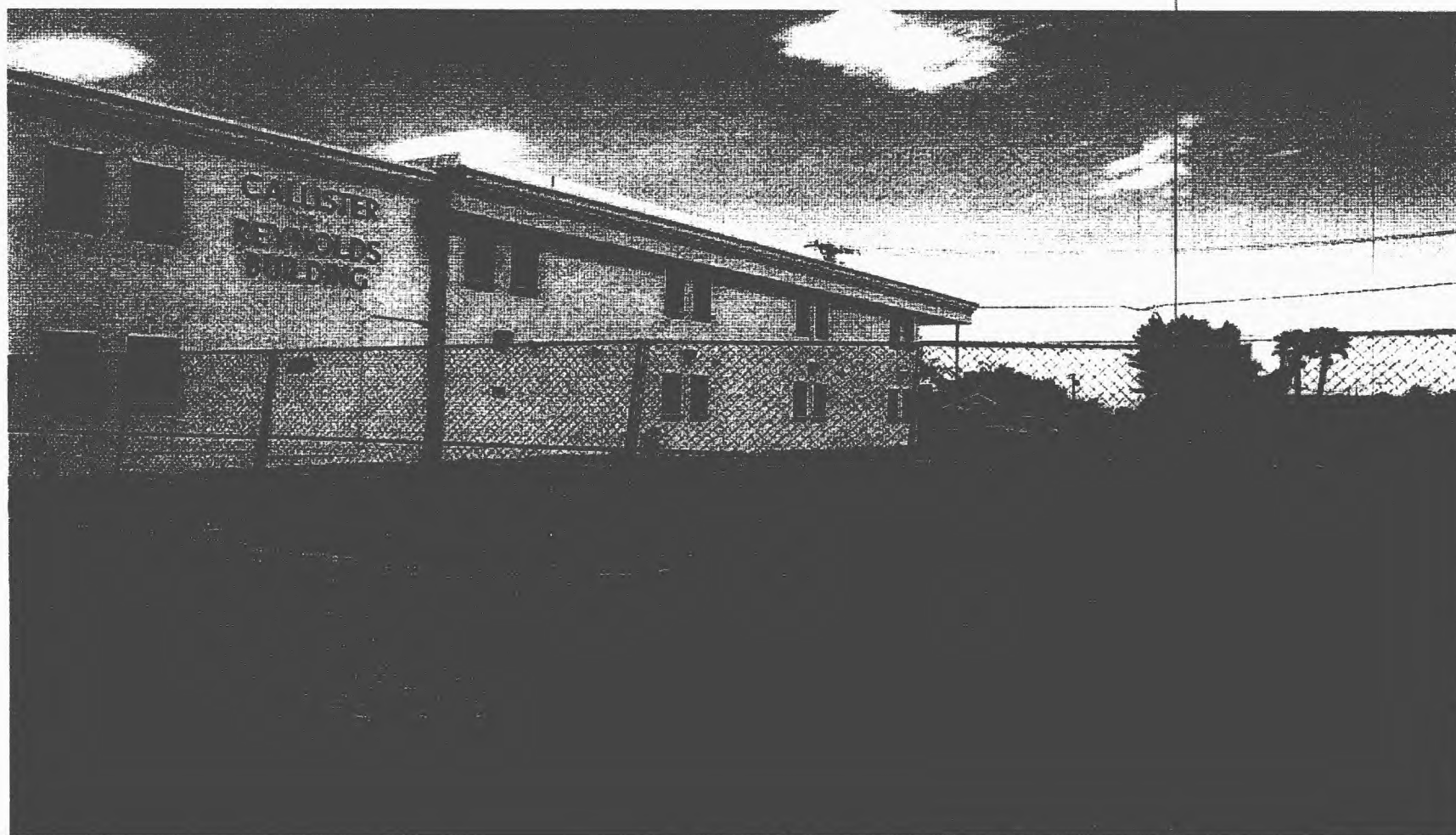
L1.01

MAR 13 2007



SDR-20490 - APPLICANT/OWNER: M A R L C C
829 SOUTH SIXTH STREET
APRIL 26, 2007 PLANNING COMMISSION

03/28/07



SDR-20490 - APPLICANT/OWNER: M A R L C C
829 SOUTH SIXTH STREET
APRIL 26, 2007 PLANNING COMMISSION

03/28/07



SDR-20490 - APPLICANT/OWNER: M A R L C C
829 SOUTH SIXTH STREET
APRIL 26, 2007 PLANNING COMMISSION

03/28/07

March 13, 2007

RE: Parking Lot for Callister & Reynolds Law Office Building

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

Dear Sir or Madam:

Subject: Justification Letter

I am writing on behalf of my clients who are requesting a Site Development Plan Review for their Surface Parking Lot project. They intend to use this parking lot as remote parking for their office buildings at 823 S. Las Vegas Boulevard and 824 S. 6th Street.

How the project supports the City's policies and regulations

This project provides parking for two buildings located in the Las Vegas Downtown Overlay District. Where possible, the design conforms to the Title 19 requirements for landscaping and parking lot screening in this district.

Waiver of Select Requirements

The design accommodates the landscape buffer requirement along 6th Street and Hoover Street with crushed rock and shrubbery. We request that the City waive the landscape buffer requirement on the alley side of the parking lot and the requirement to match the streetscape landscape along 6th Street & Hoover Street.

We also request that the interior landscape island requirement be waived because the five required islands decrease the number of total spaces by 5 spaces – a large number of spaces deleted from the possible 28 to 30 spaces possible on the lot. The trees required to be planted in the interior islands are still provided at the perimeter planters.

Finally, we ask that the accessible parking requirement in this lot be waived because the accessible parking is already being provided at the buildings it serves. Please refer to the documentation attached for details.

Respectfully yours,



Karl Maisner Jr.
Project Manager

MAR 13 2007

SDR-20490
04/26/07 PC



DAVID G. PUGSLEY, A.I.A.
WADE J. SIMPSON, A.I.A.
SEAN L. COULTER, A.I.A.
DAVID F. WELLES, A.I.A. (Retired)
ARCHITECTS, LLP

June 5, 2007

Re: June 6th City Council Agenda Item #139 (Application No. SDR-20490)

City of Las Vegas
Council Chambers
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I am writing on behalf of my clients, MAR LLC, who are requesting to withdrawal without prejudice, Item #139 (SDR-20490) from the City Council Agenda for June 6, 2007.

Please contact me directly with any questions you may have at 435-1150. Thank you.

