

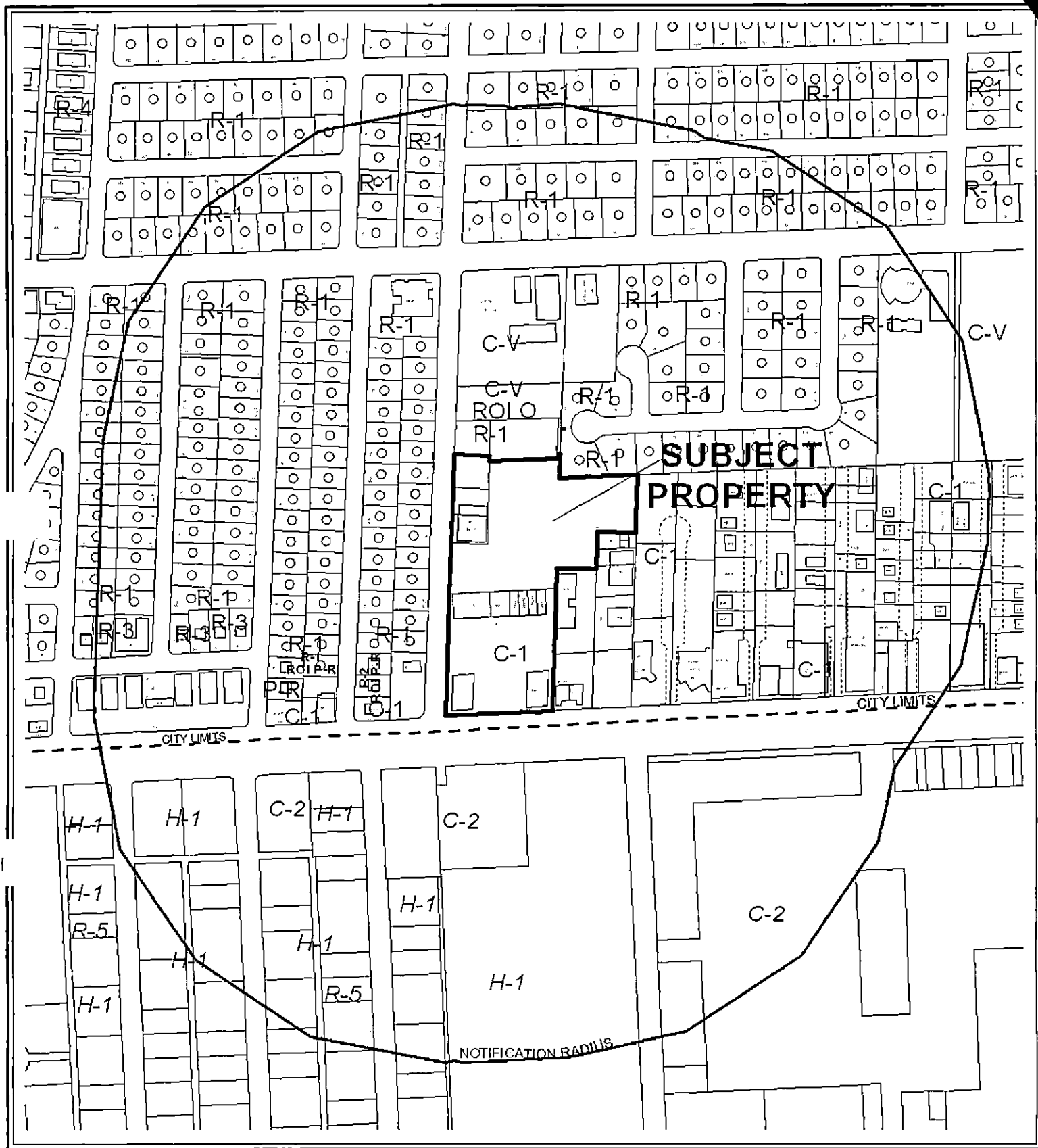
AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 13, 2008**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

ABEYANCE - SUP-25775 - SPECIAL USE PERMIT RELATED TO ZON-25776 AND VAR-25778 - PUBLIC HEARING - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: EXCEED PROPERTIES, INC., ET AL. - Request for a Special Use Permit FOR A 500-FOOT BUILDING IN THE A-O (AIRPORT OVERLAY) DISTRICT WHERE THE HEIGHT LIMITATION IS 175 FEET on 7.02 acres adjacent to the northeast corner of Sixth Street and Sahara Avenue (APNs 162-03-801-011, 013, 014, and 099; 162-03-811-001 through 084), C-1 (Limited Commercial) Zone, R-PD25 (Residential Planned Development - 25 Units per Acre) Zone, and R-1 (Single Family Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 3 (Reese)

C.C.: 04/16/2008**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****39****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****8****City Council Meeting****0****RECOMMENDATION:****DENIAL****BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest letters, protest/support postcards and telephone protests

Motion made by STEVEN EVANS to Deny --**Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0****SAM DUNNAM, DAVID STEINMAN, BYRON GOYNES, RICHARD TRUESDELL, STEVEN EVANS, VICKI QUINN, GLENN TROWBRIDGE; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)****Minutes:****See Item 21 for related backup and discussion.**



CASE: **SUP-25775**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD (RESIDENTIAL PLANNED DEVELOPMENT - 25 UNITS PER ACRE) AND
R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 200 400 Feet





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C-1 (LIMITED COMMERCIAL)

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City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 13, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SUP-25775 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: EXCEED PROPERTIES, INC., ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all minimum requirements under Title 19.06.080 for a project in the A-O (Airport Overlay) District.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-25776), Variance (VAR-25778), Special Use Permit (SUP-25779) and Site Development Plan Review (SDR-25773) 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. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 425-foot high mixed-use development in the A-O (Airport Overlay) District on 6.34 acres adjacent to the northeast corner of Sixth Street and Sahara Avenue. The overlay district limits height for the subject parcels to a maximum of 175 feet.

The subject proposal meets the provisions of Title 19.06.080 for the approval of a building height in excess of the 175-foot height limitation established for this area. However, the scale of the proposed development is not compatible with the surrounding area and is not in keeping with the goals and strategies as outlined in the Beverly/Southridge Neighborhood Plan; therefore, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/04/92	The City Council approved the appeal of the Planning Commission denial of a request for a Rezoning (Z-0107-91) from R-1 (Single Family Residential) and C-1 (Limited Commercial) to R-PD40 (Residential Planned Development – 40 Units per Acre) on 3.3 acres located on the east side of 6th Street north of Sahara Avenue. The request included a deviation from the five-acre minimum site area for an R-PD project (this now requires a variance). The City Council placed a condition on the approval restricting the rezoning to R-PD25 (Residential Planned Development – 25 Units per Acre) with a maximum of 84 units. A General Plan Amendment was not required. The Rezoning was subject to a 12-month Resolution of Intent. Staff recommended approval of the Rezoning on condition that it be restricted to R-PD36 (Residential Planned Development – 36 Units per Acre).
07/15/92	The City Council approved a Plot Plan Review [Z-0107-91(1)] for a proposed two-story, 84-unit condominium development on 3.3 acres on the east side of 6th Street north of Sahara Avenue. Staff recommended approval. (There was no Planning Commission hearing.)
07/23/92	The Planning Commission approved a Tentative Map (TM-0045-92) for an 84-unit condominium subdivision (Sixth Street Condominiums) on 3.3 acres located on the east side of 6th Street north of Sahara Avenue. Staff recommended approval.
10/22/92	The Planning Commission approved a name change [TM-0045-92(1)] of an approved Tentative Map (TM-0045-92) from Sixth Street Condominiums to Sahara Courtyards Condominiums. Staff recommended approval. The Planning Commission subsequently approved the Final Map (FM-0085-92) of Sahara Courtyards Condominiums. This map recorded on 05/21/93.

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04/21/93	The City Council approved a Special Use Permit (U-0031-93) to allow the sale of beer and wine within an existing restaurant at 600 East Sahara Avenue. The Board of Zoning Adjustment and staff recommended approval.
04/14/94	The Planning Commission approved a Plot Plan Review [Z-0107-91(2)] for a proposed two-story, 84-unit condominium development (12 buildings) on 3.3 acres on the east side of 6th Street north of Sahara Avenue. Staff recommended approval.
07/14/94	The Planning Commission approved an Amended Final Map [FM-0085-92(1)] for Sahara Courtyards Condominiums on 3.1 acres on the east side of 6th Street north of Sahara Avenue. The purpose of amending the map was to change the configuration of condominium units. The map was never recorded.
08/06/03	The City Council passed R-108-2003 adopting the Beverly Green/Southridge Neighborhood Plan.
08/04/04	The City Council tabled a request for a General Plan Amendment (GPA-4332) to amend a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) to M (Medium Density Residential) on 3.16 acres on the east side of 6th Street, approximately 360 feet north of Sahara Avenue. The Planning Commission and staff recommended approval.
01/13/05	The Planning Commission voted to Withdraw Without Prejudice a request for a General Plan Amendment (GPA-5661) to amend a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) to H (High Density Residential) on 3.2 acres on the east side of 6th Street, approximately 360 feet north of Sahara Avenue. Staff recommended denial.
01/10/08	This item was held in abeyance at the applicant's request to allow time to meet with the neighbors and make revisions to the project proposal.
02/14/08	This item was held in abeyance at the applicant's request to allow time to meet with the neighbors and make revisions to the project proposal.
03/13/08	Companion items for a Rezoning (ZON-25776), a Variance (VAR-25778), a Special Use Permit (SUP-25779) and a Site Development Plan Review (SDR-25773) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
Prior to 01/01/51	A business license, L11-00001, for a Beer Wine Cooler On-Off Sale category license for 610 East Sahara Avenue, Suite 2 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 01/24/02 due to a reclassification of the license type.
Prior to 01/01/51	A business license, C15-00281, for a Convenience Store category license for 610 East Sahara Avenue, Suite 2 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 01/29/02 due to a reclassification of the license type.
Prior to 01/01/51	A business license, L16-00042, for a Tavern category license for 620 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 11/18/02 due to a change of manager. *

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Prior to 01/01/51	A business license, R09-00027, for a Restaurant - Seating 45 or More category license for 620 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 12/13/02. *
Prior to 01/01/51	A business license, R23-00009, for a Recreational Instruction or Lessons category license for 610 East Sahara Avenue, Suite 11 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 02/12/03 due to a reclassification of the license type. *
Prior to 01/01/51	A business license, C05-00904, for a Tobacco Dealer - Retail category license for 610 East Sahara Avenue, Suite 2 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 02/12/03 due to a reclassification of the license type.
Prior to 01/01/51	A business license, R09-00070, for a Restaurant - Seating 45 or More category license for 600 East Sahara Avenue was issued by the Department of Finance and Business Services. This license was reissued on 10/01/03 due to a misplaced original. *
02/02/89	A building permit application, plan check M-0162-89, was submitted for the site. This was for a plan check review for an interior remodel of an existing restaurant at 600 East Sahara Avenue. This permit (89018670) was reviewed and approved by the Planning and Development Department on 02/02/98 and issued by the Building and Safety Department 03/22/89. This permit received a final inspection on 04/06/89.
05/17/89	A business license, B08-00846, for a Beauty/Cosmetics Sales category license for 610 East Sahara Avenue, Suite 6 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 12/04/02 due to a reclassification of the license type.
02/01/90	A business license, B04-01032, for a Barber Shop category license for 610 East Sahara Avenue, Suite 5 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 02/02/90 and reissued on 04/15/98 due to a change of suite numbering.
09/11/91	A business license, C11-04092, for a Masonry Contractor category license for 604 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 09/13/91 and reissued on 02/27/97. A "Cease and Desist" notice was issued 03/15/06. *
04/21/93	A business license, L09-00087, for a Beer Wine Cooler On Sale category license for 600 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 06/01/93 and reissued on 10/02/03 due to a misplaced original. *
07/21/97	A business license, B05-02665, for a Cosmetological Establishment category license for 610 East Sahara Avenue, Suite 6 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 07/29/97 and reissued on 04/15/98 due to a change of suite numbering.

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01/20/99	A business license, A01-01074, for an Administrative Office category license at 610 East Sahara Avenue, Suite 1 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 01/29/99. *
10/18/00	A business license, F14-00035, for an Auto Title Loans category license for 610 East Sahara Avenue, Suite 10 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 10/31/00 and reissued on 11/30/07 due to a change of ownership. *
09/07/01	A business license, R10-00045, for a Food Caterer category license for 600 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 09/27/01 and reissued on 12/17/02 due to a misplaced original. *
01/12/04	A business license, M09-00080, for a Mail Box Center category license for 610 East Sahara Avenue, Suite 7 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 01/15/04. *
12/17/04	A business license, M01-08415, for a Maintenance Services - Janitorial category license for 610 East Sahara Avenue, Suite 7 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 12/23/04 and reissued on 02/09/05. *
12/23/04	A business license, C07-03299, for a Clothing Store category license for 610 East Sahara Avenue, Suite 13 was processed in by the Department of Finance and Business Services. This license was approved by the Planning and Development Department on 05/20/05 and issued by Business Services on 06/21/05.
05/02/05	A business license, A04-00084, for an Advertising Space Leasing or Selling category license for 610 East Sahara Avenue, Suite 7 was processed in by the Department of Finance and Business Services. This license was approved by the Planning and Development Department on 05/09/05 and issued by Business Services on 05/10/05.
06/23/06	A building permit application, plan check L-0889-06, was submitted for the site. This was for a plan check review for a tenant improvement (stone entry/floor plan remodel) for a certificate of occupancy at 620 East Sahara Avenue. This permit (07000608) was reviewed and approved by the Planning and Development Department on 07/10/06 and issued by the Building and Safety Department 02/15/07. A revision of the architectural, plumbing, and electrical drawings were reviewed and approved 03/19/07. This permit received a final inspection on 05/15/07.
10/30/07	A business license, C21-00192, for a Check Cashing Service category license for 610 East Sahara Avenue, Suite 10 was processed in by the Department of Finance and Business Services. This license was approved by the Planning and Development Department on 11/16/07 and issued by Business Services on 11/30/07.

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Pre-Application Meeting	
11/16/07	A pre-application meeting was held, where submittal requirements and elements of this application were discussed. Specifically, staff listed and described several major issues with the project as follows: • Of primary concern is the multiple General Plan designations over the site (C, SC and L) and whether the full site would be included in the Downtown Redevelopment Area when it is all reverted to one parcel. The applicant was advised to submit a General Plan Amendment for the SC (Service Commercial) and L (Low Density Residential) parcels while an answer was sought. • A Waiver of residential adjacency standards must be requested as a part of the Site Development Plan Review application. • A Merger and Resubdivision map would need to be recorded prior to issuance of permits. • NDOT approval is required for any driveway on Sahara. • Subterranean parking was an issue, due to the high water table in the area and the expense of digging through hard caliche. • The applicant was informed of the strict time limits on any future Tentative Map approvals—project must be completed within two years or a new map must be submitted. • A Development Impact Notice and Assessment and Project of Regional Significance questionnaire must be completed, signed and submitted as part of the submittal package. • A neighborhood meeting is required if a General Plan Amendment application is submitted; however, a meeting was recommended even if no amendment is submitted. • The area on the site plan labeled “Central Plant” needed to be more detailed for the submittal.
Neighborhood Meeting	
01/29/08	A neighborhood meeting was held at the Trinity Life Center, 1000 East St. Louis Street. Thirty-eight members of the public, two representatives of the applicant, and one member of the Planning and Development staff attended. Those in attendance had the following comments and concerns: • Concern regarding number and location of entrances off 6th Street. • Traffic on 6th Street and St. Louis Avenue and parking intensity. • Residential adjacency waivers issue. • Property values – effect of density apartments rather than condos. • Screening of activity podiums and hours of operation. • Shade and shadow study presented. • Traffic study to be done prior to Planning Commission. • Estimate new students into CCSD. • Exterior lighting and signage question.

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	• Use of fire retardant coverings. • Apartments to be medium income target. • Small unit sizes. • Tower out of scale with neighborhood. • Not in compliance with Southridge / Beverly Green Neighborhood Plan (albeit non-binding). • Construction staging plan. The majority of those in attendance had significant concerns and opposed the project. A minority were in favor.
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* This business license has been issued with no indication that it was reviewed or approved by the Planning and Development Department.

Field Check	
12/06/07	The Department of Planning and Development conducted a site visit that found that the south side of the site is developed with a shopping center and two restaurant pads. There is a large mobile storage container in the parking lot area of the shopping center. A low wall with an approximately eight-foot wrought iron fence is located along the north property line of the shopping center. Along 6th Street to the north is a radio station, also with a mobile storage container in the parking area. The rest of the site is undeveloped, except for a private street that is an extension of the road servicing several office buildings to the east of the subject site. This street terminates in a cul-de-sac with an arm jutting out. Cut-through traffic across the site from 6th Street to this private street was observed, although there are no curb cuts on 6th Street except at the radio station.

Details of Application Request	
Site Area	
Net Acres	6.34

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
	Undeveloped (w/ full cul-de-sac terminus)	SC (Service Commercial)	R-PD25 (Residential Planned Development – 25 Units per Acre)
	Radio Broadcasting	SC (Service Commercial)	R-1 (Single Family Residential)

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North	Undeveloped	SC (Service Commercial)	R-1 (Single Family Residential)
	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Auto Repair	CT (Commercial Tourist – Clark County Designation)	C-2 (General Commercial – Clark County Designation)
	Multi-Family Residential	CT (Commercial Tourist – Clark County Designation)	H-1 (Limited Resort and Apartment – Clark County Designation)
East	Restaurant	C (Commercial)	C-1 (Limited Commercial)
	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
	Undeveloped (w/ partial cul-de-sac terminus)	C (Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Auto Parts (New and Rebuilt)	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Beverly Green/Southridge Neighborhood 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			
A-O Airport Overlay District (175 Feet)	X		N ***
Trails		X	n/a
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment	X		Y ****
Project of Regional Significance	X		Y ****

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- * The proposed project does not reflect Strategy 1 as outlined under Issue 2 of the Existing Land Uses section of The Beverly/Southridge Neighborhood Plan which requests: “any development whose building foundation is within 300’ of property zoned for a single-family residential home be required to adhere to Title 19.08.060 Residential Adjacency Standards.”
- ** Only one of the subject site’s parcels (162-03-801-099), which contains existing retail and commercial uses, is located within the Downtown Redevelopment Area.
- *** The proposed height of the residential tower, 425 feet, exceeds the height limitation of 175 feet for this area established by the McCarran International Airport Overlay Map portion of A-O (Airport Overlay) District. This special use permit has been submitted pursuant to Title 19.06.080 and if approved would grant relief from the height limitation.
- **** Pursuant to Ordinance No. 5227, the project under review outlines a project that meets the threshold that defines a “Project of Significant Impact” as outlined in the ordinance for a development in excess of 500 residential units. Further, pursuant to Ordinance No. 5477, the proposed project is deemed to be a “Project of Regional Significance,” as there are requests for Special Use Permits within 500 feet of the City’s boundary with unincorporated Clark County. Two Special Use Permits are requested in conjunction with this project. The applicant has prepared and submitted, as part of the overall project submittal, an impact report as required by the Ordinances for referral to affected agencies. As of 12/26/07, comments have only been received from the following agencies:
 - The Collection Systems Planning section of the city of Las Vegas Department of Public Works comments that in respect to wastewater, the developer of this project shall provide a sewer connection & abandonment plan of any existing sewer lines within this project to the Collection Systems Planning section of The City of Las Vegas per Section 10 of the Development Impact Notice and Assessment (DINA).
 - The City of Las Vegas Flood Control Section of the Department of Public Works will require a technical drainage study for the related Site Development Plan Review (SDR-25773) for this mixed use project.
 - The Metropolitan Police Department has determined that the proposed project has the potential to increase calls for service and increase response times in the Downtown Area Command.