Sincerely,

Karl Maisner Jr.
Project Manager,

RECEIVED
CITY CLERK
2007 JUN -5 P 2:37

Submitted after final agenda

6/5/07 Item #139

2480 E. TOMPKINS AVE, SUITE 222, LAS VEGAS, NV 89121

ph: 702.435.1150

fax: 702.435.7699

wpa@wellespugsleyarchitect.com

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 6, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REVIEW OF CONDITION

ROC-21668 - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK LLC - Request for a Review of Condition to modify Condition Number 9 of an approved Site Development Plan Review (SDR-10770) WHICH STATED THAT ALL PERIMETER LANDSCAPE BUFFERS SHALL COMPLY WITH THE MINIMUM REQUIREMENTS LISTED IN TITLE 19.12. TREE SPACING WITHIN THE BUFFER AREAS AND THE WIDTH OF ALL BUFFERS SHALL CONFORM TO THE MINIMUM REQUIREMENTS LISTED IN TITLE 19.12. To allow a four-foot landscape buffer along the south property line where eight feet is the minimum required for an approved mixed-use development on 28.69 acres at 420 South Rampart Boulevard (APN 138-32-601-003), U (Undeveloped) Zone [GC (General Commercial) Master Plan Designation] under Resolution of Intent to C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

8

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

4

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SDR-10770
6. Returned postcard protests and support
7. Submitted after final agenda – Returned postcard protests and supports

Motion made by STEVE WOLFSON to Approve Subject to Conditions

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

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

CITY COUNCIL MEETING OF: June 6, 2007

Minutes:

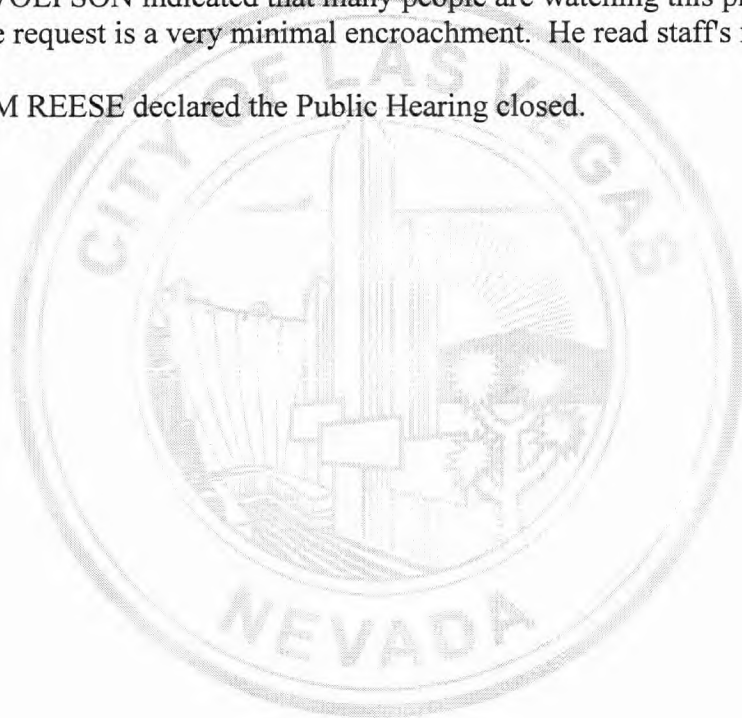
MAYOR PRO TEM REESE declared the Public Hearing open.

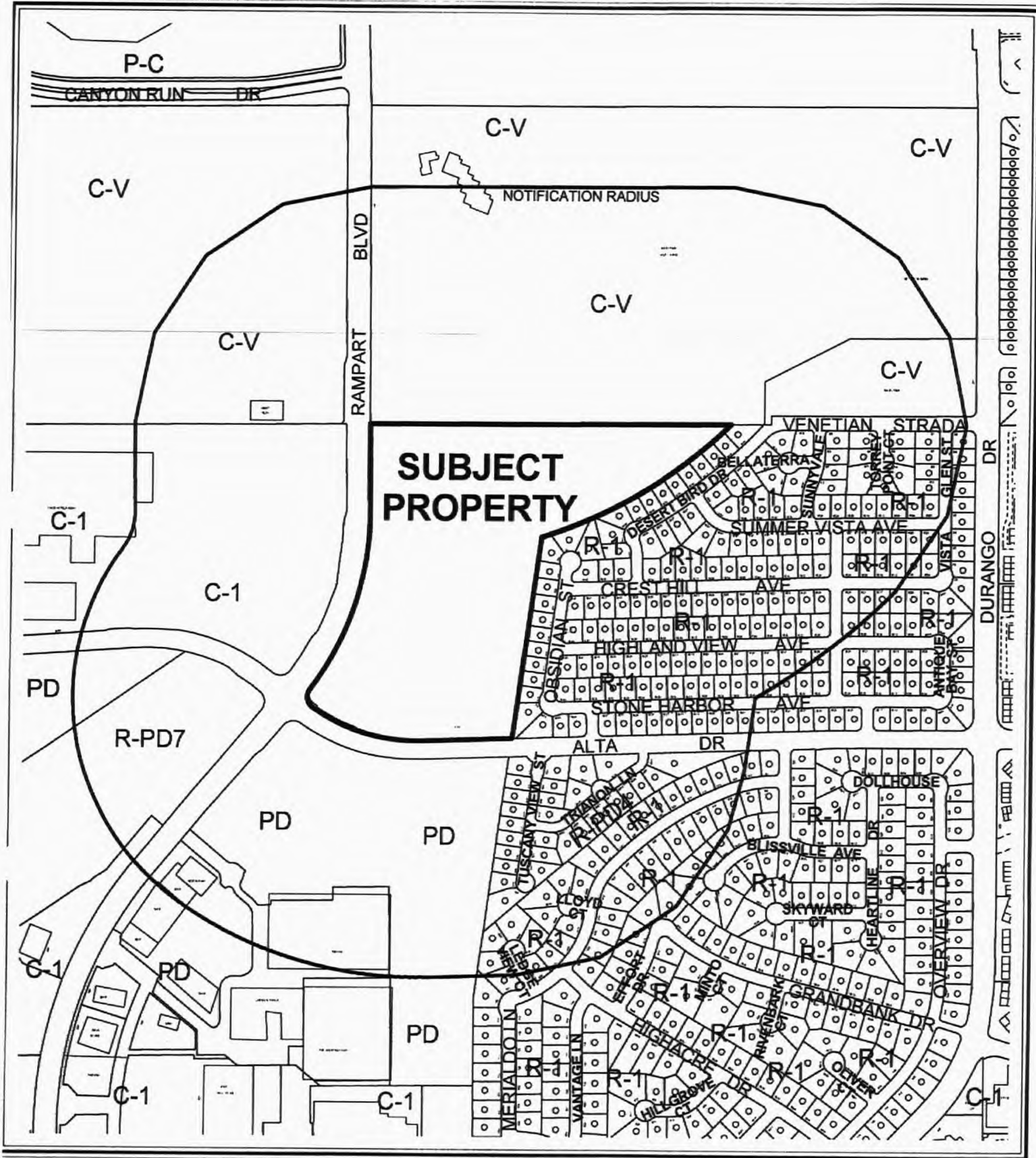
GREG BORGEL, 300 South Fourth Street, appeared on behalf of the applicant and explained the curvature of Alta Drive where it approaches Rampart Boulevard and building requirements had resulted in a slight intrusion into the minimum landscape buffer area. MR. BORGEL felt they adequately meet the landscape requirements.

MARGO WHEELER, Director of Planning and Development Department, agreed and supported MR. BORGEL'S claims, as it is a minor change to the original site plan.

COUNCILMAN WOLFSON indicated that many people are watching this project with great interest and that the request is a very minimal encroachment. He read staff's findings.

MAYOR PRO TEM REESE declared the Public Hearing closed.





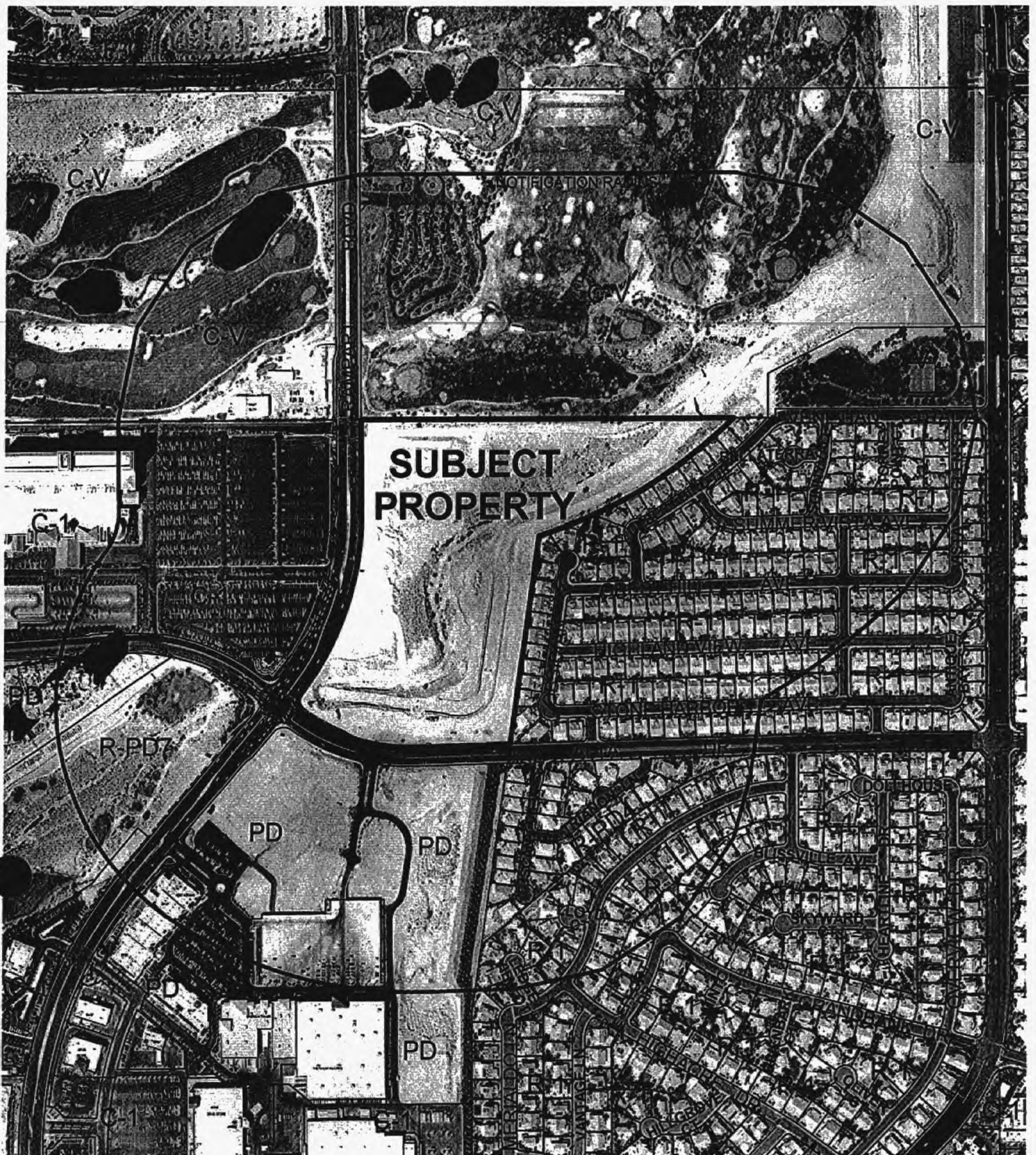
CASE: ROC-21668

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) LAND USE DESIGNATION]
 UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)





CASE: ROC-21668

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) LAND USE DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-21668 - APPLICANT/OWNER: GREAT WASH PARK LLC

**** CONDITIONS ****

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

Planning and Development

1. A waiver of Title 19.12 is hereby granted to allow a four-foot perimeter landscape buffer where eight feet is the minimum required along a portion of the south property line adjacent to building number nine as shown on the plans dated stamped 05/01/07. All other required perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffer areas and the width of all buffers shall conform to the minimum requirements listed in Title 19.12.
2. Conformance to all other Conditions of Approval for Site Development Plan Review (SDR-10770) and all other site related cases and as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Review of Condition to modify Condition Number 9 of an approved Site Development Plan Review (SDR-10770) which stated that all perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffer areas and the width of all buffers shall conform to the minimum requirements listed in Title 19.12 and to allow a four-foot landscape buffer along the south property line where eight feet is the minimum required for an approved mixed-use development on 28.69 acres at 420 South Rampart Boulevard.

The change to the condition is requested due to the curve in the right-of-way along Alta Drive near building number nine. The encroachment into the landscape buffer would be for a short distance and would have a minimal affect on the site. The required number of trees and shrubs would remain as originally approved. All landscaping outside the affected area shall be required to meet the minimum standards of Title 19.12.

Condition number nine shall be re-worded to state:

9. A waiver of Title 19.12 is hereby granted to allow a four-foot perimeter landscape buffer where eight feet is the minimum required along a portion of the south property line adjacent to building number nine as shown on the plans dated stamped 05/01/07. All other required perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffer areas and the width of all buffers shall conform to the minimum requirements listed in Title 19.12.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/26/98	The City Council approved a General Plan Amendment (GPA-0067-97) from M (Medium Density Residential) and SC (Service Commercial) to GC (General Commercial) on the subject property. An associated Rezoning (Z-0127-97) to allow a 40,000 square-foot three-story non-gaming resort with 576 guest rooms was also approved at that time. The Planning Commission recommended approval of the requests on 12/18/97.
04/04/01	The City Council approved a Rezoning (Z-0003-01) from U (Undeveloped) [GC (General Commercial) General Plan Designation] to C-1 (Limited Commercial). An associated request for a Special Use Permit (U-0017-01) for a restaurant service bar in conjunction with a proposed athletic club and tennis club was also approved. The Planning Commission recommended approval of both requests on 02/22/01.