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DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	n/a	276,170 SF	n/a
Min. Lot Width	100 Feet	306 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y *
• Side	10 Feet	52 Feet	Y
• Corner	15 Feet	41 Feet	Y **
• Rear	20 Feet	48 Feet	Y **
Max. Lot Coverage	50%	46%	Y
Max. Building Height	n/a	425 Feet (38-Stories)	n/a
Trash Enclosure	Gated and Screened	Enclosure (A part of the building, access from east service drive)	Y
Mech. Equipment	Screened	Screened	Y

* The setback complies with C-1 (Limited Commercial) district standards, but does not comply with meet the 1:1 stepback ratio for the portion of the height above 35 feet. A companion Variance (VAR-25778) has been requested and if approved will grant relief from the city standard.

** The setback complies with C-1 (Limited Commercial) district standards, but does not comply with Residential Adjacency setbacks. A waiver has been requested as a part of the Site Development Plan Review (SDR-25773) that if approved it would grant relief from the city standards.

ANALYSIS

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as SC (Service Commercial) on the northern portion. This category allows for low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The SC (Service Commercial) category may also allow mixed-use development with a residential component where appropriate. The southern portion of the project 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) General Plan land use categories. The proposed use is in conformance with these land use designations.

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There is a Rezoning (ZON-25776) proposed to change the zoning of the northern portion of the project site from an R-1 (Single Family Residential) and R-PD25 (Residential Planned Development – 25 Units per Acre) zoning districts to a C-1 (Limited Commercial) zoning district. This would bring the entire project area into a single C-1 (Limited Commercial) zoning district. The existing radio broadcasting and retail uses are permissible in a C-1 (Limited Commercial) zoning district and the proposed mixed-use development is permissible with the approval of a Special Use Permit (SUP-25779) and would then be consistent with the existing SC (Service Commercial) and C (Commercial) General Plan designations.

The site is within the McCarran International Airport Overlay Map portion of the A-O (Airport Overlay) District. The proposed height of the tower, 425 feet, exceeds the height limitation of 175 feet for this area. This request has been submitted pursuant to Title 19.06.080 and if approved would grant relief from the height limitation.

As previously noted, the southern portion of 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 Beverly/Southridge Neighborhood Plan area at the southern edge of the plan boundaries. The neighborhood plan is intended to serve as a set of guiding principles for the area. The proposed project does not reflect Strategy 1 as outlined under Issue 2 of the Existing Land Uses section of The Beverly/Southridge Neighborhood Plan which requests “any development whose building foundation is within 300’ of property zoned for a single-family residential home be required to adhere to Title 19.08.060 Residential Adjacency Standards.” This strategy is mainly a response to a concern regarding potential negative impacts a high rise structure may cause if built in the area with the goal being to “actively oppose any negative aesthetic effects a high rise structure may pose to the neighborhood.” There is a request for a waiver of the residential adjacency standards as a part of the Site Development Plan Review (SDR-25773) that exemplifies how the proposed development does not meet the intent of the neighborhood plan with regard to the building’s proposed height in relation to the neighboring single family residential homes.

Pursuant to Title 19.06.080, the provisions for a Special Use Permit to exceed the height limitation in the 175-foot limitation zone of the A-O (Airport Overlay) District are:

1. Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use property in a manner which would exceed the limitations of this subchapter may apply to the Planning Commission for a Special Use Permit. The Special Use Permit application shall be processed in accordance with the Special Use Permit procedures set forth in Subchapter 19.18.060, except that:
 - a. The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application prior to the time of submission; and

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- b. Any approval by the Planning Commission must be referred automatically to the City Council for final disposition.
2. Notwithstanding the preceding provisions of this subchapter, no Special Use Permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this subchapter or any amendment thereto

This special use permit has been submitted in conjunction with a Rezoning (ZON-25776) to change the northern portion of the project site to a C-1 (Limited Commercial) zoning district, a Variance (VAR-25778) to allow a deviation of the 1:1 setback requirement above 35 feet where adjacent to a collector street or larger, a Special Use Permit (SUP-25779) to allow a mixed-use development with residential uses in the proposed C-1 (Limited Commercial) zoning district and Site Development Plan Review (SDR-25773) to site a proposed 38-story mixed-use development that includes 108,500 square feet of commercial area and 676 residential units.

The request to exceed the A-O (Airport Overlay) District height of 175 feet is not appropriate in this area even if all necessary approvals from the Federal Aviation Administration and Clark County Department of Aviation are obtained per Title 19.06.080. Due to the incompatibility of this development with the surrounding present and future area development and the building's height being in conflict with the neighborhood plan for the area, staff is recommending denial of this special use permit.

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 design of the development adequately separates the commercial and residential components on-site; however, the scale of the proposed development may have significant impact on the adjacent land uses. The scale and scope of the proposed residential use can not be conducted in a manner that is harmonious and compatible with the existing surrounding land uses, and those future uses as projected by the General Plan.

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

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Provided that the subsurface conditions are able to accommodate the four levels of below ground parking and tower support structure, the subject site is physically suitable for the intensity of use proposed by the applicant.

- 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.”**

South 6th Street, a 60-foot local street, will be the principal vehicular access point for guests and the valet service with additional access via a private access drive off of East Sahara Avenue, a 150-foot primary arterial street, for building residents and commercial tenants. Further, the frontage along East Sahara Avenue will be used by pedestrians patronizing the ground-floor commercial businesses and has access to public transportation, which may assist in reducing the number of vehicle trips generated by the development. The scope of this project and the added traffic on South 6th Street will likely result in a negative impact on adjacent roadways and neighborhood traffic. Mitigation measures suggested by the required Traffic Impact Analysis may reduce these negative impacts.

- 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.”**

Provided that there are no impacts to existing flight routes and patterns, approval of this special use permit will not compromise public health, safety or welfare. However, the scope and scale of the proposed development that necessitates a Variance (VAR-25778) for a deviation of Title 19.08.030 (C) – Building Heights Along Streets Classified as Collector or Larger and waiver of Title 19.08.060 – Residential Adjacency Standards is not consistent with Goal 2 of the General Plan which states that mature neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation.

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

This special use permit is required as a provision of Title 19.06.080 and has no applicable conditions under Title 19.04. Pursuant to Title 19.06.080, a Director’s Permit application must be approved by the Clark County Department of Aviation prior to the issuance of a building permit.

SUP-25775 - Staff Report Page Thirteen
March 13, 2008 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 323

APPROVALS 7

PROTESTS 21

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-25775** APN: 162-03-801-011 162-03-801-013 162-03-801-014 162-03-801-120 162-03-810-015

Name of Property Owner: FAITH COMMUNICATIONS CORP.

Name of Applicant: Exceed Properties, Inc.

Name of Representative: ED VANCE & ASSOCIATES - CHRIS RICHARDSON

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: Restall, Pres.

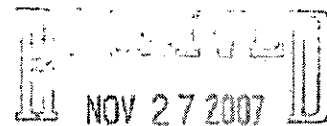
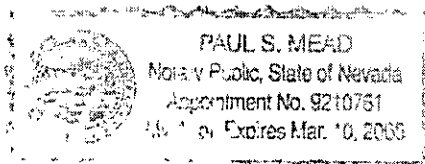
Print Name: BRAD STAHELI PRESIDENT

Subscribed and sworn before me

This 19TH day of Nov., 2007

Notary Public in and for said County and State

Revised 11-14-06



f:\deport\Application Packet\Statement of Financial Interest.doc

Case Number: **SUP-25775** APN: 162-03-801-099
Name of Property Owner: J. WOOD E. SAHARA LLC
Name of Applicant: EXCEED PROPERTIES, LLC
Name of Representative: ED YALE & ASSOCIATES - CHRIS RICHARDSON

 Yes ☒ No

APN: _____

Print Name: KHACHIK TOOMIAN'S Macgregor Park.

MATT V. MATTEVOSSIAN
 COMM. #1504248
 Notary Public - California
 Los Angeles County
 My Comm. Expires Aug. 25, 2008



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-25775** APN: 162-03-811-000

Name of Property Owner: EXCEED PROPERTIES, INC.

Name of Applicant: EXCEED PROPERTIES, INC.

Name of Representative: ED VANCE & ASSOCIATES - CHRIS RICHARDSON

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

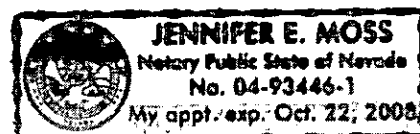
Signature of Property Owner: Charles V. Miles

Print Name: Charles V. Miles

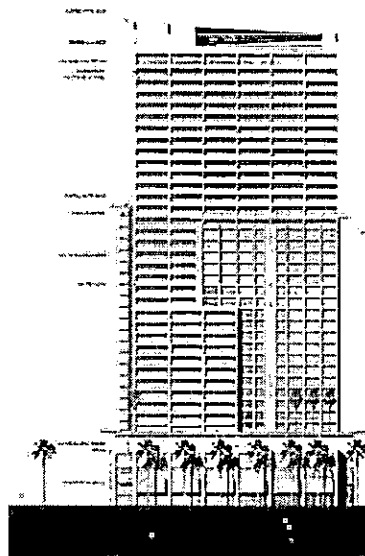
Subscribed and sworn before me

This 19 day of November, 20 07

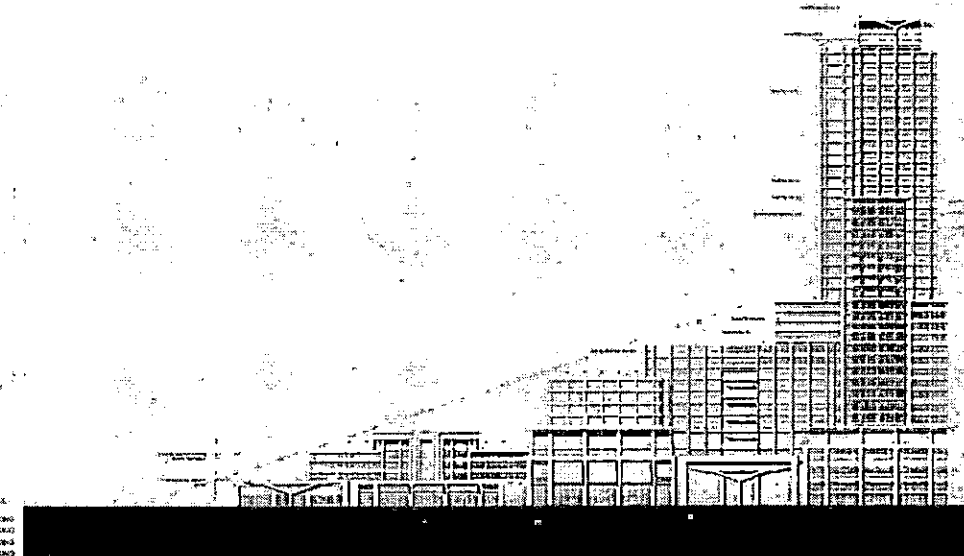
Jennifer E. Moore
Notary Public in and for said County and State



NOV 27 2007



425'-0"	TOP OF ROOF
415'-0"	TOP OF ROOF
405'-0"	TOP OF ROOF
395'-0"	LEVEL 30 - 10478
385'-0"	LEVEL 29 - 10478
375'-0"	LEVEL 28 - 10478
365'-0"	LEVEL 27 - 10478
355'-0"	LEVEL 26 - 10478
345'-0"	LEVEL 25 - 10478
335'-0"	LEVEL 24 - 10478
325'-0"	LEVEL 23 - 10478
315'-0"	LEVEL 22 - 10478
305'-0"	LEVEL 21 - 10478
295'-0"	LEVEL 20 - 10478
285'-0"	LEVEL 19 - 10478
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265'-0"	LEVEL 17 - 10478
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0'-0"	LEVEL -10 - 10478



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35'-0"	LEVEL -6 - 10478
25'-0"	LEVEL -7 - 10478
15'-0"	LEVEL -8 - 10478
5'-0"	LEVEL -9 - 10478
0'-0"	LEVEL -10 - 10478

SOUTH ELEVATION

WEST ELEVATION



ED VANCE AND ASSOCIATES
ARCHITECTS
10000 S. LAS VEGAS AVENUE, SUITE 100
LAS VEGAS, NEVADA 89144
P. 702.466.9191 F. 702.466.9194
www.edvancearchitects.com

EXTERIOR ELEVATIONS

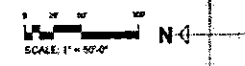
SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776
SUP-25775
SDR-25773
03/13/08 PC

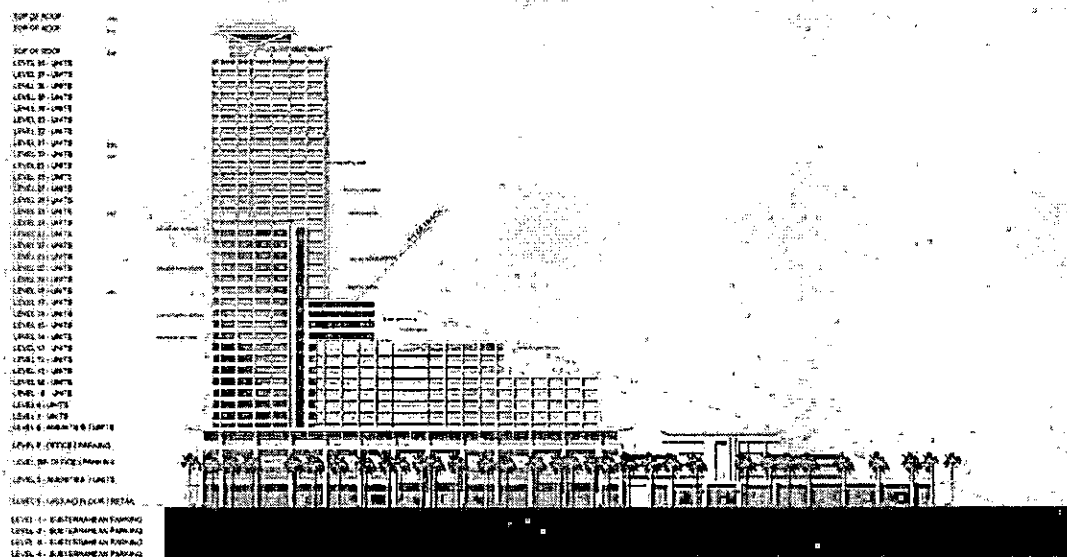
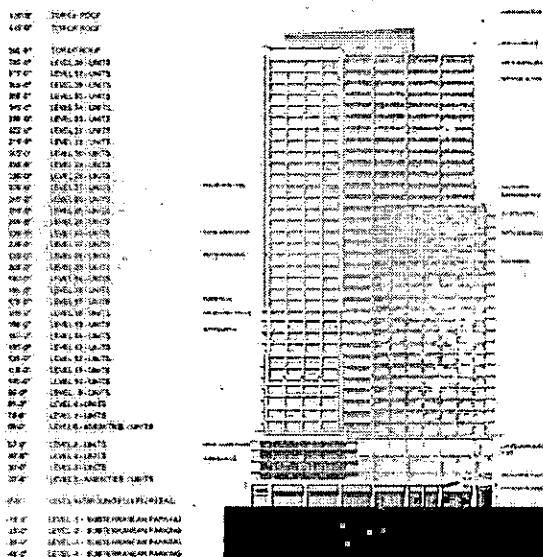
VAR-25778
SUP-25779
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EVA
ELECTRONIC VEHICLE ACCESS

ED VANCE AND ASSOCIATES
205 FAYETTE, INTER OFFICE SUITE 200
LAS VEGAS, NEVADA 89101
P 702.462.1141 F 702.462.1166
www.edvanceassociates.com