11/30/04	The applicant filed a General Plan Amendment (GPA-5652) and a second Rezoning application (ZON-5655) in order to permit the mixed-use development as currently proposed. With the adoption of the amendment to the City's Mixed-Use Ordinance (Ordinance #5738, adopted 12/15/04) the applicant withdrew the General Plan Amendment and Rezone applications, as they were no longer necessary.
03/02/05	The City Council approved a Rezoning (ZON-5653) application from U (Undeveloped) to C-2 (General Commercial), approved a Site Development Plan Review (SDR-5657) to allow a mixed use development consisting of 700,000 square feet of commercial space and 375 residential condominium units in (1) 10-story and (2) 5-story residential condominium buildings, and a Special Use Permit (SUP-5853) for a mixed use commercial and residential development. Staff and Planning Commission recommended approval.
04/19/06 *	The City Council approved a Site Development Plan Review (SDR-10770) for a mixed-use development consisting of 699,000 net square feet (787,329 Gross Square Feet) of commercial space and 340 residential units. A companion item, Variance (VAR-10773), is also included to address the allowance of 3,955 parking spaces where 4,961 parking spaces is the minimum number of parking spaces required for the mixed use development project. Staff recommended denial, while the Planning Commission recommended approval.
Related Building Permits/Business Licenses	
02/23/07	C-0410-06 Plan Check for Building #18 at 302 S. Rampart.
03/19/07	C-0084-07 Plan Check for Parking Structure at 302 S. Rampart.
Pre-Application Meeting	
04/20/07	A pre-application meeting was held and elements of this application were discussed. Submittal requirements were discussed.

Details of Application Request	
Site Area	
Gross Acres	28.78

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	GC (General Commercial)	Undeveloped (General Commercial) under ROI to C-2 (General Commercial)
North	Golf Course	PR (Parks/Recreation/ Open Space)	C-V (Civic)
South	Undeveloped	SC (Service Commercial)	PD (Planned Development)
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Gaming, Hotel	SC (Service Commercial)	C-1 (Service Commercial)

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails: Multi-Use Transportation Trail	X	
Rural Preservation Neighborhood		X
Development Impact Notification Assessment	X	
Project of Regional Significance	X	

ANALYSIS

The applicant is requesting a Review of Condition to change condition number nine from Site Development Plan Review (SDR-21668). The change to the condition is requested due to the curve in the right-of-way along Alta Drive near building number nine. The encroachment into the landscape buffer would be for a short distance and would have a minimal affect on the site. The required number of trees and shrubs would remain as originally approved. All landscaping outside the affected area shall be required to meet the minimum standards of Title 19.12.

Condition number nine from SDR-10770 stated that:

9. All required perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffer areas and the width of all buffers shall conform to the minimum requirements listed in Title 19.12.

Condition number nine shall be re-worded to state:

9. A waiver of Title 19.12 is hereby granted to allow a four-foot perimeter landscape buffer along a portion of the south property line adjacent to building number nine as shown on the plans dated stamped 05/01/07. All other required perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffer areas and the width of all buffers shall conform to the minimum requirements listed in Title 19.12.

FINDINGS

The encroachment into the required landscape buffer is minimal and is only for a short distance. This will have a minimal, if any, affect on the project. The required number of trees and shrubs shall still be required, as well as conformance to Title 19.12 landscaping requirements in all other areas. Approval of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