EXTERIOR ELEVATIONS

SAHARA AVENUE & SIXTH STREET MIXED-USE

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SUP-25775

SDR-25773

VAR-25778

SUP-25779

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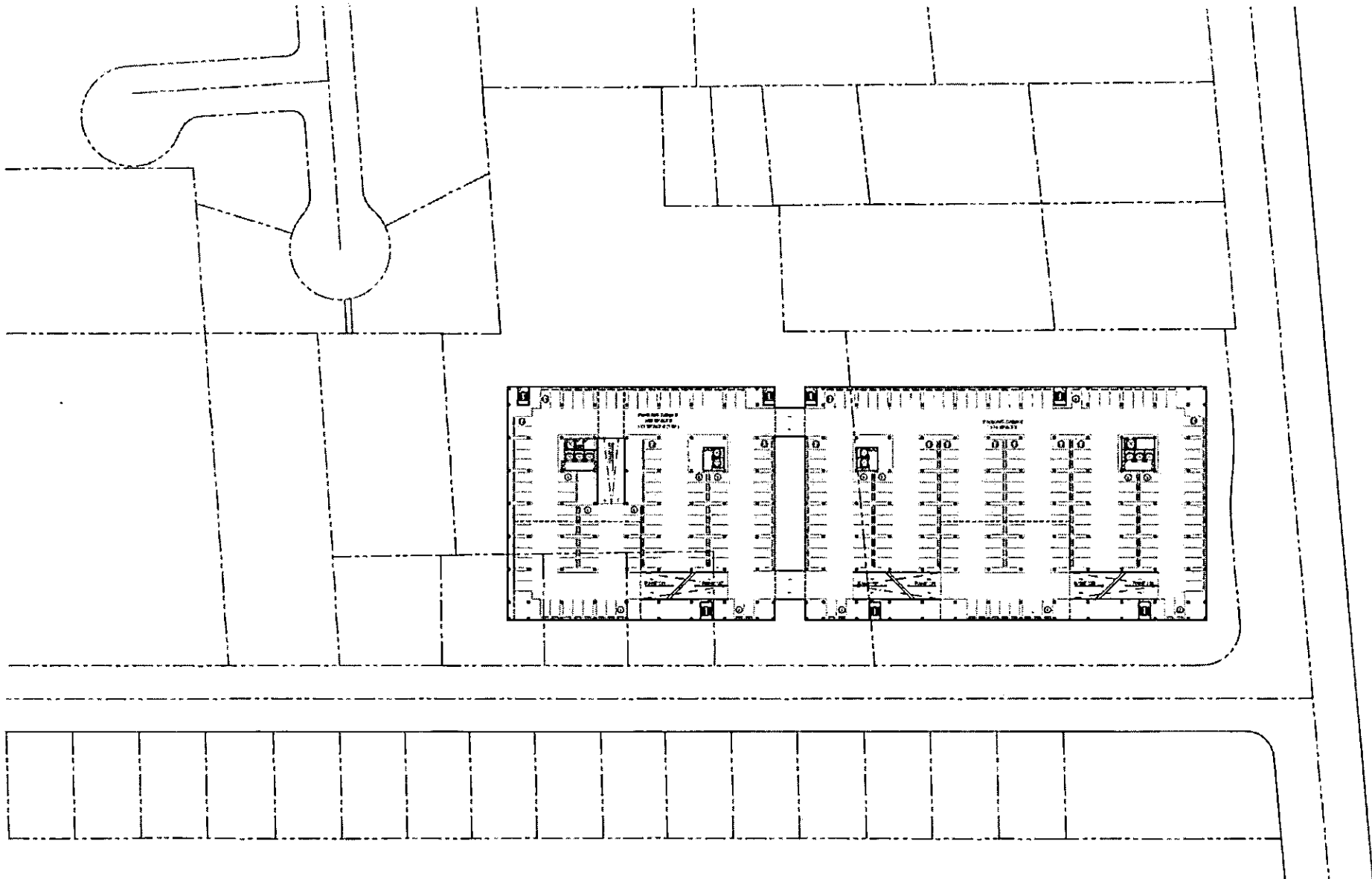
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300 LAS VEGAS AVENUE, SUITE 1000
LAS VEGAS, NEVADA 89101
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FLOOR PLAN - SUBTERRANEAN LEVELS -1 THRU -4

SAHARA AVENUE & SIXTH STREET MIXED-USE **ZON-25776**

VAR-25778

FEBRUARY 22, 2008

LAS VEGAS, NEVADA



SUP-25775

SUP-25779

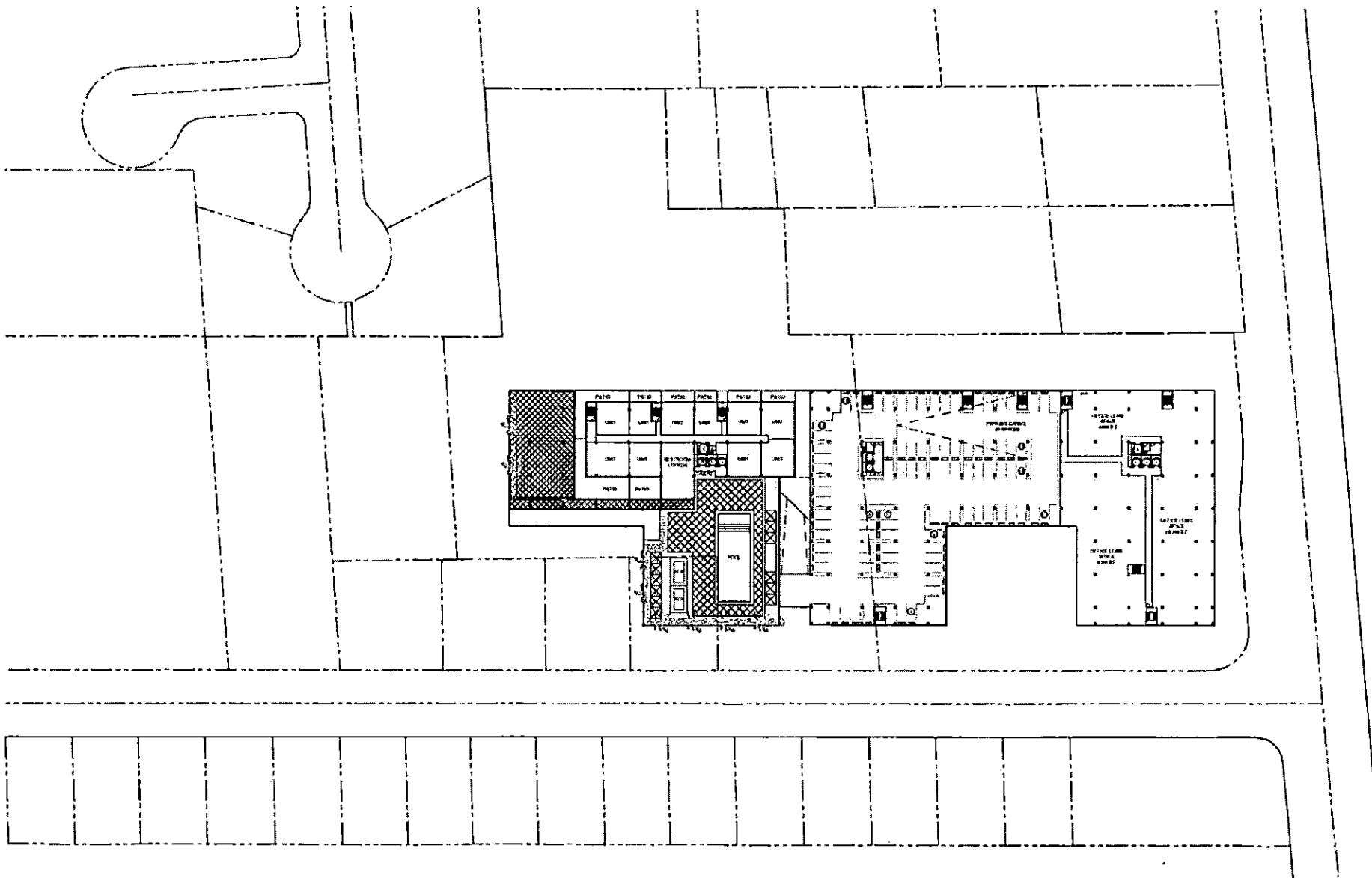
SDR-25773

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03/13/08 PC

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300 S. CAVALIER DRIVE, SUITE 100
LAS VEGAS, NEVADA 89144
P. 702.946.8100 F. 702.946.8101
www.edvanceassociates.com

FLOOR PLAN - TOWER LEVEL 2 (3-4 SIM)

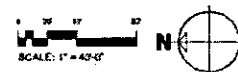
SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776
SUP-25775
SDR-25773
03/13/08 PC

VAR-25778
SUP-25779
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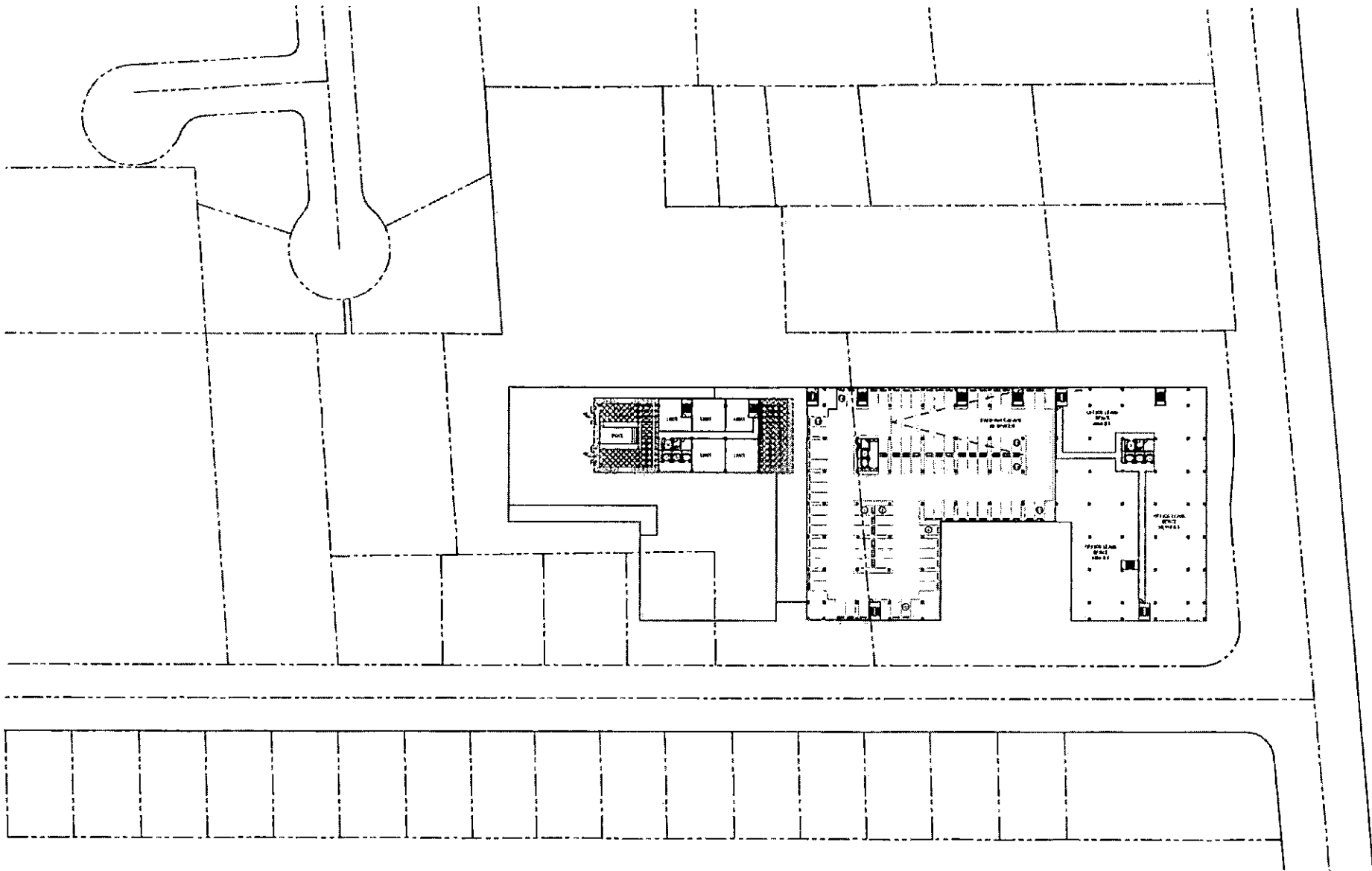
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300 LAS VEGAS AVENUE, SUITE 2000
LAS VEGAS, NEVADA 89101
P. 702.344.8100 F. 702.344.8106
www.edvancearchitects.com

FLOOR PLAN - LEVEL 5

SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776

SUP-25775

SDR-25773

03/13/08 PC

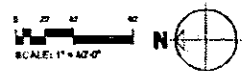
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SUP-25779

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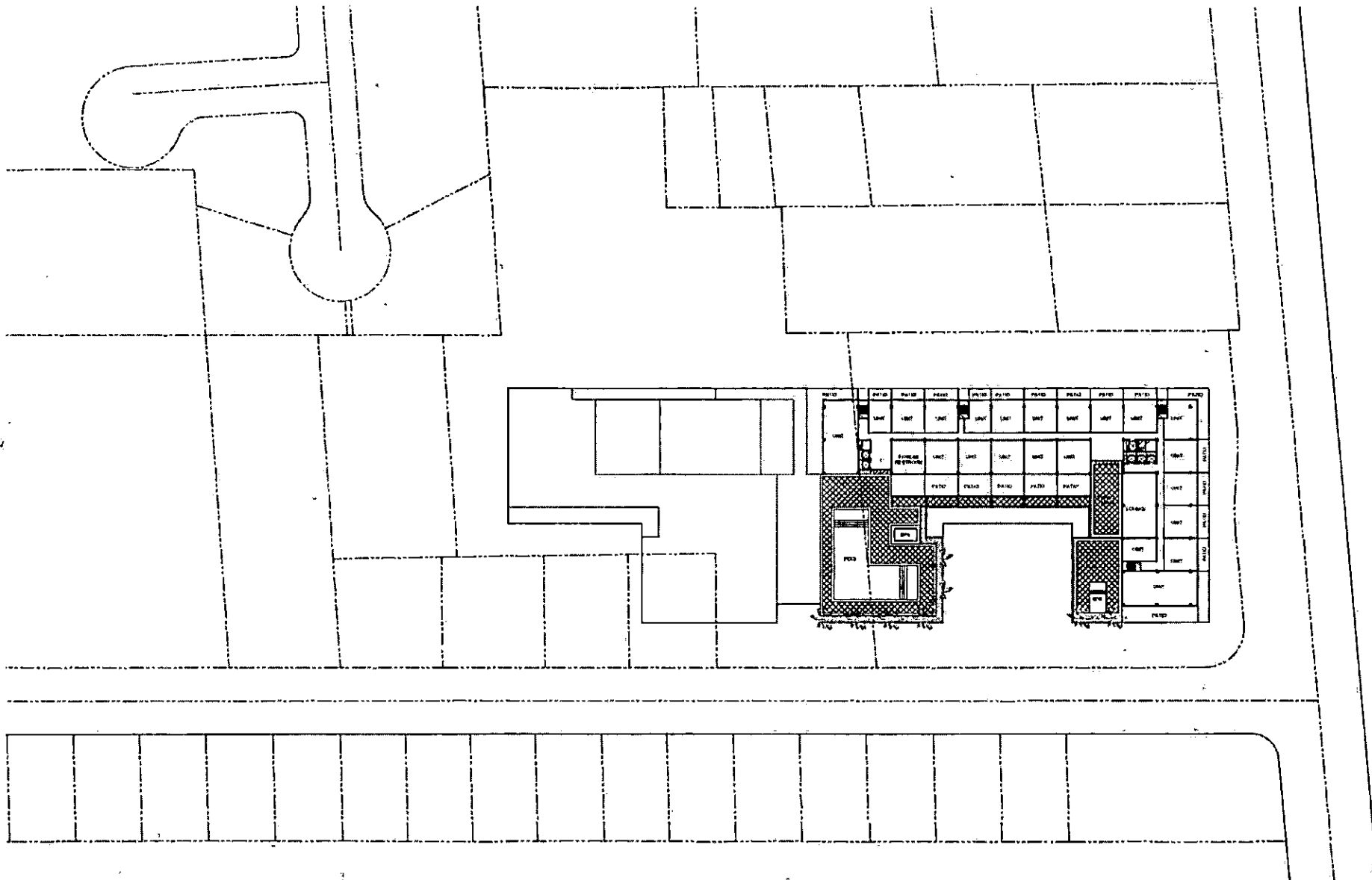
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 800 S. VANCE DRIVE, SUITE 100
 LAS VEGAS, NEVADA 89146
 P. 702.846.0139 F. 702.846.0138
 www.bo VanceAssociates.com

FLOOR PLAN - TOWER LEVEL 6 (Z-9 SIM.)

SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776

SUP-25775

SDR-25773

03/13/08 PC

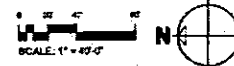
VAR-25778

SUP-25779

REVISED

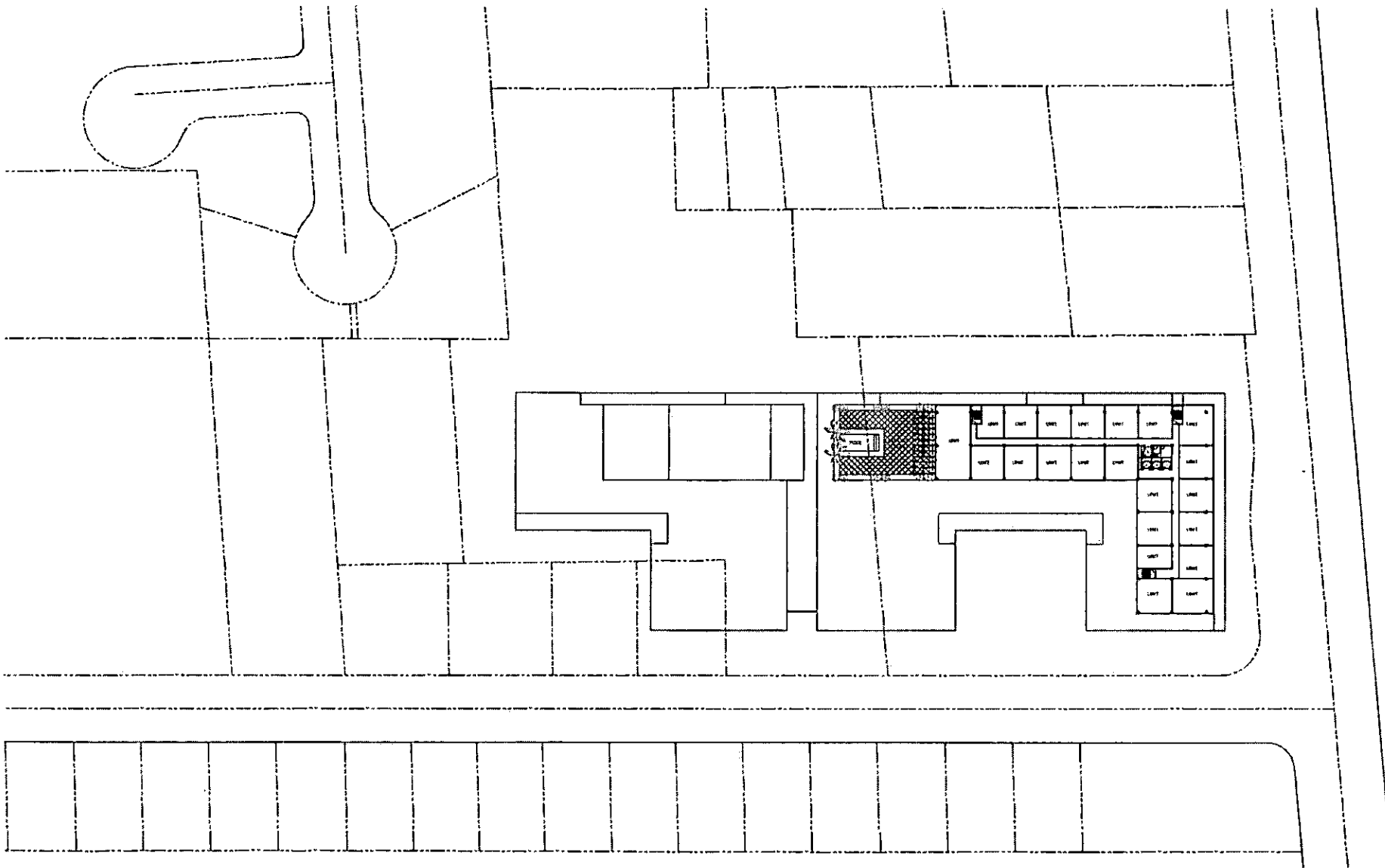
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ED VANCE AND ASSOCIATES
 801 S. VANCE DRIVE, SUITE 200
 LAS VEGAS, NEVADA 89144
 P: 702.446.8119 F: 702.446.8190
 www.edvassociates.com

FLOOR PLAN - TOWER LEVEL 10 (11-12 SIM.)

SAHARA AVENUE & SIXTH STREET MIXED-USE **ZON-25776**

VAR-25778

FEBRUARY 22, 2008

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SUP-25775

SUP-25779

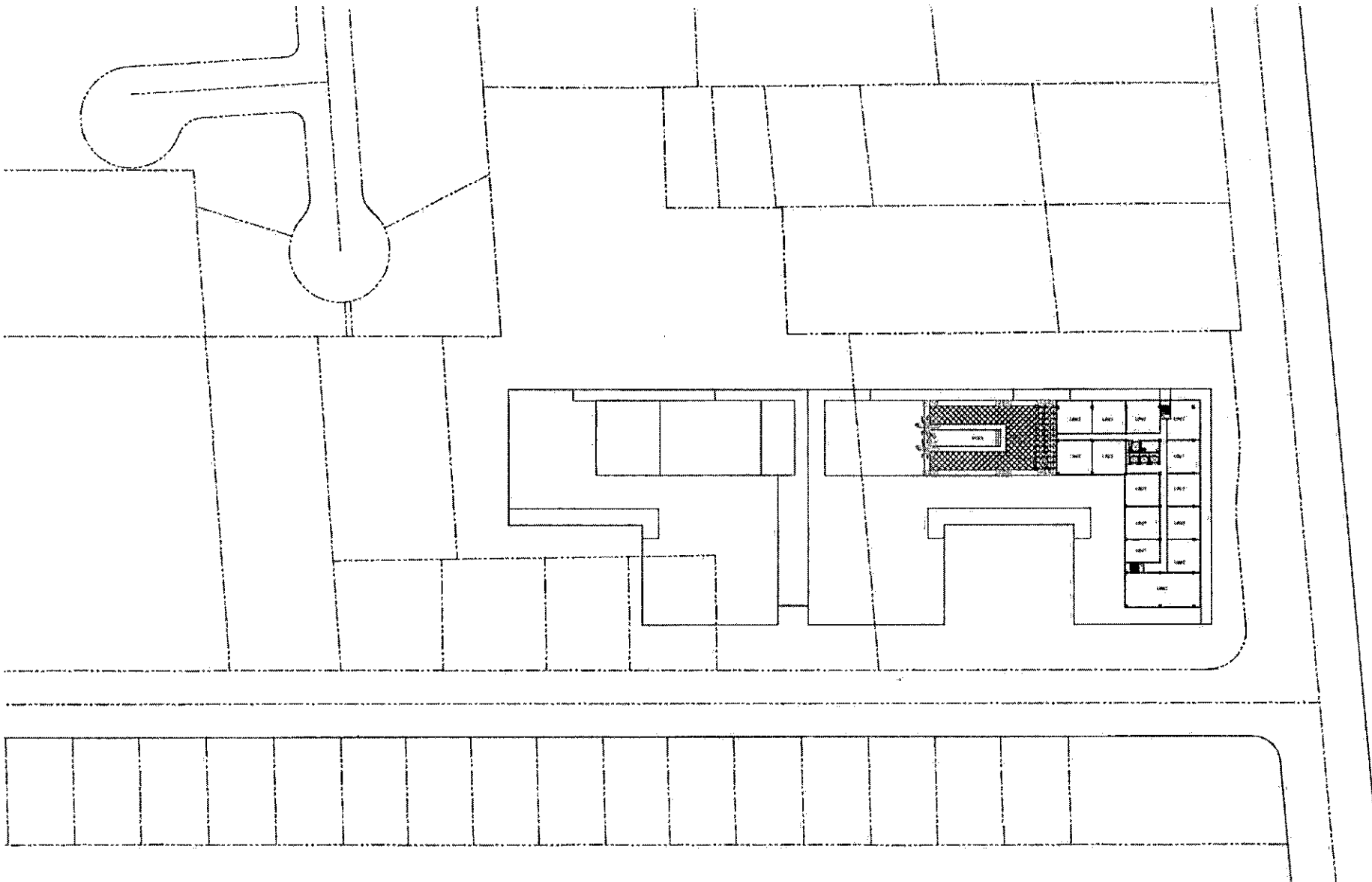
SDR-25773

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 100 S. PAVILION CENTER DRIVE SUITE 100
 LAS VEGAS, NEVADA 89144
 P. 702.946.8198 F. 702.946.8199
 www.edvanceandassociates.com

FLOOR PLANS - TOWER LEVELS 13 (14-16 SIM.)

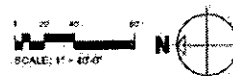
SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776

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FEBRUARY 22, 2008

LAS VEGAS, NEVADA



SUP-25775

SUP-25779

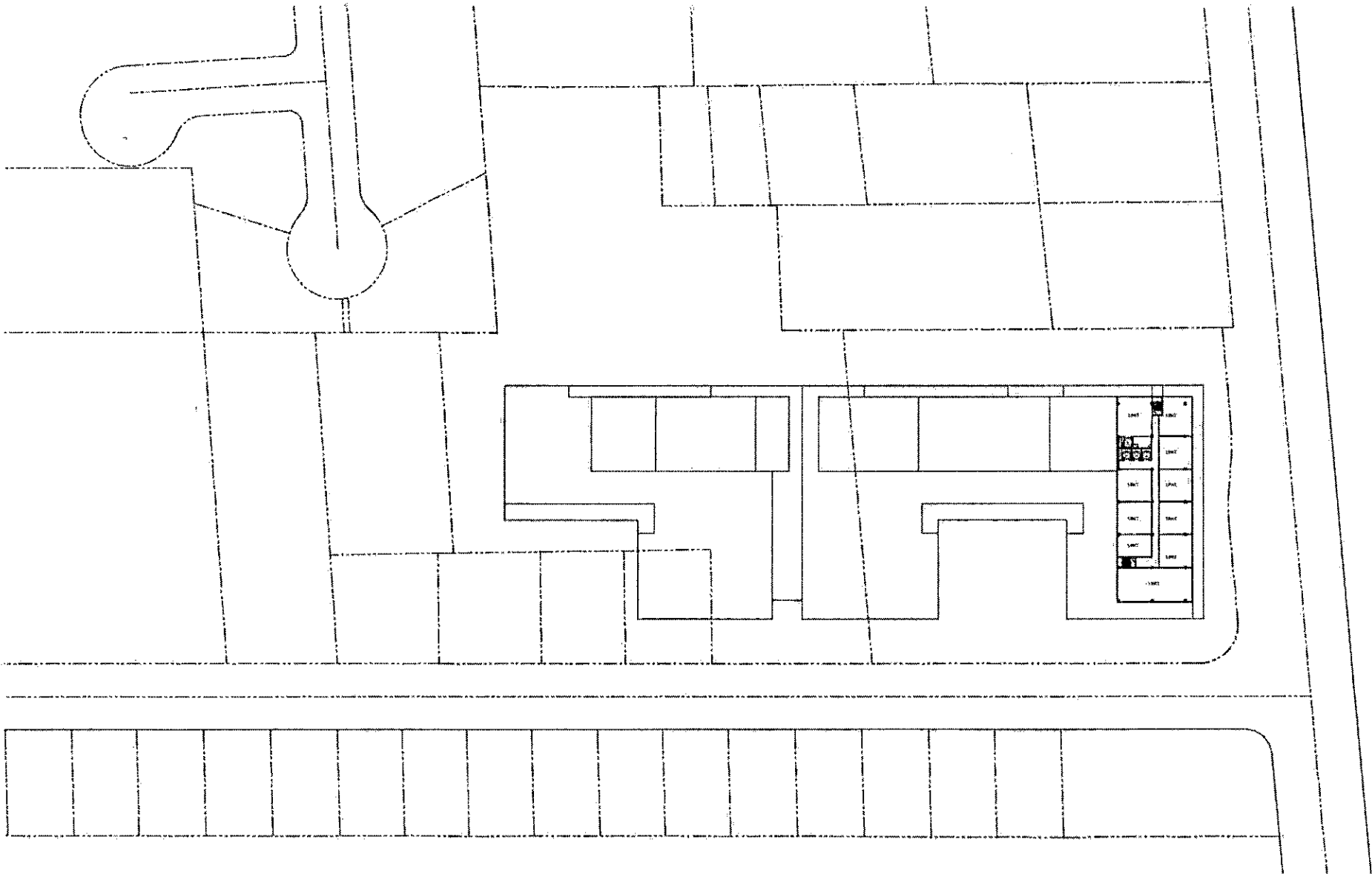
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ED YAMAS AND ASSOCIATES
 800 S. HAYDEN AVENUE, SUITE 100
 LAS VEGAS, NEVADA 89144
 P. 702.544.5100 F. 702.544.5100
 www.edyamas.com

FLOOR PLANS - TOWER LEVELS 17-38

SAHARA AVENUE & SIXTH STREET MIXED-USE **ZON-25776 VAR-25778**

SUP-25775 SUP-25779

SDR-25773 REVISED

03/13/08 PC

FEBRUARY 22, 2008

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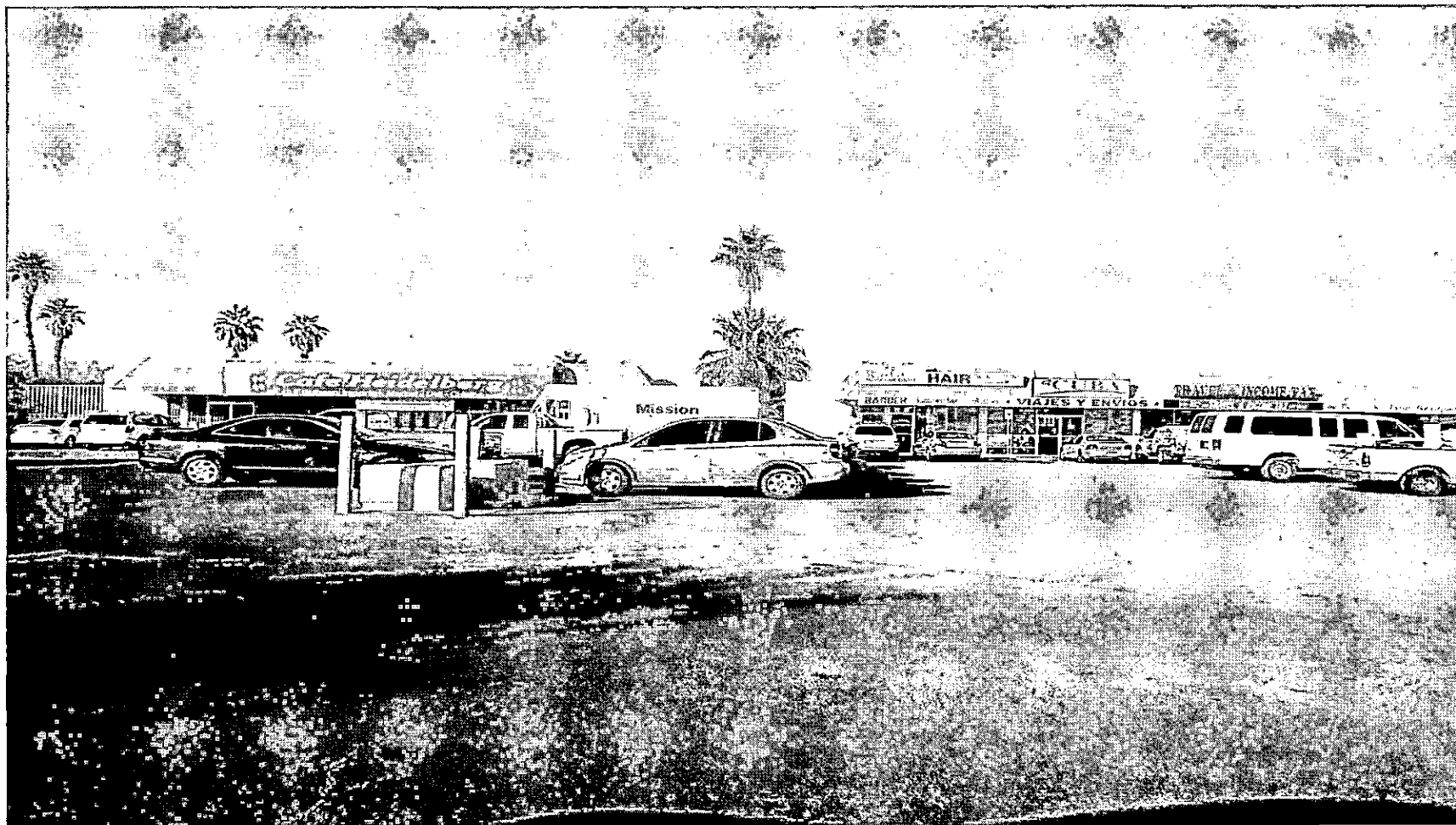
ZON-25776, VAR-25778, SUP-25775, SUP-25779 AND SDR-25773 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: FAITH COMMUNICATIONS CORPORATION
ADJACENT TO THE EAST SIDE OF SIXTH STREET, APPROXIMATELY 730 FEET NORTH OF SAHARA AVENUE AND 290 FEET EAST OF SIXTH STREET
JANUARY 10, 2008 PLANNING COMMISSION

12/11/07



ZON-25776, VAR-25778, SUP-25775, SUP-25779 AND SDR-25773 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: FAITH COMMUNICATIONS CORPORATION
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ZON-25776, VAR-25778, SUP-25775, SUP-25779 AND SDR-25773 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: FAITH COMMUNICATIONS CORPORATION
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ZON-25776, VAR-25778, SUP-25775, SUP-25779 AND SDR-25773 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: FAITH COMMUNICATIONS CORPORATION
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JANUARY 10, 2008 PLANNING COMMISSION

12/11/07



February 25, 2008

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

Re: Revised Justification Letter Regarding Application(s) for
SDR-25773, SUP-25775, ZON-25776, VAR-25778, SUP-25779
For the Property located at NEC Sahara Avenue & 6th Street
APN #'s 162-03-801-011, 013, 014, 015, 120, 099; 162-03-811-000 (the
"Property")

To Whom It May Concern:

This letter is written on behalf of the applicant, Exceed Development LLC, and shall serve as the required justification letter for the associated applications for the parcels listed above, an approximate 7 net acre mixed-use project at the Property.

The Property is located on the north side of Sahara Avenue and the east side of 6th Street. A portion of the Property, APN #162-03-801-099, lies within the City's Redevelopment Area. The General Plan calls for the land-use to be "C" and "SC" or General Commercial and Service Commercial.

The specific SUP applications and requested waivers associated with this Site Development Review and Re-Zoning application are as follows:

- SUP requested for Mixed-Use in a C-I zone
- SUP requested for Height within Airport Overlay
- Variance requested for encroachment into the height/setback along a street classified as a collector or larger.
- Waiver of Development Standards requested for encroachment into the residential adjacency height/setback.

ZON-25776 VAR-25778
SUP-25775 SUP-25779
SDR-25773 REVISED
03/13/08 PC

900 South Pavilion Center Drive-Suite 160
Las Vegas, Nevada 89144
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FEB 25 2008

The attached Site Development Review, Special-Use Permit, Variance & Waiver applications seek approvals for:

- ~~4105~~ 676 units of Residential Condominiums
- ~~479,860~~ 108,500 square feet of flex Commercial Lease Space of which, ~~40,660~~ 36,200 square feet is retail and ~~469,200~~ 72,300 square feet is office.
 - 10,660 square feet of Retail directly fronts Sahara Avenue

The proposed development, as submitted, consists of ~~one~~ two buildings, divided by a driveway ramp, with ~~a~~ four (4) levels of underground parking garage. The remainder of the parking would be in an above-ground parking garages on the south end of the property. The parking would occur on Levels 2-~~7~~ 5 along with office lease space. The Ground Level would primarily be the retail/restaurant lease space and back of house functions ancillary to the condo function. An amenities deck, including the pool, spa and outdoor terrace, would be on Level ~~8~~ 2 for the north building and on level 6 for the south building. Therefore, the first ~~eight~~ six (6) levels shall serve as the south building's base while the north building's base will consist solely of the 20' retail base. The condominiums will begin at Level 8 and continue up to Level ~~43~~ 38 to a maximum height of ~~500~~ 425'-0".

As illustrated on the attached site plan, the building coverage occupies approximately 46% of the site providing for a highly pedestrian-friendly plaza in front of the retail along Sahara Avenue and a ~~pair of~~ beautifully enhanced and landscaped ~~entries~~ entry and porte cocheres off of 6th Street. Also incorporated into the design is an approximate ~~.83~~ .52 acre park/green space located on the east side of the development, adjacent to and acting as a buffer to the neighboring residential properties. This would be available to both the residents of the development and to the neighborhood surrounding the development. The development mimics many of the development standards set forth in the City of Las Vegas Downtown Centennial Plan in order to provide a consistency with developments that are planned to west and help promote pedestrian activity along Sahara Avenue and 6th Street.

The proposed development seeks to be both a positive contribution to the City of Las Vegas and to the Beverly/Southridge neighborhoods. We have met with members of the adjacent neighborhood and incorporated several changes to mitigate their concerns. The project employs several of the strategies outlined within the Beverly/Southridge Neighborhood Plan. Specifically, addressing the following under the "Existing Land Use" portion:

Issue 2. Strategy 1: Residential Adjacency & Building Heights

The Plan calls for a request that any development whose building foundation is within 300' of property zoned for single family residential homes be required to adhere to the City's Residential Adjacency Standards.

ZON-25776 VAR-25778
SUP-25775 SUP-25779
SDR-25773 REVISED
03/13/08 PC



FEB 26 2008

In order to help with concerns from the neighboring residences, the tallest portions of the project are pushed as far south from the neighborhood to the north and as far east from the neighborhood across Sixth St.