2

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

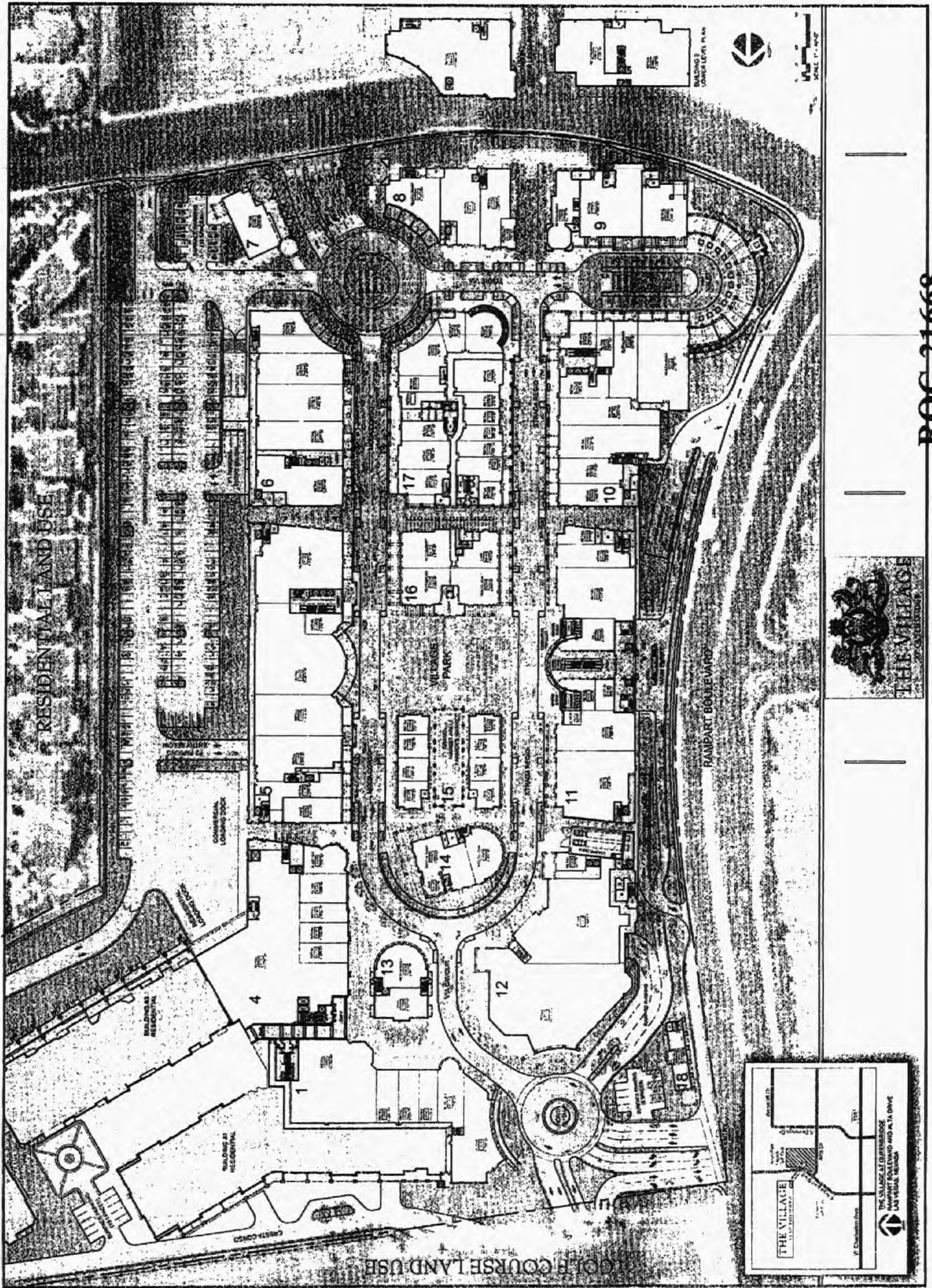
NOTICES MAILED 276

APPROVALS 0

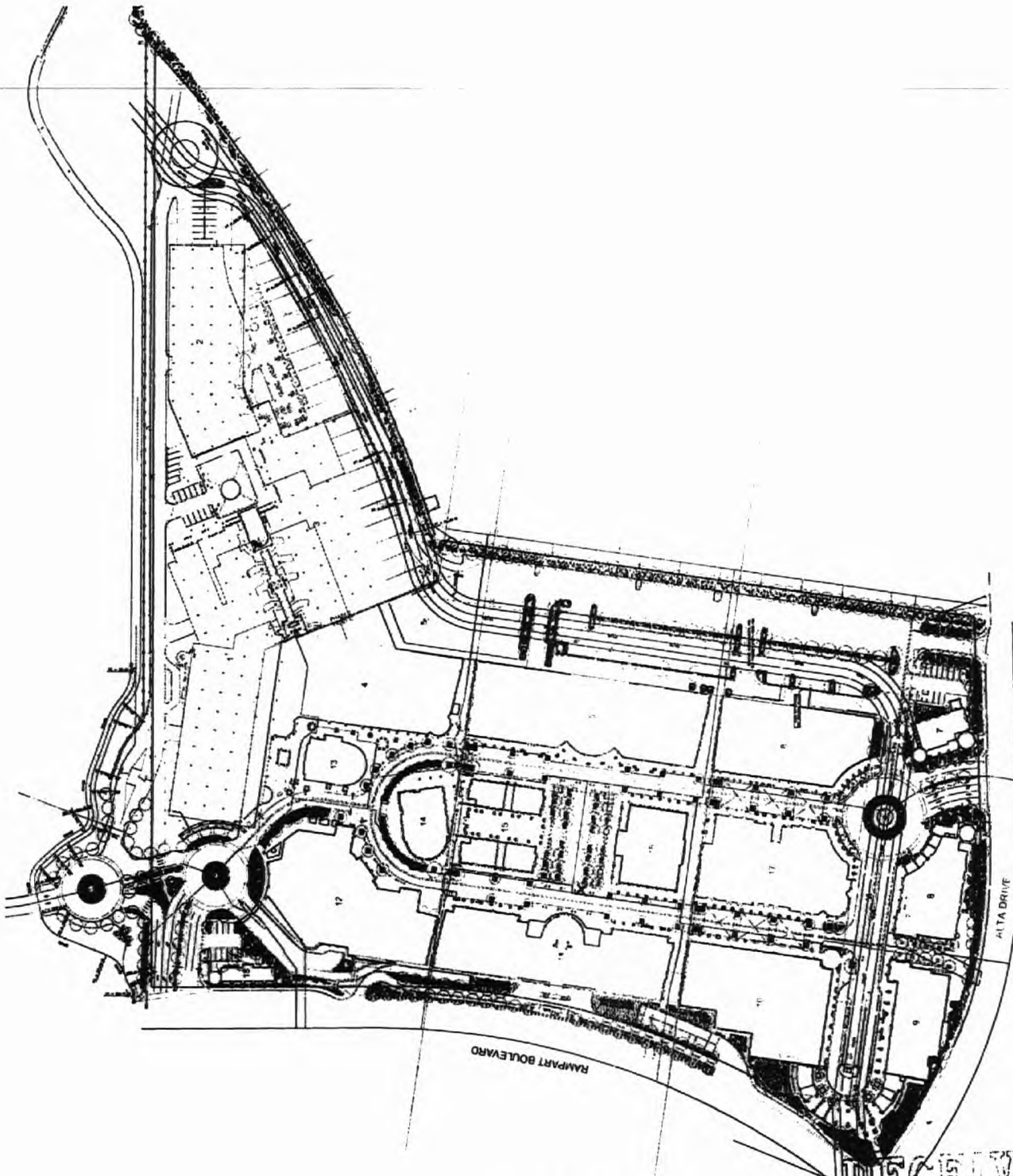
PROTESTS 0



By Frank Pantano
Its manager



ROC-21668
06-06-07 CC



ROC-21668
06-06-07 CC

RECEIVED
MAY 01 2007



THE VILLAGE

AT QUEENSRIDGE

April 27, 2007

Planning & Development Dep.
731 South Fourth Street
Las Vegas, NV 89101

RE: ROC #9 (SDR-10770)

To Whom It May Concern:

We respectfully ask that a portion of Condition #9

"All required landscape buffers shall comply with the minimum requirements listed in Tilt 19.12"

be amended on the south property line of the property to require a 4' foot landscape buffer rather than a 9' landscape buffer. The south-western most corner of Bldg #9 encroaches into the landscape buffer 4'6" at the base of the footing and 3'0" on the first floor face of wall. The encroachment was a circumstance of the curve of Alta Dr. as it approaches Rampart to the east and the straight alignment of Bldgs. #7, #8 and #9. This minimal encroachment is reflected in an attachment.

Your favorable consideration is appreciated.

Sincerely,

Blair H. Pankratz
Development Manager

Cc. Frank Pankratz
Greg Borgel

ROC-21668
06-06-07 CC



062289

CORRECTED LETTER

June 14, 2006

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

Mr. Frank Pankratz
Executive Home Builders
9755 West Charleston Boulevard
Las Vegas, Nevada 89117

RE: SDR-10770 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF APRIL 19, 2006
RELATED TO VAR-10773

Dear Mr. Pankratz:

The City Council at a regular meeting held April 19, 2006 APPROVED the request for a Site Development Plan Review FOR A TEN-STORY MIXED-USE DEVELOPMENT CONSISTING OF 699,000 SQUARE FEET OF COMMERCIAL SPACE AND 340 RESIDENTIAL UNITS on 28.69 acres 8750 Alta Drive (APN 138-32-601-003), U (Undeveloped) Zone [GC (General Commercial) Master Plan Designation] under Resolution of Intent to C-2 (General Commercial) Zone. **NOTE: THIS APPLICATION IS BEING AMENDED FOR MIXED-USE DEVELOPMENT CONSISTING OF 699,000 NET SQUARE FEET OF COMMERCIAL SPACE.** The Notice of Final Action was filed with the Las Vegas City Clerk on April 6, 2006. This approval is subject to:

Planning and Development

1. A Variance (VAR-10773) to allow Mixed-Use development, approved by the City Council.
2. The applicant shall comply with all conditions listed within Rezoning (ZON-5653) and Special Use Permit (SUP-5853).
3. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the updated site plan dated stamped 3/16/06 and floor plan dated stamped 1/31/06, and the building elevations dated stamped 03/20/06, colored presentation material, dated stamped 3/16/06 with a maximum number of 340 units, except as amended by conditions herein.
5. Agreement for any adjustments to the eastern property line shall be submitted to the City of Las Vegas for review and approval.