Specifically, the residential adjacency standards stemming from the homes to the north are met for the entire project except the tower portion, which is located more than 500' from these homes from the north. Additionally, where the development is closest to these existing homes, at the north end of the property, the building has a more "mid-rise residential" feel with four (4) levels of residential units directly atop a 20' retail base consistent with similar developments recently approved and constructed adjacent to existing homes within the boundaries of the Plan.

Along Sixth Street, the Tower portion is located directly across from an existing commercially zoned and retail-based land-use; therefore the residential adjacency does not apply. Moving north, the building is located more than 100' at its closest point to these homes and up to about 180' at its greatest point. The height of the building at these points is 60' and is buffered by a 40' wide beautifully landscaped area. Any tower portion of the project that is directly in front of these homes are located more than 230' away.

All this being said, we are happy to say they we feel that the majority of the project conforms to this strategy.

Issue 3, Strategy 3: Poorly Maintained Private Streets

This development is in support of this strategy, incorporating CLV standards for it's portion of improvements and would further be in support of associating with the adjacent business owners using the private street in the beautification efforts.

Issue 4, Strategy 1: Sahara Re-development

The parcel at the corner of Sahara Ave. & Sixth St. is within the CLV Re-development area. This development is the true definition of mixed-use, incorporating retail/restaurant, office and residential components, exactly what would be necessary to keep with the urban goal. The project not only provides ample space to incorporate the uses being displaced, but provides additional space as well.

Issue 5, Strategy 1: Vacant Lots

A large portion of this project incorporates lots that are currently vacant, and an eye-sore within the community. We have been working with the neighborhood associations to make the necessary changes to make this project compatible with the neighborhood.

ZON-25776 VAR-25778
SUP-25775 SUP-25779
SDR-25773 REVISED
03/13/08 PC

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The project is also in support of the "Traffic Issues" portion of the Plan. Specifically:

Issue 1: Cut-thru Traffic

In meeting with the residential neighbors we have made changes to the development to mitigate and limit this projects impact on traffic cutting through the residential neighborhood. By limiting the facilities access points along Sixth Street to only visitors of the property, both residential guests and visitors to the retail and commercial uses, this limits the number of vehicles placed directly onto Sixth Street. All residents and employees within the development will access the property from the existing common commercial road off of Sahara Avenue and will only be allowed to exit either back down this drive or directly onto Sahara Avenue by means of a "one way," egress-only drive.

Recent changes to the submitted development plans also eliminate the need for the perimeter landscape buffers, which also helps with the compatibility of the development.

By virtue of the attached applications, the City of Las Vegas is presented with another opportunity to promote additional redevelopment and more intense land uses downtown. This project specifically will further restore vitality and economic opportunities and give overall direction to future public and private improvements throughout the (redevelopment) area. We are confident this project will enhance the momentum for further needed redevelopment along Sahara Avenue moving east from Las Vegas Boulevard. The City Council has frequently asserted its desire to have quality new residential development in the Downtown area, and this development plan fits the standard.

The approval of this project will allow the City to meet many of its design goals and objectives for land use, urban form, pedestrian environment, and image and character in and adjacent to Downtown Las Vegas.

We greatly appreciate your time and effort in the review of this development proposal. If you have any questions, or require further information, please do not hesitate to contact me at 702-946-8195.

Sincerely,



Chris Richardson, Ed Vance & Associates
on Behalf of Exceed Development, LLC.

ZON-25776 VAR-25778
SUP-25775 SUP-25779
SDR-25773 REVISED
03/13/08 PC

DEC
FEB 26 2008

January 8, 2008

Commissioners,

I am writing on behalf of the Beverly Green Neighborhood association regarding the following items listed on your January 10th agenda;

SDR-25773 (request for a waiver of normal requirement that a building of this height to be built adjacent to a residential home be 1500 feet from the nearest home; the request is to allow the building to be built 100 feet from the nearest home.)

SUP-25775 (request for a special use permit to build a 500-foot high building, where the ordinary limit is 175 feet)

ZON-25776 (request to rezone the land on 6th street for commercial use)

VAR-25778 (request for a variance from the normal requirement of a "stepback" from the edge of the property)

SUP-25779 (request for a special use permit for mixed-use development on land currently designated for residential use)

The proposal, located on 6th street north of Sahara, calls for a 500 foot tower and a 12 story portion of the building to be built directly adjacent to single family homes. The building would include approximately 1100 residential units and 180,000 square feet of commercial use.

Our neighborhood has consistently supported development projects that improve the area. However, this proposal is clearly incompatible with the surrounding neighborhoods. First, the change from R-1 to C-1 is in direct violation of the Beverly Green-Southridge Neighborhood Plan (BGSNP). The BGSNP, a document that went through numerous public meetings and review, was accepted unanimously by the Las Vegas City Council as the neighborhood view. It should be considered the formal voice of the neighborhood.

The height of 500 feet and of 12 stories directly adjacent to single family homes is contrary to the City's stated goals of preserving these neighborhoods as residential. It is also in opposition to the BGSNP. Finally, the height is in direct conflict with the City's own height restrictions. In fact, the waiver that developer has requested would lessen the distance requirement by 15 times!

The residents of these neighborhoods have made this a wonderful place to live. And they have done it through hard work, perseverance, and a belief that their voices mattered. I urge you to reject this project as incompatible with the adjacent neighborhoods.

Sincerely,

Ben Contine
Ben Contine

P
27-28

January 10, 2008

Las Vegas City Planning Commission

Re: Proposed development on 6th Street north of Sahara

SDR-25773 (request for a waiver of normal requirement that a building of this height to be built adjacent to a residential home be 1500 feet from the nearest home; the request is to allow the building to be built 100 feet from the nearest home.)

SUP-25775 (request for a special use permit to build a 500-foot high building, where the ordinary limit is 175 feet)

ZON-25776 (request to rezone the land on 6th Street for commercial use)

VAR-25778 (request for a variance from the normal requirement of a "stepback" from the edge of the property)

SUP-25779 (request for a special use permit for mixed-use development on land currently designated for residential use)

We own property on 6th Street at 2212 and 2200, directly across the street from the proposed building site located on the east side of 6th Street. After reviewing the requests for variances requested by the developer, We are opposed to all of them in their entirety.

We believe that a 40+ story building is inappropriately tall for that neighborhood. We oppose the removal of set back limitations. And we oppose the zoning change to commercial without knowing the use of the commercial space. We also question whether 6th Street can handle the increased traffic flow. The street is currently used as a throughway. Residential speed limits are ignored. This proposed building would only serve to increase problem for residents on 6th Street.

We are in favor of a modest development that would serve the residents of the surrounding area.

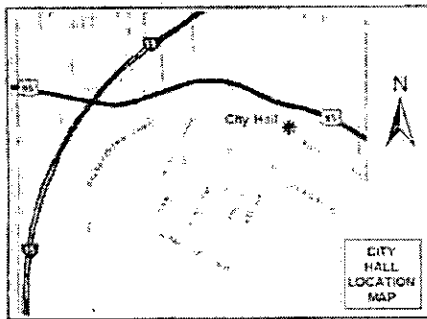
Frank Butterfield

Brian Morrell



City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.

☐

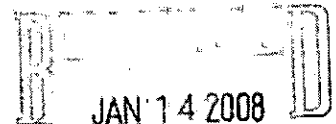
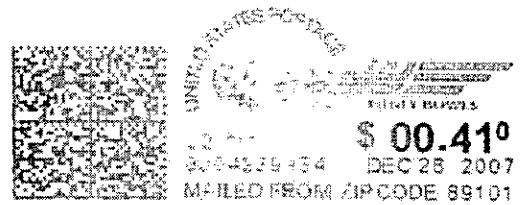
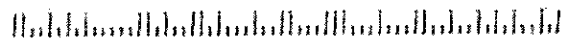
I SUPPORT
this Request

☒

I OPPOSE
this Request

SUP-25775

8914984707 0053



16203417052 Case: SUP-25775
FRANCESCHI SHERRILL A SURV TR
8385 W LA MADRE WY
LAS VEGAS NV 89149-4707

P
29



CHRIS GIUNCHIGLIANI
Commissioner

Board of County Commissioners

CLARK COUNTY GOVERNMENT CENTER
300 S GRAND CENTRAL PKY
BOX 551601
LAS VEGAS NV 89155-1601
(702) 456-3509 FAX: (702) 383-8041

January 9, 2008

City of Las Vegas
Planning Commission
400 Stewart Ave.
Las Vegas, NV 89101

Dear Planning Commissioners:

I am writing a letter in opposition to items 31, 32, 33, 34, and 35 on the January 10, 2008, agenda requested by Exceed Properties. They are requesting a rezoning to commercial, a waiver of setbacks, a special use permit for a 500 foot building, a special use permit for a mixed-use development, and a site review plan.

I participated as a resident and former assemblywoman for the area on a previous project that was proposed several years ago. The community worked with that developer in good faith. Now, apparently, the land was flipped and additional parcels were added to this project. While this is in the City, I am also the Commissioner for the area and my constituents have loudly voiced their concerns and opposition. As an individual, I am also opposed.

The project is too dense, too high. It intrudes on the residential area. It isn't compatible with the surrounding residential areas, and it will cause traffic problems on both 6th Street and Sahara Avenue. Further, this would be the tallest building on East Sahara for miles. In fact, it would be taller than Allure, which is on the west side of Sahara and close to a gaming overlay. Also, the fact, that they can't make any of their setbacks tells me this is too small a footprint for what they are proposing. This project also conflicts with the adopted neighborhood plan that everyone worked on and presented to the City Council.

Finally, this would cause the loss of small businesses that have been serving the area for years. While we all want some development it should not negatively impact the residential character of an area. Since many developers aren't moving forward with projects due to the housing slow down, I suspect this may be one more opportunity to "flip" a parcel to the detriment of the area.

I apologize for not being able to be in attendance.

Sincerely,

Chris Giunchigliani
Commissioner District E

Submitted after final agenda

Date

1/10/08

PC

31-

Item 35

P

From: Richard Reid
548 Canosa Avenue
Las Vegas, NV 89104

January 7, 2008

VIA FAX

To: Las Vegas City Clerk
City Hall
Las Vegas, NV

I have been informed that the Las Vegas City Planning Commission hearing on this Thursday evening, January 10th, 2008, will have on its' agenda the **high-rise commercial/residential tower**, proposed for construction on East Sixth Street.

I did not receive any official notice of the Planning Commission's intent to deal with this issue at their January 10th meeting. I understand that only 123 people were contacted by mail, seeking responses, either in support or opposition to this project. In polling my neighborhood (only two blocks from the proposed project) I have yet to find even one person, who received any notice.

I am extremely upset to have been omitted from any notification.

This project is a matter of extreme importance to my neighborhood !

Accordingly, I am faxing my response to voice **profound opposition to this project.**

Specifically, I am opposed to all requests put forth by the developer in the following agenda items of Planning Commission meeting:

- **SDR-25773**
- **SUP-25775**
- **ZON-25776**
- **VAR-25778**
- **SUP-2577**

Lastly, being physically handicapped, I wish to be on record, as requesting the opportunity to address the members of the Planning Committee, detailing my objections, at the appropriate time, during the January 10th meeting.

Sincerely,



Richard Reid

cc: Mayor Pro-Gem Gary Reese, Las Vegas City Clerk, Las Vegas Planning & Development

Submitted after final agenda	
Date	1/10/08
PC	Item 31-35

P

TICK SEGERBLOM
ASSEMBLYMAN
District No. 9



COMMITTEES:
Education
Elections, Procedures, Ethics,
and Constitutional Amendments
Judiciary

State of Nevada Assembly

Seventy-Fourth Session

DISTRICT OFFICE:
704 S. Ninth Street
Las Vegas, Nevada 89101
Office: (702) 388-9600
Fax No.: (702) 385-2909

LEGISLATIVE BUILDING:
401 S. Carson Street
Carson City, Nevada 89701-4717
Office: (775) 684-8549
Fax No.: (775) 684-8533
www.leg.state.nv.us

BY FAX 385-7268

January 7, 2008

Honorable Planning Commission Members
City of Las Vegas Planning Commission
Stewart Avenue
Las Vegas, Nevada

RE: SDR-25773
SUP-25775
ZON-25776
VAR-25778
SUP-25779

Dear Members:

Please oppose the items listed above. This project would seriously hurt the existing residential neighborhood and should not be allowed.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be "R" or "T" followed by a flourish.

TICK SEGERBLOM
ASSEMBLYMAN

Submitted after final agenda	
Date	1/10/08
pc	Item 31-35

P

1-10-08

To Andy Reed and the Planning Commission,
As president of Southridge NA, and on
behalf of Penny Dale, V.P., we are asking
that you deny approval of items.

#31 - ZON 25776

32 - VAR 25778

33 - SUP 25775

34 - SUP 25779

35 - SDR 25773

There has not been enough time to have
a proper dialog with the full spectrum of
the neighborhood associations and the
developers. (Not that we haven't tried.)
We feel that a project of this magnitude
deserves more attention to the people of the
neighborhoods.

I'm sending this letter along with an
E-mail I sent yesterday. I hope it's all
legible. I was planning to speak in
person but I have an on going leg injury
that has been giving me problems as of
late. I'm sure I will be well represented.
I'll get there one of these days.

Submitted after final agenda

Date 1/10/08 Item 35

RECEIVED
JAN 10 2008

11:35am @

Sincerely,
Michael Hanratty
Michael Hanratty
President, Southridge NA

MICHAEL HANRATTY

From: "MICHAEL HANRATTY" <m.hanratty@worldnet.att.net>
To: "Susan Cannon" <scannon@worldnet.att.net>; "West Floriothhouse" <westflorothhouse@hotmail.com>;
 <centavodale@aol.com>; <t_pellagrine@hotmail.com>; <minion@earthlink.net>;
 <jsimpson@lasvegassnevada.gov>; <gregorystephonbrown@gmail.com>;
 <jacobsmr@gmail.com>; <darrylr@cox.net>; <alissmandjo@earthlink.net>;
 <nrbob7@yahoo.com>; <tkirk2@cox.net>; <vwparnshop@aol.com>; <pam50@cox.net>;
 <mpearl@aol.com>; <jwright@co.clark.nv.us>; <myersyounkin@aol.com>; <vic@trinity-life.org>;
 <breeze657@aol.com>; <sued123@cox.net>; <davigroup@yahoo.com>;
 <jacobsmr@aol.com>; <scottswank@gmail.com>; <scottswank@gmail.com>;
 <bubba13_1999@yahoo.com>; <hart@justforfunstuff.com>; <jeff@trinity-life.org>;
 <jeffbower@digitalmediaco-op.com>; <janemiyama@aol.com>; <myersyounkin@netzero.com>;
 <shammoncult@cox.net>; <arthur@writingwithfamilies.com>; <gunchigiani@aol.com>;
 <jmgibson@yahoo.com>; <dtkurze@yahoo.com>; <michael.lugering@unlv.edu>;
 <vcarrera@cox.net>; <p7707@ivmpd.com>; <bobbyg@trinity-life.org>;
 <scottswank@gmail.com>; <pjk4@cox.net>; <tamir1@mac.com>
Sent: Wednesday, January 09, 2008 7:51 PM
Subject: Re: Update on proposal to build high-rise on 6th Street

To the E-mail gang of Southridge N A and beyond.

It is becoming clearly evident as different E-mails are filtering in that there are various and mixed views on the proposed high-rise at Sahara Ave. and Sixth St. As president of Southridge N A, I have maintained neutrality on this issue and will support the majority when that has been established. That's where the problem lies. There has not been enough time to come to a conclusion. I contacted the liaison (Strategic Solutions) and told them I would help them to organize a meeting where both Southridge and Beverly Green neighborhood associations would be given ample notification to attend. They told me that due to the holidays it would be near impossible to get it all together. They said they'd get back to me. They never did. It seems to me that Strategic Solutions' strategy is to get this pushed through without any fanfare or opposition. There have been other developers and businesses that have bent over backwards to accommodate the neighborhood associations for lesser projects.

At this time I am going to recommend that they deny approval of this project until the full perimeter of both neighborhood associations have a fair and equal voice.

Sincerely,

Michael Hanratty
 702 380 8430

— Original Message —

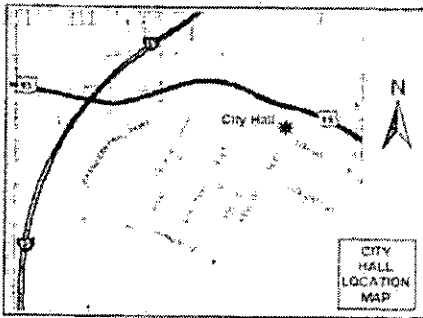
From:
To:

Sent: Wednesday, January 09, 2008 4:57 PM
Subject: RE: Update on proposal to build high-rise on 6th Street

1/10/2008

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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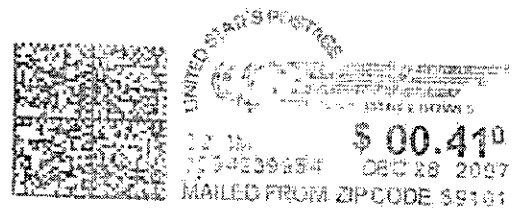
I SUPPORT
this Request



I OPPOSE
this Request

SUP-25775

8911034019 0094



Case: SUP-25775
16203801010
SCHLEUSNER LARRY P & PATRICIA G
6675 WEATHER VIEW DR
LAS VEGAS NV 89110-4019

Submitted after final agenda

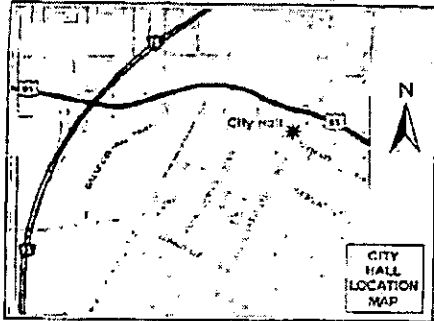
Date

1/10/08
PC Item 33

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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this side of this card to (702) 385-7268.