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

ROC-21668
06-06-07 CC

6. The applicant shall incorporate the Multi-Use Transportation Trail, as required by the Master Plan Transportation Trails Element, located along the western boundary of the property unless eliminated by a General Plan Amendment, subject to review and approval of the Planning and Development Department.
7. The applicant shall comply with all parking, loading and traffic standards of Title 19 (Zoning Ordinance), except as modified herein, subject to review and approval by the Planning and Development Department.
8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications. Landscape islands shall be provided in the surface parking lot in accordance with the requirements listed in Title 19.12.040. Trees shall be provided at a ratio of one tree for every six spaces in the surface parking lot.
9. All required perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffer areas and the width of all buffers shall conform to the minimum requirements listed in Title 19.12.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development. Turf in other areas shall be limited to 12.5% of the total landscape area. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to incorporate the required changes demonstrating conformance with Code.
11. The landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
12. All structures shall conform to the Residential Adjacency Standards listed in Title 19.08.060.
13. All glazing shall conform to the requirements listed in Title 19.08.045.
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials along the exterior of the wall.
15. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and properties.

16. Loading spaces and services areas shall be screened from view of abutting streets and properties by a screen wall or dense landscaping. An additional sound wall shall be provided in front of the loading area on the east side of the site to buffer the area from the abutting residential properties, subject to review and approval by the Planning Department.
17. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties in accordance with the Residential Adjacency Standards.
18. A Master Sign Plan shall be submitted for approval of the Planning Commission prior to the issuance of a Certificate of Occupancy for any building on the site.
19. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
20. Prior to the submittal of a building permit, 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.
21. No access shall be allowed from the subject site to Venetian Strada.
22. No trash pick-up service or deliveries shall be allowed to the loading area on the east side of the property between the hours of 10:00 p.m. and 7:00 a.m. Failure to comply with this requirement shall result in action by the Code Enforcement Division.
23. The emergency access road on the east side of the development site shall be limited to emergency vehicles only, and shall not be used by residents or guests of the development.
24. 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.
25. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

26. Coordinate with the Collection System Planning Section of the Department of Public Works to determine an appropriate down stream relief system for the public sewer connection to this site, prior to the issuance of any permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Comply with the recommendations of the Collection System Planning Section of the Department of Public Works.
27. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
28. A Homeowners' Association shall be established to maintain all perimeter walls, 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.
29. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
30. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
31. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
32. Landscape and maintain all unimproved rights-of-way adjacent to this site.
33. Submit an Encroachment Agreement for all landscaping and private improvements, located within the public rights-of-way adjacent to this site prior to occupancy of this site.

Mr. Frank Pankratz
SDR-10770 – Page Five
June 14, 2006

34. An update to the previously approved Traffic Impact Analysis [TIA #T5604] 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.
35. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON 5653 and all other subsequent site related actions.
36. The developer of this site shall post a bond in the amount of \$350,000 to cover the cost of a traffic signal system at the intersection of Durango Drive and Venetian Strada/Lunsford Avenue, and the developer shall design and construct the signal within 1 year after issuance of the certificate of occupancy and/or final inspection for the final condominium building proposed on this site if and only if a signal warrant study, to be performed by the City at or about that same time warrants the signal. Said bond amount shall be included with the overall bond for off-site improvements associated with this project, and will not be released until the signal is accepted for maintenance by the city. Should the signal not meet warrants upon review of the study, this additional bond will be released as soon as possible.

Sincerely,



Barbara Jo Ronemus
City Clerk

cc: See Attached List

ROC-21668
06-06-07 CC

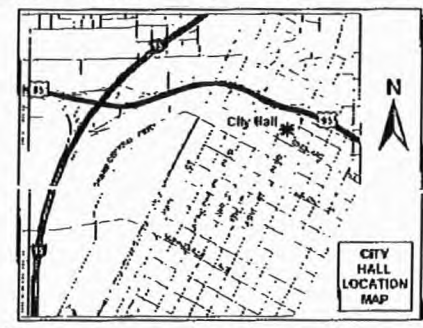
RECEIVED
CITY CLERK

2007 MAY 29 P 3: 01

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

0041:
1717383

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 and for further information call (702) 229-6301.

☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

ROC-21668

Case: ROC-21668
13832610031
FRANTZEN 1984 FAMILY TRUST
305 VISTA GLEN ST
LAS VEGAS NV 89145-4837

6914534837 0051

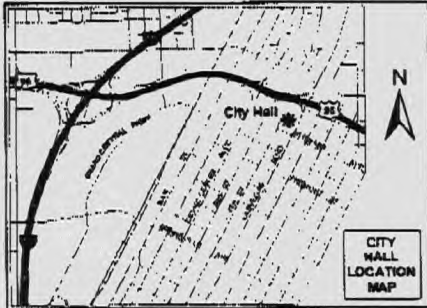


City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK

2007 MAY 29 P 3:00

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 (702) 382-4803 and for further information call (702) 229-6301.



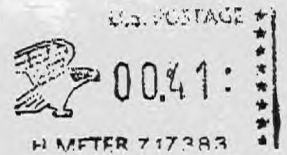
I SUPPORT
this Request



I OPPOSE
this Request

ROC-21668

8914535707 C072



Case: ROC-21668

13832614030
RUSTMAN TRUST
8540 STONE HARBOR AVE
LAS VEGAS NV 89145-5707

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

A 10:43



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 and for further information call (702) 229-6301.



I SUPPORT
this Request



I OPPOSE
this Request

ROC-21668

8914534844 C072



Case: ROC-21668

13832610035
CORCORAN HUGH M
8504 SUMMER VISTA AVE
LAS VEGAS NV 89145-4844

2007 MAY 29 A 10:43
RECEIVED
CITY CLERK

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 A 10: 25



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 and for further information call (702) 229-6301.



I SUPPORT
this Request

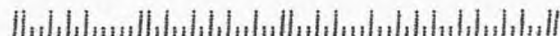


I OPPOSE
this Request

ROC-21668

Case: ROC-21668
13832718015
THOMPSON MARGRETT & JERALYN M
8644 BLISSVILLE AVE
LAS VEGAS NV 89145-4872

8914534872 0043



Submitted after final agenda

Date 5/30/07 Item #140

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 (702) 382-4803 and for further information call (702) 229-6301.



I SUPPORT
this Request



I OPPOSE
this Request

ROC-21668

13832611022
NEWMAN STAN D & FRANCENE
8645 CREST HILL AVE
LAS VEGAS NV 89145-4868

Case: ROC-21668

8914534868 C072



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 and for further information call (702) 229-6301.