I SUPPORT
this Request



I OPPOSE
this Request

16203315015
LIBBON ROBERT P
556 BONITA AVE
LAS VEGAS NV 89104-2869

Case: SUP-25775

SUP-25775

8910432869 0071



Submitted after final agenda

Date

1/10/08
pc

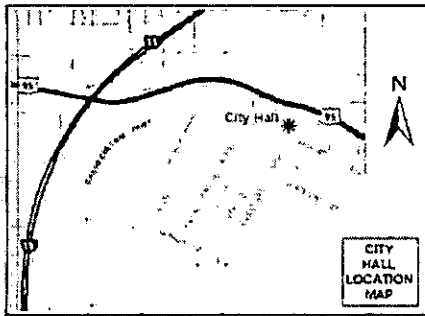
Item

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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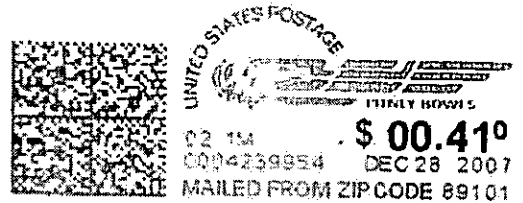
I SUPPORT
this Request



I OPPOSE
this Request

SUP-25775

8910482805 0009



RECEIVED
JAN 07 2008

16203714033 Case: SUP-25775
STIBOREK LOLA TRUST
604 BONITA AVE
LAS VEGAS NV 89104-2805

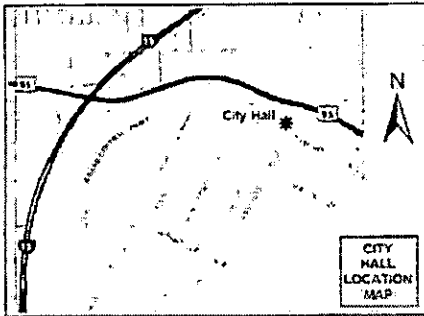
Submitted after final agenda

Date 1/10/08
PC Item 33

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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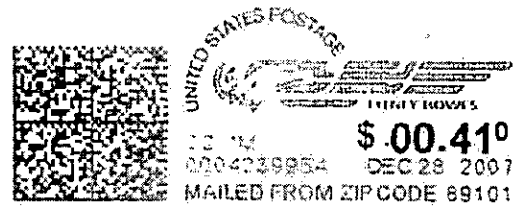
I SUPPORT
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I OPPOSE
this Request

SUP-25775

89104\$2831 0071



RECEIVED
JAN 07 2008

Case: SUP-25775
16203315037
HICKS GUY EVANS & HELEN LOUISE
1916 S 6TH ST
LAS VEGAS NV 89104-2831

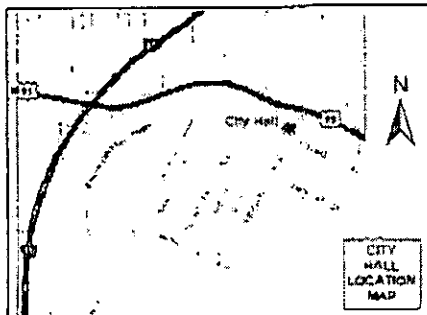
Submitted after final agenda

Date 1/15/08 PC Item 33

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986



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I SUPPORT
this Request



I OPPOSE
this Request

SUP-25775

Case: SUP-25775
 16203601043
 MINER RICHARD L & RHEA ETAL
 2118 WINTERWOOD BLVD
 LAS VEGAS NV 89142-1850

891421850 0088

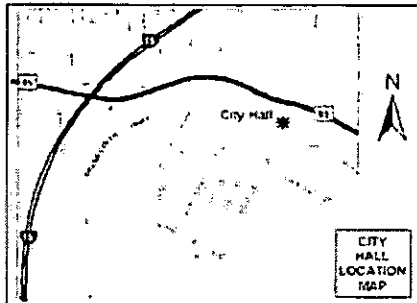


Submitted after final agenda	
Date 1/5/08	Item 33

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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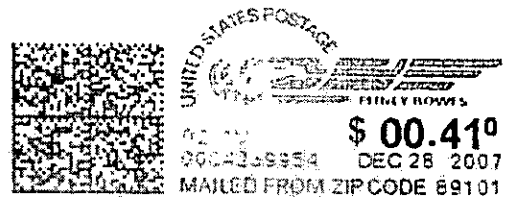
I SUPPORT
this Request

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I OPPOSE
this Request

SUP-25775

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JAN 08 2008

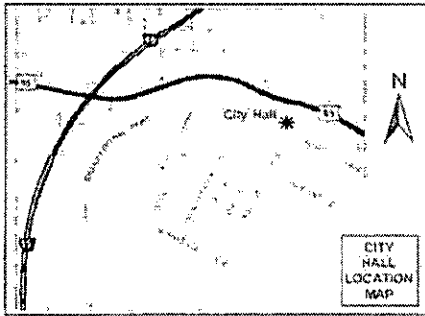
16203810023
HARPER WALTER O
820 ALHAMBRA DR
LAS VEGAS NV 89104-2966

Case: SUP-25775

1/10/08
PC 33
P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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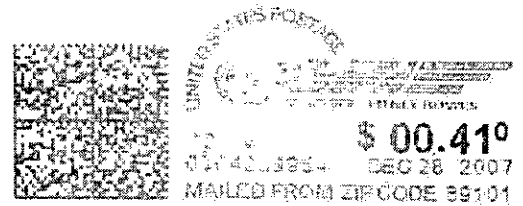
I SUPPORT
this Request

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I OPPOSE
this Request

SUP-25775

8910482822 0009



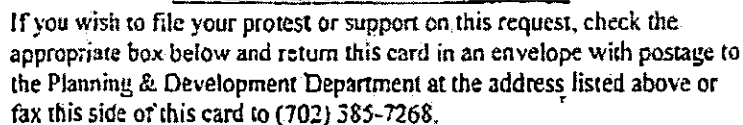
RECEIVED
JAN 08 2008

Case: SUP-25775
16203715005
SKONIECZNY HENRY J
705 E ST LOUIS AVE
LAS VEGAS NV 89104-2822

Submitted after final agenda

Date 1/10/08 PC Item 33

P



I SUPPORT
this Request



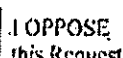
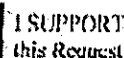
VAR-25778

Case
16203801137
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

Case: VAR-25778

3794081290 B014

the Training & Development Department at the address listed above or fax this side of this card to (702) 385-7268.



SDR-25773

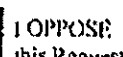
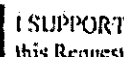
16203801137 Case
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

Case: SDR-25773

67-40842-9 BOA

1. The first part of the paper is devoted to the study of the asymptotic behavior of the solutions of the system (1) as $t \rightarrow \infty$. It is shown that the solutions of the system (1) tend to zero as $t \rightarrow \infty$ if and only if the matrix A is Hurwitz. This result is obtained by using the method of the variation of constants.

the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.



SUP-25775

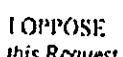
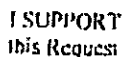
16203801137
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

Case: SUP-25775

6794081290 2014

[illegible]

For Training & Development Department at the address listed above or fax this side of this card to (702) 385-7268.



ZON-25776

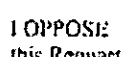
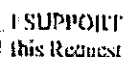
16203801137 Case
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

Caso: ZON-25776

3754031290 8014

U.S. DEPARTMENT OF AGRICULTURE

the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.



SUP-25779

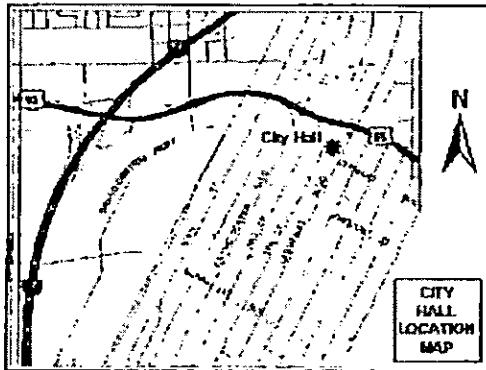
16203801137
BODYFLYING US L L C
P.O BOX 20290
KNOXVILLE TN 37940-1290

Case. SUP-25779

Submitted after final agenda
Date 1/31/98 PC Item 33

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.



I SUPPORT
this Request

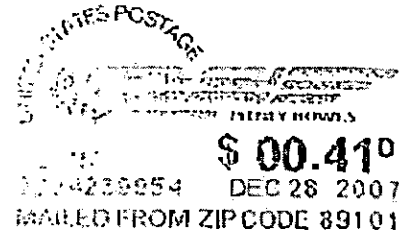
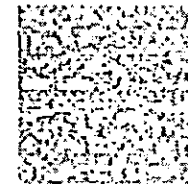


I OPPOSE
this Request

SUP-25775

Date 1/9/08
 PC Item 33
 Submitted after final agenda

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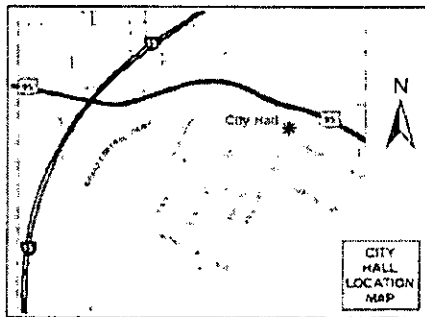


16203811061
 EXCEED PROPERTIES INC
 964 SPAFFORD ST
 ANTIOCH IL 60002-1459

Case: SUP-25775

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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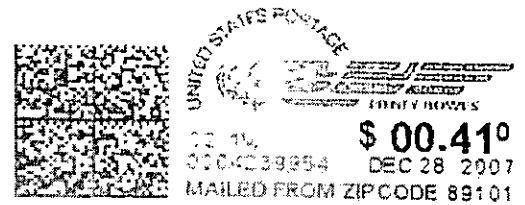
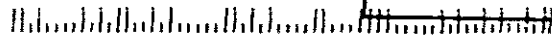
I SUPPORT
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I OPPOSE
this Request

SUP-25775

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16210113019 Case: SUP-25775
WILSON FE & PVR LTD
26622 ESPALTER DR
MISSION VIEJO CA 92691-5110

Submitted after final agenda

Date

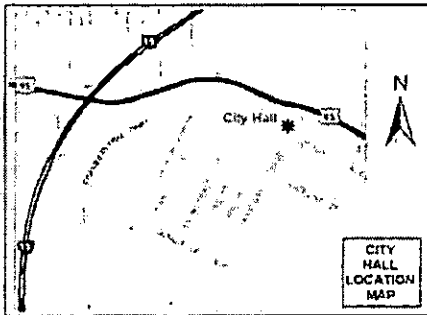
1/10/08
PC

Item 33

A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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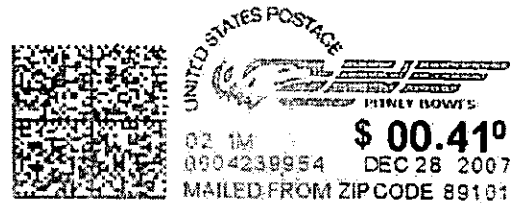
I SUPPORT
this Request



I OPPOSE
this Request

SUP-25775

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RECEIVED
JAN 07 2008

Case: SUP-25775
16203420003
BEAN SUZANNE L
2012 BEVERLY WY
LAS VEGAS NV 89104-2727

Submitted after final agenda

Date

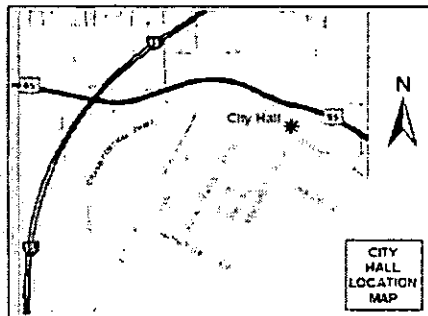
1/15/08

Item 33

A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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I SUPPORT
this Request



I OPPOSE
this Request

SUP-25775

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VICUNA MARIA L
2309 BEVERLY WY
LAS VEGAS NV 89104-2763

Case: SUP-25775

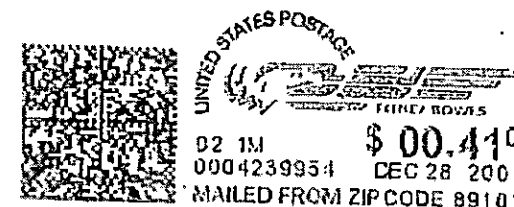
Submitted after final agenda

Date 1/10/08 Item 33
PC

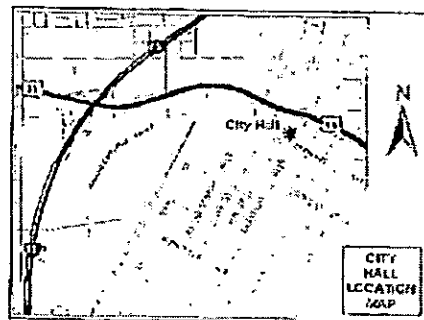


A

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986



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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.

☒ I SUPPORT
 this Request

☐ I OPPOSE
 this Request

Case SUP-25775
 16203801058
 ZURAWSKI STANLEY M JR ETAL
 1920 BANNIE AVE
 LAS VEGAS NV 89102-2419

SUP-25775

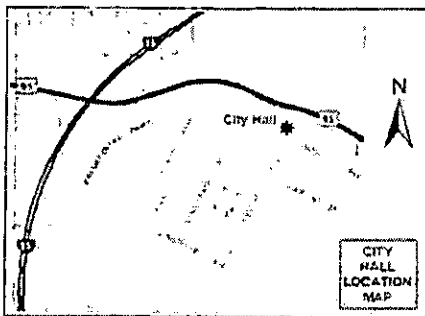
8910232419 0020



Submitted after final agenda
 Date 1/06/08
 PC Item 33

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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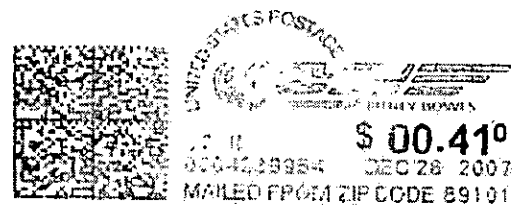


I SUPPORT
this Request



I OPPOSE
this Request

SUP-25775



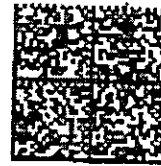
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DEC 31 2007

16210112015 Case: SUP-25775
CHEVRON GROUP L L C
%ADVANTAGE REAL EST GROUP
P O BOX 30698
LAS VEGAS NV 89173-0698

891730698 8007

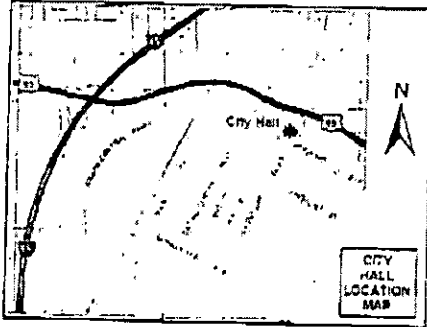


City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986



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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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.



I SUPPORT
this Request

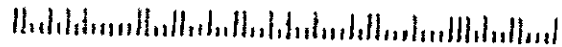


I OPPOSE
this Request

16203801124 Case SUP-25775
 FRASER THOMAS B II & BARBARA D
 9118 GARDEN VIEW DR
 LAS VEGAS NV 89134-8827

SUP-25775

891348827 0012



Telephone Protest/Support Log

Meeting Date: 1/10/08

Case Number: Sup 25725

Date: 1/4/08
Name: John Delikamakis
Address: 548 Barbara Way
Las Vegas, Nev. 89104
Phone: (702) 232-1840
☒ PROTEST ☐ SUPPORT

Date: 1/4/08
Name: Annette Marcus
Address: 545 Canosa Ave.
Las Vegas, NV. 89104
Phone: (702) 732-2232
☒ PROTEST ☐ SUPPORT

Date: 1/7/08
Name: Richard Reid
Address: 548 Canosa Ave.
Las Vegas, NV 89104
Phone: (702) 697-0098
☒ PROTEST ☐ SUPPORT

Date: 1/10/08
Name: Randall Kneller
Address: 547 Canosa Ave
Las Vegas NV 89104
Phone: (702) 735-0394
☒ PROTEST ☐ SUPPORT

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

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

Submitted after final agenda
Date 1/10/08 Item 33

PHYLLIS M. SILVESTRI, PRP, CP
Professional Registered Parliamentarian (NAP)
CERTIFIED PARLIAMENTARIAN (AIP)
610 CANOSA AVENUE LAS VEGAS, NEVADA 89104
(702) 735-6501

The Las Vegas City Council

January 30, 2007

The Las Vegas City Council Planning Division
731 South 4th Street
Las Vegas, NV 89101

Dear Members, *Re: ZON-15776*

I recently received five cards from you requesting approval of zoning changes on South Sixth Street, between Sahara and St. Louis Avenues. I learned that these changes are necessary so that a certain contractor could build a forty-two (42) story building on South 6th, which would have 4 stories of commercial stores and thirty stories of residential condominiums. As a resident of this area, I was asked to state my "approval" or "disapproval" of such action.

I strongly "disapprove" and these are my reasons:

- This is a residential neighborhood and we'd like to keep it that way.
- The traffic would be unbearable, especially as there is a children's park on St. Louis between 6th Street and Maryland Parkway
- There are five churches between 6th and Maryland Parkway and each has classes for young children and it would be dangerous for them.
- We strongly resent an outside contractor coming into our residential neighborhood especially as there is a good deal of vacant land close by, such as Commercial Center where such a building could be built.
- The City has recently made St. Louis a lovely and pretty, single lane street for which we are all very appreciative.

I ask you to kindly deny such variances for the land involved between St. Louis and Sahara on 6th Street.

Sincerely,

Phyllis M. Silvestri

Phyllis M. Silvestri, a resident in this area for the past 57 years.

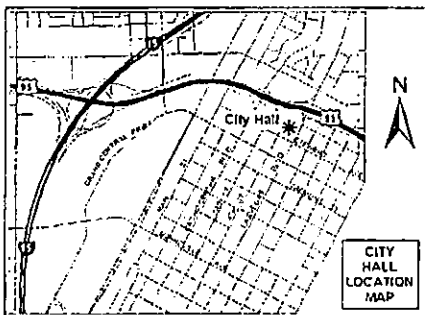
FEB 05 2008

Submitted after final agenda	
Date	2/14/08 27-
PC	31

9

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Vegas, Nevada 89101-2986

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 Planning & Development Department at the address listed above or its side of this card to (702) 385-7268.

☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

SUP-25775

STEVE GEBBE
10326 BONITA AVE
LV, NV 89104

Submitted after final agenda

Date

2/14/03
PC

Item

29

P

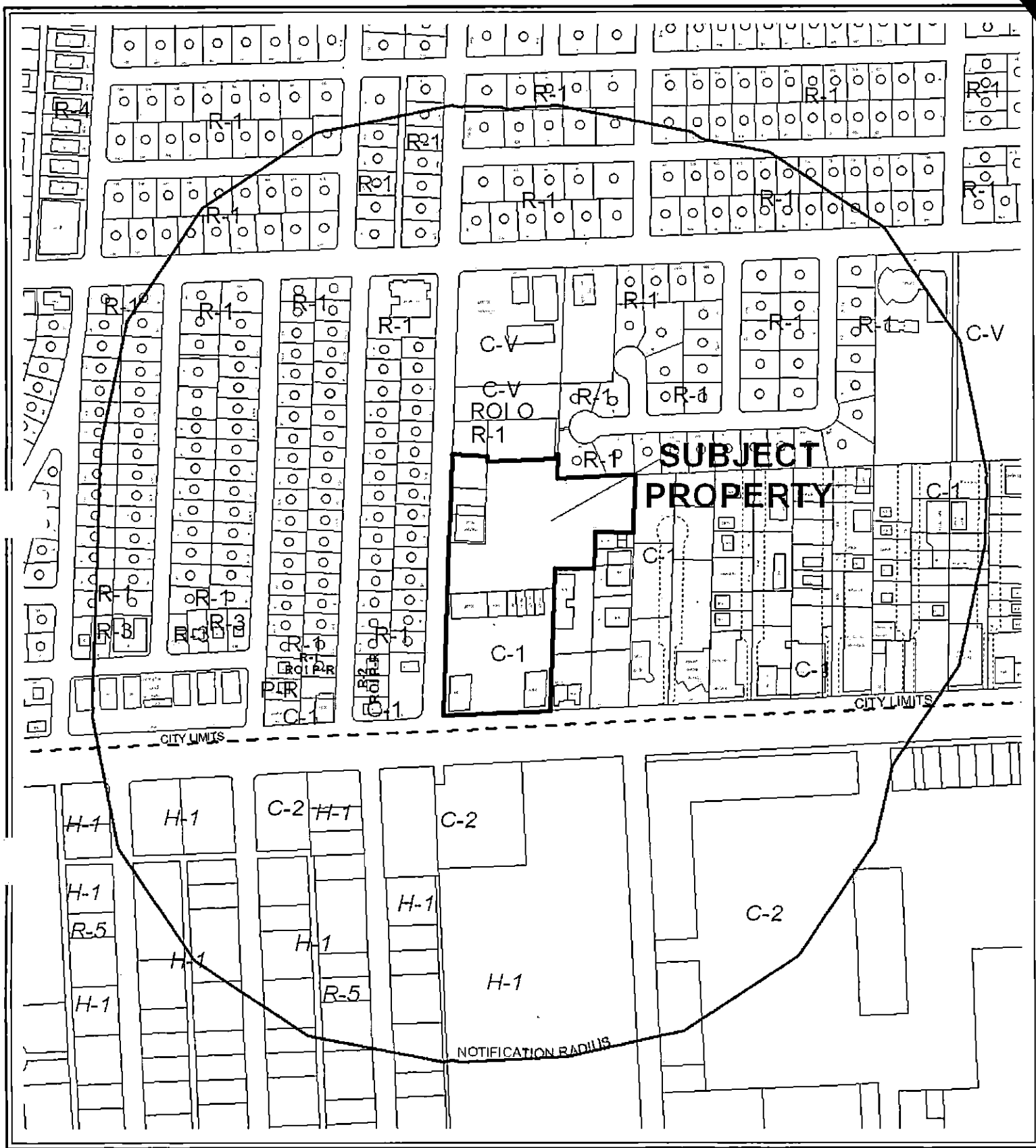
AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 13, 2008**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

ABEYANCE - SUP-25779 - SPECIAL USE PERMIT RELATED TO ZON-25776, VAR-25778 AND SUP-25775 - PUBLIC HEARING - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: EXCEED PROPERTIES, INC., ET AL. - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 7.02 acres adjacent to the northeast corner of Sixth Street and Sahara Avenue (APNs 162-03-801-011, 013, 014, and 099; 162-03-811-001 through 084), C-1 (Limited Commercial) Zone, R-PD25 (Residential Planned Development - 25 Units per Acre) Zone, and R-1 (Single Family Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 3 (Reese)

C.C.: 04/16/2008**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****37****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****9****City Council Meeting****0****RECOMMENDATION:****DENIAL****BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest letters, protest/support postcards and telephone protests

Motion made by STEVEN EVANS to Deny**Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0****SAM DUNNAM, DAVID STEINMAN, BYRON GOYNES, RICHARD TRUESDELL, STEVEN EVANS, VICKI QUINN, GLENN TROWBRIDGE; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)****Minutes:****See Item 21 for related backup and discussion.**



CASE: **SUP-25779**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

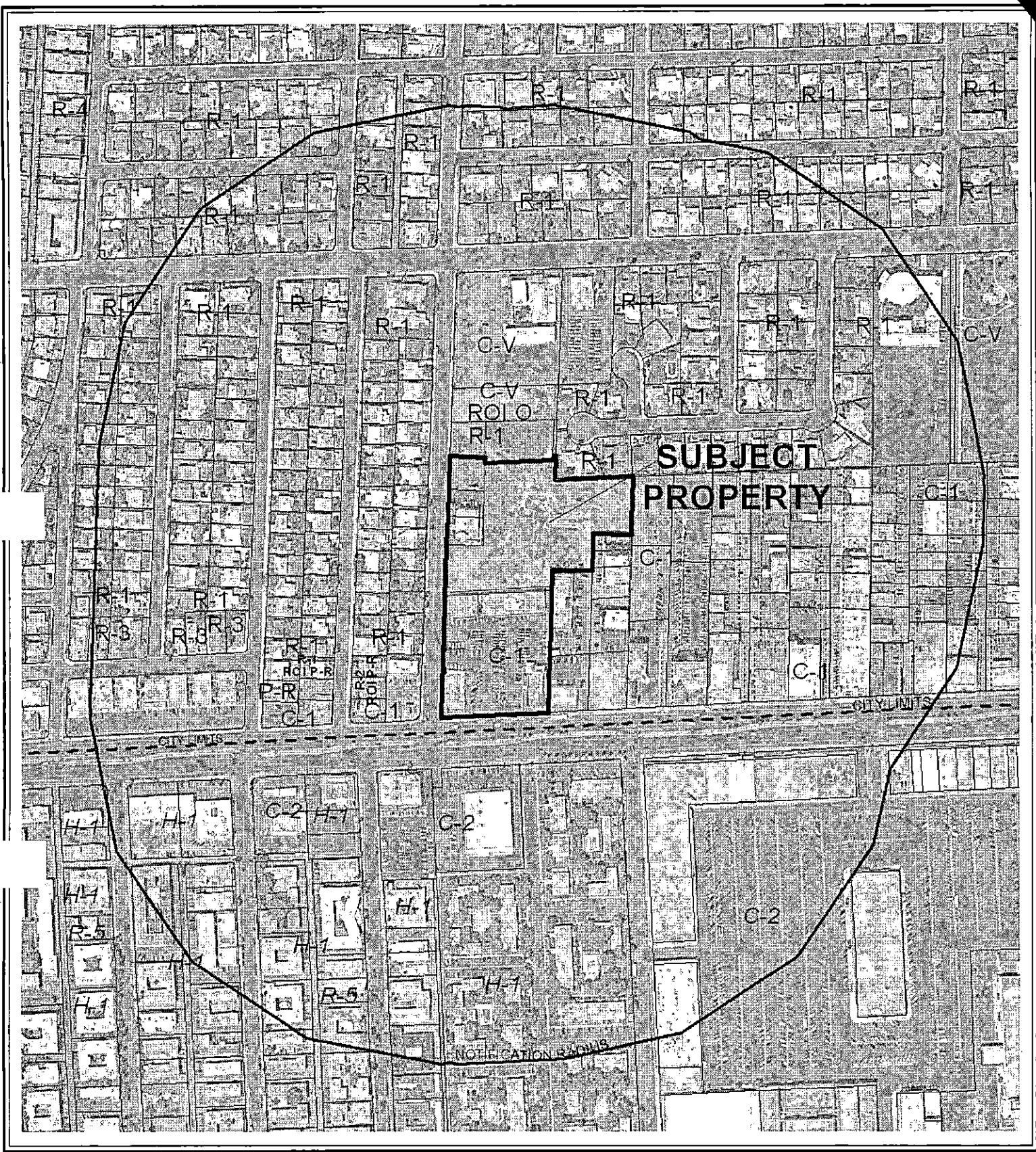
R-PD (RESIDENTIAL PLANNED DEVELOPMENT - 25 UNITS PER ACRE) AND
R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 200 400 Feet





CASE: **SUP-25779**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD (RESIDENTIAL PLANNED DEVELOPMENT - 25 UNITS PER ACRE) AND
R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 13, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SUP-25779 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: EXCEED PROPERTIES, INC., ET AL

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a Mixed-Use use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-25776), Variance (VAR-25778), Special Use Permit (SUP-25775) and Site Development Plan Review (SDR-25773) 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. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-25779 - Staff Report Page One
March 13, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Mixed-Use use for a 38-story mixed-use development that includes 108,500 square feet of commercial area and 676 residential units on 6.34 acres adjacent to the northeast corner of Sixth Street and Sahara Avenue. This request would allow the residential use in the existing/proposed C-1 (Limited Commercial) zoning district.

The subject proposal meets all Title 19.04 conditions for the Mixed-Use use. While the applicant has worked with the neighborhood to reduce some of the impacts associated with this proposal, the size and massing of this project remains incompatible with the surrounding area and is not in keeping with the goals and strategies as outlined in the Beverly/Southridge Neighborhood Plan; therefore, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/04/92	The City Council approved the appeal of the Planning Commission denial of a request for a Rezoning (Z-0107-91) from R-1 (Single Family Residential) and C-1 (Limited Commercial) to R-PD40 (Residential Planned Development – 40 Units per Acre) on 3.3 acres located on the east side of 6th Street north of Sahara Avenue. The request included a deviation from the five-acre minimum site area for an R-PD project (this now requires a variance). The City Council placed a condition on the approval restricting the rezoning to R-PD25 (Residential Planned Development – 25 Units per Acre) with a maximum of 84 units. A General Plan Amendment was not required. The Rezoning was subject to a 12-month Resolution of Intent. Staff recommended approval of the Rezoning on condition that it be restricted to R-PD36 (Residential Planned Development – 36 Units per Acre).
07/15/92	The City Council approved a Plot Plan Review [Z-0107-91(1)] for a proposed two-story, 84-unit condominium development on 3.3 acres on the east side of 6th Street north of Sahara Avenue. Staff recommended approval. (There was no Planning Commission hearing.)
07/23/92	The Planning Commission approved a Tentative Map (TM-0045-92) for an 84-unit condominium subdivision (Sixth Street Condominiums) on 3.3 acres located on the east side of 6th Street north of Sahara Avenue. Staff recommended approval.
10/22/92	The Planning Commission approved a name change [TM-0045-92(1)] of an approved Tentative Map (TM-0045-92) from Sixth Street Condominiums to Sahara Courtyards Condominiums. Staff recommended approval. The Planning Commission subsequently approved the Final Map (FM-0085-92) of Sahara Courtyards Condominiums. This map recorded on 05/21/93.

RTS

SUP-25779 - Staff Report Page Two
March 13, 2008 - Planning Commission Meeting

04/21/93	The City Council approved a Special Use Permit (U-0031-93) to allow the sale of beer and wine within an existing restaurant at 600 East Sahara Avenue. The Board of Zoning Adjustment and staff recommended approval.
04/14/94	The Planning Commission approved a Plot Plan Review [Z-0107-91(2)] for a proposed two-story, 84-unit condominium development (12 buildings) on 3.3 acres on the east side of 6th Street north of Sahara Avenue. Staff recommended approval.
07/14/94	The Planning Commission approved an Amended Final Map [FM-0085-92(1)] for Sahara Courtyards Condominiums on 3.1 acres on the east side of 6th Street north of Sahara Avenue. The purpose of amending the map was to change the configuration of condominium units. The map was never recorded.
08/06/03	The City Council passed R-108-2003 adopting the Beverly Green/Southridge Neighborhood Plan.
08/04/04	The City Council tabled a request for a General Plan Amendment (GPA-4332) to amend a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) to M (Medium Density Residential) on 3.16 acres on the east side of 6th Street, approximately 360 feet north of Sahara Avenue. The Planning Commission and staff recommended approval.
01/13/05	The Planning Commission voted to Withdraw Without Prejudice a request for a General Plan Amendment (GPA-5661) to amend a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) to H (High Density Residential) on 3.2 acres on the east side of 6th Street, approximately 360 feet north of Sahara Avenue. Staff recommended denial.
01/10/08	This item was held in abeyance at the applicant's request to allow time to meet with the neighbors and make revisions to the project proposal.
02/14/08	This item was held in abeyance at the applicant's request to allow time to meet with the neighbors and make revisions to the project proposal.
03/13/08	Companion items for a Rezoning (ZON-25776), a Variance (VAR-25778), a Special Use Permit (SUP-25775) and a Site Development Plan Review (SDR-25773) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
Prior to 01/01/51	A business license, L11-00001, for a Beer Wine Cooler On-Off Sale category license for 610 East Sahara Avenue, Suite 2 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 01/24/02 due to a reclassification of the license type.
Prior to 01/01/51	A business license, C15-00281, for a Convenience Store category license for 610 East Sahara Avenue, Suite 2 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 01/29/02 due to a reclassification of the license type.
Prior to 01/01/51	A business license, L16-00042, for a Tavern category license for 620 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 11/18/02 due to a change of manager. *

SUP-25779 - Staff Report Page Three
March 13, 2008 - Planning Commission Meeting

Prior to 01/01/51	A business license, R09-00027, for a Restaurant - Seating 45 or More category license for 620 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 12/13/02. *
Prior to 01/01/51	A business license, R23-00009, for a Recreational Instruction or Lessons category license for 610 East Sahara Avenue, Suite 11 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 02/12/03 due to a reclassification of the license type. *
Prior to 01/01/51	A business license, C05-00904, for a Tobacco Dealer - Retail category license for 610 East Sahara Avenue, Suite 2 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 02/12/03 due to a reclassification of the license type.
Prior to 01/01/51	A business license, R09-00070, for a Restaurant - Seating 45 or More category license for 600 East Sahara Avenue was issued by the Department of Finance and Business Services. This license was reissued on 10/01/03 due to a misplaced original. *
02/02/89	A building permit application, plan check M-0162-89, was submitted for the site. This was for a plan check review for an interior remodel of an existing restaurant at 600 East Sahara Avenue. This permit (89018670) was reviewed and approved by the Planning and Development Department on 02/02/98 and issued by the Building and Safety Department 03/22/89. This permit received a final inspection on 04/06/89.
05/17/89	A business license, B08-00846, for a Beauty/Cosmetics Sales category license for 610 East Sahara Avenue, Suite 6 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 12/04/02 due to a reclassification of the license type.
02/01/90	A business license, B04-01032, for a Barber Shop category license for 610 East Sahara Avenue, Suite 5 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 02/02/90 and reissued on 04/15/98 due to a change of suite numbering.
09/11/91	A business license, C11-04092, for a Masonry Contractor category license for 604 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 09/13/91 and reissued on 02/27/97. A "Cease and Desist" notice was issued 03/15/06. *
04/21/93	A business license, L09-00087, for a Beer Wine Cooler On Sale category license for 600 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 06/01/93 and reissued on 10/02/03 due to a misplaced original. *
07/21/97	A business license, B05-02665, for a Cosmetological Establishment category license for 610 East Sahara Avenue, Suite 6 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 07/29/97 and reissued on 04/15/98 due to a change of suite numbering.

SUP-25779 - Staff Report Page Four
March 13, 2008 - Planning Commission Meeting

01/20/99	A business license, A01-01074, for an Administrative Office category license at 610 East Sahara Avenue, Suite 1 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 01/29/99. *
10/18/00	A business license, F14-00035, for an Auto Title Loans category license for 610 East Sahara Avenue, Suite 10 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 10/31/00 and reissued on 11/30/07 due to a change of ownership. *
09/07/01	A business license, R10-00045, for a Food Caterer category license for 600 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 09/27/01 and reissued on 12/17/02 due to a misplaced original. *
01/12/04	A business license, M09-00080, for a Mail Box Center category license for 610 East Sahara Avenue, Suite 7 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 01/15/04. *
12/17/04	A business license, M01-08415, for a Maintenance Services - Janitorial category license for 610 East Sahara Avenue, Suite 7 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 12/23/04 and reissued on 02/09/05. *
12/23/04	A business license, C07-03299, for a Clothing Store category license for 610 East Sahara Avenue, Suite 13 was processed in by the Department of Finance and Business Services. This license was approved by the Planning and Development Department on 05/20/05 and issued by Business Services on 06/21/05.
05/02/05	A business license, A04-00084, for an Advertising Space Leasing or Selling category license for 610 East Sahara Avenue, Suite 7 was processed in by the Department of Finance and Business Services. This license was approved by the Planning and Development Department on 05/09/05 and issued by Business Services on 05/10/05.
06/23/06	A building permit application, plan check L-0889-06, was submitted for the site. This was for a plan check review for a tenant improvement (stone entry/floor plan remodel) for a certificate of occupancy at 620 East Sahara Avenue. This permit (07000608) was reviewed and approved by the Planning and Development Department on 07/10/06 and issued by the Building and Safety Department 02/15/07. A revision of the architectural, plumbing, and electrical drawings were reviewed and approved 03/19/07. This permit received a final inspection on 05/15/07.
10/30/07	A business license, C21-00192, for a Check Cashing Service category license for 610 East Sahara Avenue, Suite 10 was processed in by the Department of Finance and Business Services. This license was approved by the Planning and Development Department on 11/16/07 and issued by Business Services on 11/30/07.

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March 13, 2008 - Planning Commission Meeting

<i>Pre-Application Meeting</i>	
11/16/07	A pre-application meeting was held, where submittal requirements and elements of this application were discussed. Specifically, staff listed and described several major issues with the project as follows: • Of primary concern is the multiple General Plan designations over the site (C, SC and L) and whether the full site would be included in the Downtown Redevelopment Area when it is all reverted to one parcel. The applicant was advised to submit a General Plan Amendment for the SC (Service Commercial) and L (Low Density Residential) parcels while an answer was sought. • A Waiver of residential adjacency standards must be requested as a part of the Site Development Plan Review application. • A Merger and Resubdivision map would need to be recorded prior to issuance of permits. • NDOT approval is required for any driveway on Sahara. • Subterranean parking was an issue, due to the high water table in the area and the expense of digging through hard caliche. • The applicant was informed of the strict time limits on any future Tentative Map approvals—project must be completed within two years or a new map must be submitted. • A Development Impact Notice and Assessment and Project of Regional Significance questionnaire must be completed, signed and submitted as part of the submittal package. • A neighborhood meeting is required if a General Plan Amendment application is submitted; however, a meeting was recommended even if no amendment is submitted. • The area on the site plan labeled “Central Plant” needed to be more detailed for the submittal.
<i>Neighborhood Meeting</i>	
01/29/08	A neighborhood meeting was held at the Trinity Life Center, 1000 East St. Louis Street. Thirty-eight members of the public, two representatives of the applicant, and one member of the Planning and Development staff attended. Those in attendance had the following comments and concerns: • Concern regarding number and location of entrances off 6th Street. • Traffic on 6th Street and St. Louis Avenue and parking intensity. • Residential adjacency waivers issue. • Property values – effect of density apartments rather than condos. • Screening of activity podiums and hours of operation. • Shade and shadow study presented. • Traffic study to be done prior to Planning Commission. • Estimate new students into CCSD. • Exterior lighting and signage question.