I SUPPORT
this Request



I OPPOSE
this Request

ROC-21668

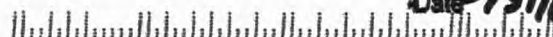
This looked to much
like a ballot. I
almost threw it out.
It also should not
be sent before a
holiday -

Thanks

Submitted after final agenda

Date 5/31/07 Item #140

8914534845 C072



Application Information

ROC-21668 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK LLC - Request for a Review of Condition to modify Condition Number 9 of an approved Site Development Plan Review (SDR-10770) WHICH STATED THAT ALL PERIMETER LANDSCAPE BUFFERS SHALL COMPLY WITH THE MINIMUM REQUIREMENTS LISTED IN TITLE 19.12. TREE SPACING WITHIN THE BUFFER AREAS AND THE WIDTH OF ALL BUFFERS SHALL CONFORM TO THE MINIMUM REQUIREMENTS LISTED IN TITLE 19.12. To allow a four-foot landscape buffer along the south property line where eight feet is the minimum required for an approved mixed-use development on 28.69 acres at 420 South Rampart Boulevard (APN 138-32-601-003), U (Undeveloped) Zone [GC (General Commercial) Master Plan Designation] under Resolution of Intent to C-2 (General Commercial) Zone, Ward 2 (Wolfson).

Application Location



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

Public Hearing Information

Meeting: City Council
Date: JUNE 6, 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 there of 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>.

Application Information

ROC-21668 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK LLC - Request for a Review of Condition to modify Condition Number 9 of an approved Site Development Plan Review (SDR-10770) WHICH STATED THAT ALL PERIMETER LANDSCAPE BUFFERS SHALL COMPLY WITH THE MINIMUM REQUIREMENTS LISTED IN TITLE 19.12. TREE SPACING WITHIN THE BUFFER AREAS AND THE WIDTH OF ALL BUFFERS SHALL CONFORM TO THE MINIMUM REQUIREMENTS LISTED IN TITLE 19.12. To allow a four-foot landscape buffer along the south property line where eight feet is the minimum required for an approved mixed-use development on 28.69 acres at 420 South Rampart Boulevard (APN 138-32-601-003), U (Undeveloped) Zone [GC (General Commercial) Master Plan Designation] under Resolution of Intent to C-2 (General Commercial) Zone, Ward 2 (Wolfson).

Application Location



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

Public Hearing Information

Meeting: City Council
Date: JUNE 6, 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 there of 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>.

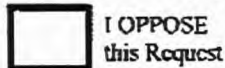
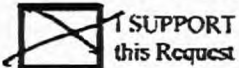
City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101



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 and for further information call (702) 229-6301.



ROC-21668

13832718002
DUNN CHARLES J
505 AMPERE LN
LAS VEGAS NV 89145-4874

Case: ROC-21668

2001 MAY 31 A 9:07

RECEIVED
CITY CLERK

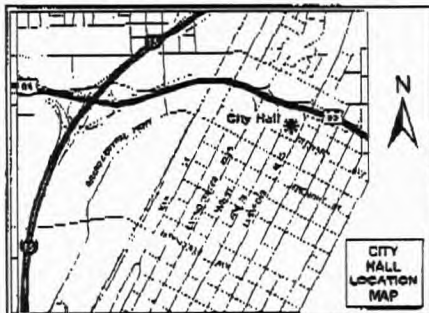
891454874 0049



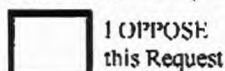
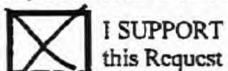
City of Las Vegas
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101



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 and for further information call (702) 229-6301.



ROC-21668

13832612007
AYRES CAROL S 2003 TRUST
8628 DESERT BIRD DR
LAS VEGAS NV 89145-4860

Case: ROC-21668

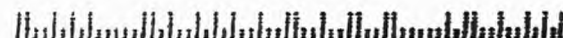
2001 MAY 31 A 9:07

RECEIVED
CITY CLERK

Submitted after final agenda

Date 5/31/07 Item #140

891454860 0051

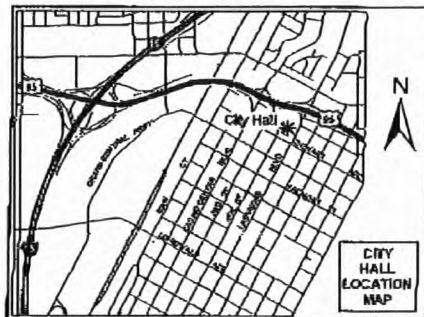


0461# mail 06/5/07

Submitted after final signature

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) 322-1303 and for further information call (702) 229-6301.



I SUPPORT
this Request



I OPPOSE
this Request

ROC-21668



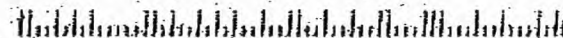
2007 JUN -5 A 7:52

RECEIVED
CITY CLERK

13832610043
POULOS CHRISTINE
308 SUNNYVALE ST
LAS VEGAS NV 89145-4847

Case: ROC-21668

0914584847 C051



Protest

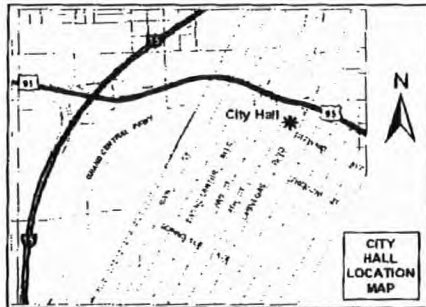
RECEIVED
CITY CLERK

2007 JUN -4 A 8:17

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



Official Notice of Public Hearing JUNE 06, 2007



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 and for further information call (702) 229-6301.



I SUPPORT
this Request



I OPPOSE
this Request

ROC-21668

ROC-21668

13832614031 Case: ROC-21668
WIZNER WILLIAM G & BEVERLY J
8544 STONE HARBOR AVE
LAS VEGAS NV 89145-5707

891455707 0072



Submitted under protest

6-4-07 Item #140

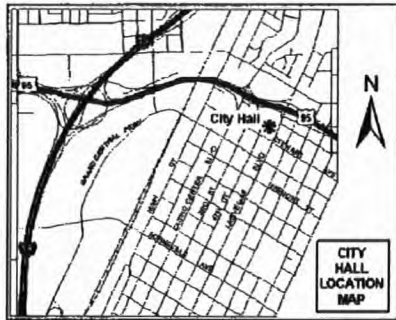
RECEIVED
CITY CLERK

2001 JUN -4 A 9:09

Protest

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 and for further information call (702) 229-6301.

☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

ROC-21668



13832611061
MILLER LEANNE L
8533 SUMMER VISTA AVE
LAS VEGAS NV 89145-4863

Case: ROC-21668

891454863 C072



6-407 #140

May 31, 2007

RECEIVED
CITY CLERK

2007 JUN -4 A 10: 46

City Clerk
1sr Floor, City Hall
400 Stewart Ave.
Las Vegas, NV 89101

To Whom It May Concern,

I did not receive the post card that this flyer refers to. I am sending it to you with the I OPPOSE box marked regarding this case.

Thank you,



Gary Echols
8612 Crest Hill Ave.
Las Vegas, NV 89145

Protest

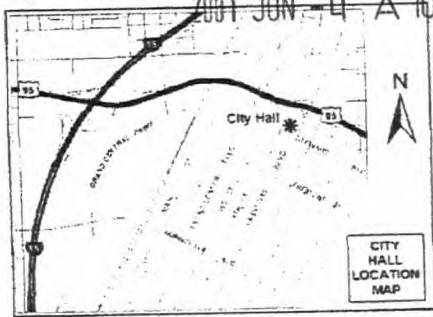
Submitted for Review

6-04-07 Item #140

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 and for further information call (702) 229-6301.



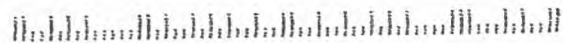
I SUPPORT
this Request



I OPPOSE
this Request

ROC-21668

8914534845 0072



Angel Park Residents

You should have received a white card with the top of this sheet on one side and the bottom on the other just last week. Please indicate your opinion and mail or fax by Saturday, 2nd. If you do not have the card, call 229-6301 and ask how you can express your position to this additional reduction in the minimum requirements for building on this land. You may be able to mail this sheet with your address label. Do so by Saturday so it arrives in time for consideration.

**Your Address was printed
here on the card.**

Application Information

ROC-21668 - REVIEW OF CONDITION - PUBLIC HEARING -
APPLICANT/OWNER: GREAT WASH PARK LLC - Request for a Review of Condition to modify Condition Number 9 of an approved Site Development Plan Review (SDR-10770) WHICH STATED THAT ALL PERIMETER LANDSCAPE BUFFERS SHALL COMPLY WITH THE MINIMUM REQUIREMENTS STATED IN TITLE 19.12. TREE SPACING WITHIN THE BUFFER AREAS AND THE WIDTH OF ALL BUFFERS SHALL CONFORM TO THE MINIMUM REQUIREMENTS LISTED IN TITLE 19.12. To allow a four-foot landscape buffer along the south property line where eight feet is the minimum required for an approved mixed-use development on 28.69 acres at 420 South Rampart Boulevard (APN 138-32-601-003), U (Undeveloped) Zone [GC (General Commercial) Master Plan Designation] under Resolution of Intent to C-2 (General Commercial) Zone, Ward 2 (Wolfson).

PUBLIC HEARING



Attend if possible.

Application Location



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

Public Hearing Information

Meeting: City Council
Date: JUNE 6, 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>.

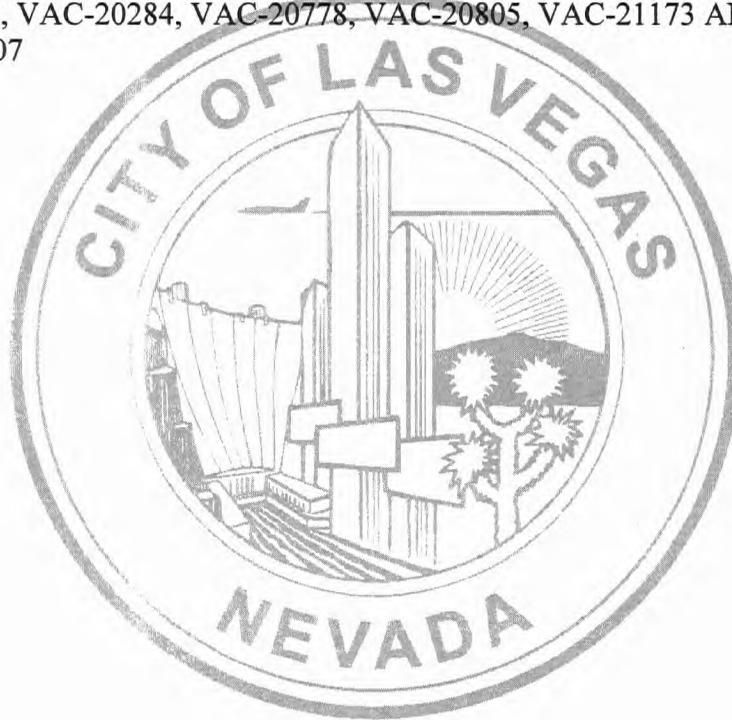
AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 6, 2007

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

Minutes:

SUP-20462, SUP-20501, 2UP-20741, SUP-20802, SUP-21005, SUP-21008, SUP-21168, SUP-21169, SUP-21171, RQR-19160, VAR-19672, VAR-20464, VAR-20472, VAR-20524, VSAR-20635, VAR-20782, VAR-20793, VAR-20816, VAR-21609, VAR-21632, VAR-21635, VAR-21724, SDR-20792, VAC-20284, VAC-20778, VAC-20805, VAC-21173 AND SNC-20845 - Agenda of 6/20/2007



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 6, 2007

SUBJECT:

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

BACKUP DOCUMENTATION

Submitted at meeting – Photographs of Walmart on Charleston Boulevard submitted by citizen

Minutes:

RASHAN JOSHUA COLLINS read from Nevada Revised Statutes. He claimed that he was injured during the Gay Pride Parade and is experiencing legal problems. He asked the Council to support him in fighting insurrection.

DANIEL PALMQUEST, Las Vegas resident, concurred with the previous speaker and also quoted from Nevada Revised Statutes. He suggested homosexual acts are illegal and should be stopped.

DOROTHY BARNES, Las Vegas resident, questioned MAYOR PRO TEM REESE if he was still granting special favors. She asked that people stop using her distress signal and remove her from their list.

A concerned citizen in wheelchair presented pictures showing lack of sidewalks at Walmart located on Charleston Boulevard and Paris Center, before Arville. He asked for some common courtesy. COUNCILWOMAN TARKANIAN requested a copy of the pictures. She acknowledged there have been sidewalk issues at this location.

JOE MAVIGLIA referred to Item 50 from the morning agenda. He gave a brief history of the bus system in Las Vegas and his efforts for better mass transit and expressed concern with the idea of moving the Downtown Transportation Center.

EVO GRECHOV, from Slovenia, Europe observed that no one is monitoring ADA compliance and suggested someone should instruct the construction industry.

ORLANDO DELGADO showed Council photographs of a building located at 713 East Sahara appearing to show a huge roach infestation. He placed calls with different jurisdictions and asked for someone to help MS. ANIFANT, who is 91 years old and is experiencing this issue. The agencies are failing the elderly people.

CITY COUNCIL MEETING OF: JUNE 6, 2007

MAYOR PRO TEM REESE thanked COUNCILWOMAN WILLIAMS for her help as interim Councilperson and for the leadership she has shown.

MEETING ADJOURNED AT 4:45 P.M.