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March 13, 2008 - Planning Commission Meeting

	• Use of fire retardant coverings. • Apartments to be medium income target. • Small unit sizes. • Tower out of scale with neighborhood. • Not in compliance with Southridge / Beverly Green Neighborhood Plan (albeit non-binding). • Construction staging plan. The majority of those in attendance had significant concerns and opposed the project. A minority were in favor.
--	--

- * This business license has been issued with no indication that it was reviewed or approved by the Planning and Development Department.

Field Check	
12/06/07	The Department of Planning and Development conducted a site visit that found that the south side of the site is developed with a shopping center and two restaurant pads. There is a large mobile storage container in the parking lot area of the shopping center. A low wall with an approximately eight-foot wrought iron fence is located along the north property line of the shopping center. Along 6th Street to the north is a radio station, also with a mobile storage container in the parking area. The rest of the site is undeveloped, except for a private street that is an extension of the road servicing several office buildings to the east of the subject site. This street terminates in a cul-de-sac with an arm jutting out. Cut-through traffic across the site from 6th Street to this private street was observed, although there are no curb cuts on 6th Street except at the radio station.

Details of Application Request	
Site Area	
Net Acres	6.34

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
	Undeveloped (w/ full cul-de-sac terminus)	SC (Service Commercial)	R-PD25 (Residential Planned Development – 25 Units per Acre)
	Radio Broadcasting	SC (Service Commercial)	R-1 (Single Family Residential)

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March 13, 2008 - Planning Commission Meeting

North	Undeveloped	SC (Service Commercial)	R-1 (Single Family Residential)
	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Auto Repair	CT (Commercial Tourist – Clark County Designation)	C-2 (General Commercial – Clark County Designation)
	Multi-Family Residential	CT (Commercial Tourist – Clark County Designation)	H-1 (Limited Resort and Apartment – Clark County Designation)
East	Restaurant	C (Commercial)	C-1 (Limited Commercial)
	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
	Undeveloped (w/ partial cul-de-sac terminus)	C (Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Auto Parts (New and Rebuilt)	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Beverly Green/Southridge Neighborhood 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			
A-O Airport Overlay District (175 Feet)	X		N ***
Trails		X	n/a
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment	X		Y ****
Project of Regional Significance	X		Y *****

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March 13, 2008 - Planning Commission Meeting

- * The proposed project does not reflect Strategy 1 as outlined under Issue 2 of the Existing Land Uses section of The Beverly/Southridge Neighborhood Plan which requests: “any development whose building foundation is within 300’ of property zoned for a single-family residential home be required to adhere to Title 19.08.060 Residential Adjacency Standards.”
- ** Only one of the subject site’s parcels (162-03-801-099), which contains existing retail and commercial uses, is located within the Downtown Redevelopment Area.
- *** The proposed height of the residential tower, 425 feet, exceeds the height limitation of 175 feet for this area established by the McCarran International Airport Overlay Map portion of A-O (Airport Overlay) District. A companion Special Use Permit (SUP-25775) has been submitted pursuant to Title 19.06.080 and if approved would grant relief from the height limitation.
- **** Pursuant to Ordinance No. 5227, the project under review outlines a project that meets the threshold that defines a “Project of Significant Impact” as outlined in the ordinance for a development in excess of 500 residential units. Further, pursuant to Ordinance No. 5477, the proposed project is deemed to be a “Project of Regional Significance,” as there are requests for Special Use Permits within 500 feet of the City’s boundary with unincorporated Clark County. Two Special Use Permits are requested in conjunction with this project. The applicant has prepared and submitted, as part of the overall project submittal, an impact report as required by the Ordinances for referral to affected agencies. As of 12/26/07, comments have only been received from the following agencies:
 - The Collection Systems Planning section of the city of Las Vegas Department of Public Works comments that in respect to wastewater, the developer of this project shall provide a sewer connection & abandonment plan of any existing sewer lines within this project to the Collection Systems Planning section of The City of Las Vegas per Section 10 of the Development Impact Notice and Assessment (DINA).
 - The City of Las Vegas Flood Control Section of the Department of Public Works will require a technical drainage study for the related Site Development Plan Review (SDR-25773) for this mixed use project.
 - The Metropolitan Police Department has determined that the proposed project has the potential to increase calls for service and increase response times in the Downtown Area Command.

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ANALYSIS

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as SC (Service Commercial) on the northern portion. This category allows for low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The SC (Service Commercial) category may also allow mixed-use development with a residential component where appropriate. The southern portion of the project 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) General Plan land use categories. The proposed use is in conformance with these land use designations.

There is a Rezoning (ZON-25776) proposed to change the zoning of the northern portion of the project site from an R-1 (Single Family Residential) and R-PD25 (Residential Planned Development – 25 Units per Acre) zoning districts to a C-1 (Limited Commercial) zoning district. This would bring the entire project area into a single C-1 (Limited Commercial) zoning district. The existing radio broadcasting and retail uses are permissible in a C-1 (Limited Commercial) zoning district and the proposed mixed-use development is permissible with the approval of this request and would then be consistent with the existing SC (Service Commercial) and C (Commercial) General Plan designations.

The site is within the McCarran International Airport Overlay Map portion of the A-O (Airport Overlay) District. The proposed height of the tower, 425 feet, exceeds the height limitation of 175 feet for this area. A Special Use Permit (SUP-25775) has been submitted pursuant to Title 19.06.080 and if approved would grant relief from the height limitation.

As previously noted, the southern portion of 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 Beverly/Southridge Neighborhood Plan area at the southern edge of the plan boundaries. The neighborhood plan is intended to serve as a set of guiding principles for the area. The proposed project does not reflect Strategy 1 as outlined under Issue 2 of the Existing Land Uses section of The Beverly/Southridge Neighborhood Plan which requests “any development whose building foundation is within 300’ of property zoned for a single-family residential home be required to adhere to Title 19.08.060 Residential Adjacency Standards.” This strategy is mainly a response to a concern regarding potential negative impacts a high rise structure may cause if built in the area with the goal being to “actively oppose any negative aesthetic effects a high rise structure may pose to the neighborhood.” There is a request for a waiver of the residential adjacency standards as a part of the Site Development Plan Review (SDR-25773) that exemplifies how the proposed development does not meet the intent of the neighborhood plan with regard to the building’s proposed height in relation to the neighboring single family residential homes.

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The site encompasses multiple parcels with a proposed building built across the lot lines. As it is the stated intention of the applicant to create a mixed-use subdivision, there will need to be a tentative map review and final map technical review for a merger and resubdivision prior to any building permits being issued.

Minimum Requirements of Approval for a Mixed-Use Development use in the proposed/existing C-1 (Limited Commercial) zoning district are:

1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts may be permitted by means of Special Use Permit within a P-R, N-S, O, C-1, C-2, or C-PB Zoning District.
2. Nonresidential uses permitted as of right in the P-R, N-S, O, and C-1 Zoning Districts may be permitted by means of Special Use Permit within an R-3 or R-4 Zoning District.
3. When residential and nonresidential uses are approved for a single parcel:
 - a. The nonresidential use shall be located at ground level fronting the primary public right-of-way, and the primary entryway to that use shall be directly from and oriented to a street; and
 - b. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

This special use permit has been submitted in conjunction with a Rezoning (ZON-25776) to change the northern portion of the project site to a C-1 (Limited Commercial) zoning district, a Variance (VAR-25778) to allow a deviation of the 1:1 stepback requirement above 35 feet where adjacent to a collector street or larger, a Special Use Permit (SUP-25775) to allow a building height of 425 feet in the A-O (Airport Overlay) District and Site Development Plan Review (SDR-25773) to site a proposed 38-story mixed-use development that includes 108,500 square feet of commercial area and 676 residential units.

The proposed Mixed-Use use meets the minimum requirements of approval per Title 19.04. However, due to scope and scale of the proposed development the project is incompatible with the surrounding present and future area development and the building's height is in conflict with the neighborhood plan for the area; therefore, staff is recommending denial of this special use permit.

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:

SUP-25779 - Staff Report Page Eleven
March 13, 2008 - Planning Commission Meeting

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 design of the development adequately separates the commercial and residential components on-site; however, the scale of the proposed development may have significant impact on the adjacent land uses. The scale and scope of the proposed residential use can not be conducted in a manner that is harmonious and compatible with the existing surrounding land uses, and those future uses as projected by the General Plan.

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

Provide that the subsurface conditions are able to accommodate the four levels of below ground parking and tower support structure, the subject site is physically suitable for the intensity of use proposed by the applicant.

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.”**

South 6th Street, a 60-foot local street, will be the principal vehicular access point for guests and the valet service with additional access via a private access drive off of East Sahara Avenue, a 150-foot primary arterial street, for building residents and commercial tenants. Further, the frontage along East Sahara Avenue will be used by pedestrians patronizing the ground-floor commercial businesses and has access to public transportation, which may assist in reducing the number of vehicle trips generated by the development. The scope of this project and the added traffic on South 6th Street will likely result in a negative impact on adjacent roadways and neighborhood traffic. Mitigation measures suggested by the required Traffic Impact Analysis may reduce these negative impacts.

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

Approval of this special use permit should not compromise public health, safety, or welfare. However, the scope and scale of the proposed development that necessitates a Variance (VAR-25778) for a deviation of Title 19.08.030 (C) – Building Heights Along Streets Classified as Collector or Larger and waiver of Title 19.08.060 – Residential Adjacency Standards is not consistent with Goal 2 of the General Plan as it relates to mature neighborhoods being sustained and improved through appropriate and selective high quality redevelopment and preservation.

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March 13, 2008 - Planning Commission Meeting

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

The proposed mixed-use development meets all minimum conditions of Title 19.04 with approval of this action.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 323

APPROVALS 8

PROTESTS 19



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-25779** APN: 162-03-811-0000 001

Name of Property Owner: EXCEED PROPERTIES, INC.

Name of Applicant: EXCEED PROPERTIES, INC.

Name of Representative: ED VANCE & ASSOCIATES - CHRIS RICHARDSON

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

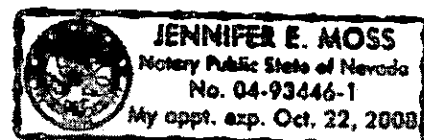
Signature of Property Owner: Charles V. Miles

Print Name: Charles V. Miles

Subscribed and sworn before me

This 19 day of November, 20 07

Jennifer E. Moss
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-25779** APN: 162-03-801-099
Name of Property Owner: 600 E. SAHARA LLC
Name of Applicant: EXLEED PROPERTIES, LLC
Name of Representative: ED VANKE & ASSOCIATES - CHRIS RICHARDSON

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: _____

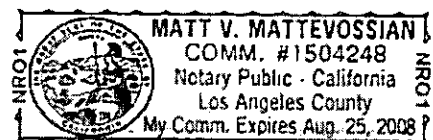
Signature of Property Owner: _____

Print Name: KHACHIK TOOMIAN'S Managing Partner

Subscribed and sworn before me

This 20th day of NOVEMBER, 2007

MATT V. MATTEVOSSIAN
Notary Public in and for said County and State



Case Number: **SUP-25779** APN: 162-03-801-011 162-03-801-120
162-03-801-013 162-03-810-015
162-03-801-014

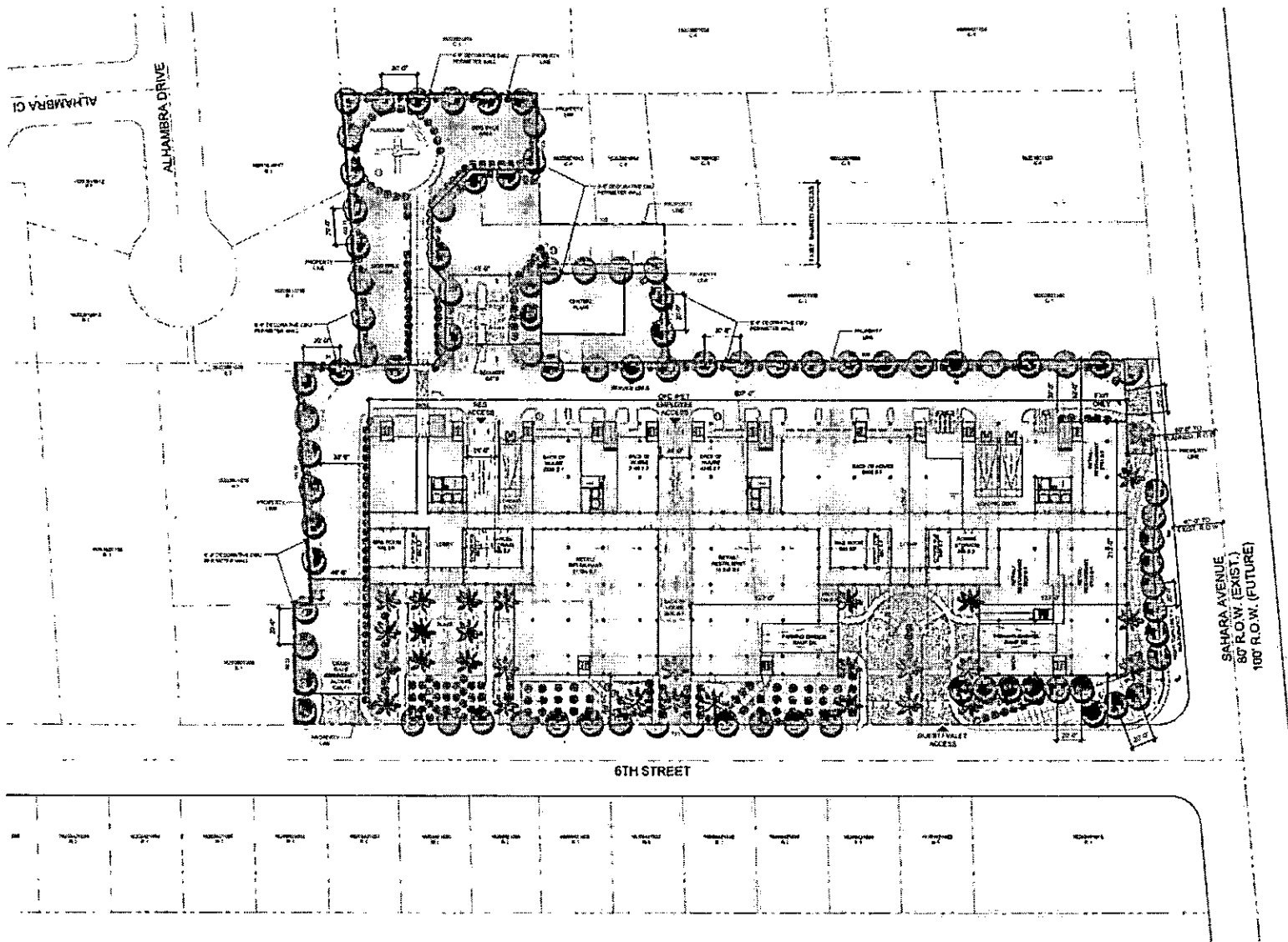
Name of Representative: ED VANCE & ASSOCIATES - CHRIS RICHARDSON

~~X~~ No

APN: _____

Print Name: BRAD STAHEL, PRES.

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NOV 27 2007

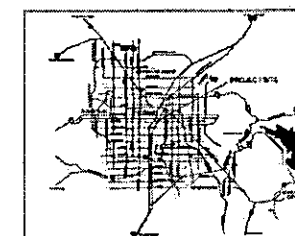


Site Data	
Location	City of Las Vegas Neighborhood Area
Grass Area	2.25 AC
Net Area	9.25 AC
Density	48.0 DENS/AC
Lot Coverage	48.0 %
Current Zoning	C-1 UNPD 2004.1
Proposed Zoning	C-1
Current Land Use	Commercial (R1, R2, R3) General Commercial (R1, R2)
Proposed Land Use	Commercial (R1, R2, R3) General Commercial (R1, R2)
Overall Density	48.0 %
Plot Area Ratio (FAR)	1.70

Use Data	
Development	1,000 Units + 100,000 sq ft
Overall Area	36,000 sq ft
Overall Office	75,000 sq ft
Plot Area & Layout	75,000 sq ft

Parking Analysis	
CONDOMINIUM	200 SPACES
1.25 - 1.50 SPACES/UNIT (1.375 avg)	200 SPACES
1.1 - 1.25 SPACES/UNIT (1.175 avg)	112 SPACES
CONDOMINIUM SUBTOTAL	312 SPACES
COMMERCIAL	200 SPACES
RETAIL - 1.25 SPACES/UNIT (1.25 avg)	200 SPACES
OFFICE - 1.25 SPACES/UNIT (1.25 avg)	200 SPACES
CLIMATE CONTROL - 1.25 SPACES/UNIT (1.25 avg)	200 SPACES
TOTAL PARKING REQUIRED (ENTIRE PROJECT)	512 SPACES
TOTAL PARKING PROVIDED (ENTIRE PROJECT)	512 SPACES
ACCESSIBLE PARKING	20 SPACES
CONDOMINIUM 1.1 - 1.25 SPACES/UNIT (1.175 avg)	20 SPACES
CLIMATE CONTROL - 1.25 SPACES/UNIT (1.25 avg)	20 SPACES
TOTAL	20 SPACES

LEGEND		
SYMBOL	NAME	SIZE
	DATE PALM PANDANUS DACTYLIFERA	8" BOX
	YUCCA FILIFERA YUCCA FILIFERA	3" BOX
	PAPYRUS GRASS CORTADERIA SELLOWIANA	2" CAN.
	TOP GROUND COVER LANTANA CAMARA (YELLOW)	2" CAN.



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LAS VEGAS, NEVADA 89144
P. 702.946.8195 F. 702.946.8196
WWW.E&AARCHITECTS.COM

SITE PLAN & GROUND LEVEL FLOOR PLAN

SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776

VAR-25778

FEBRUARY 22, 2008

LAS VEGAS, NEVADA

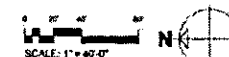
SUP-25775

SUP-25779

SDR-25773

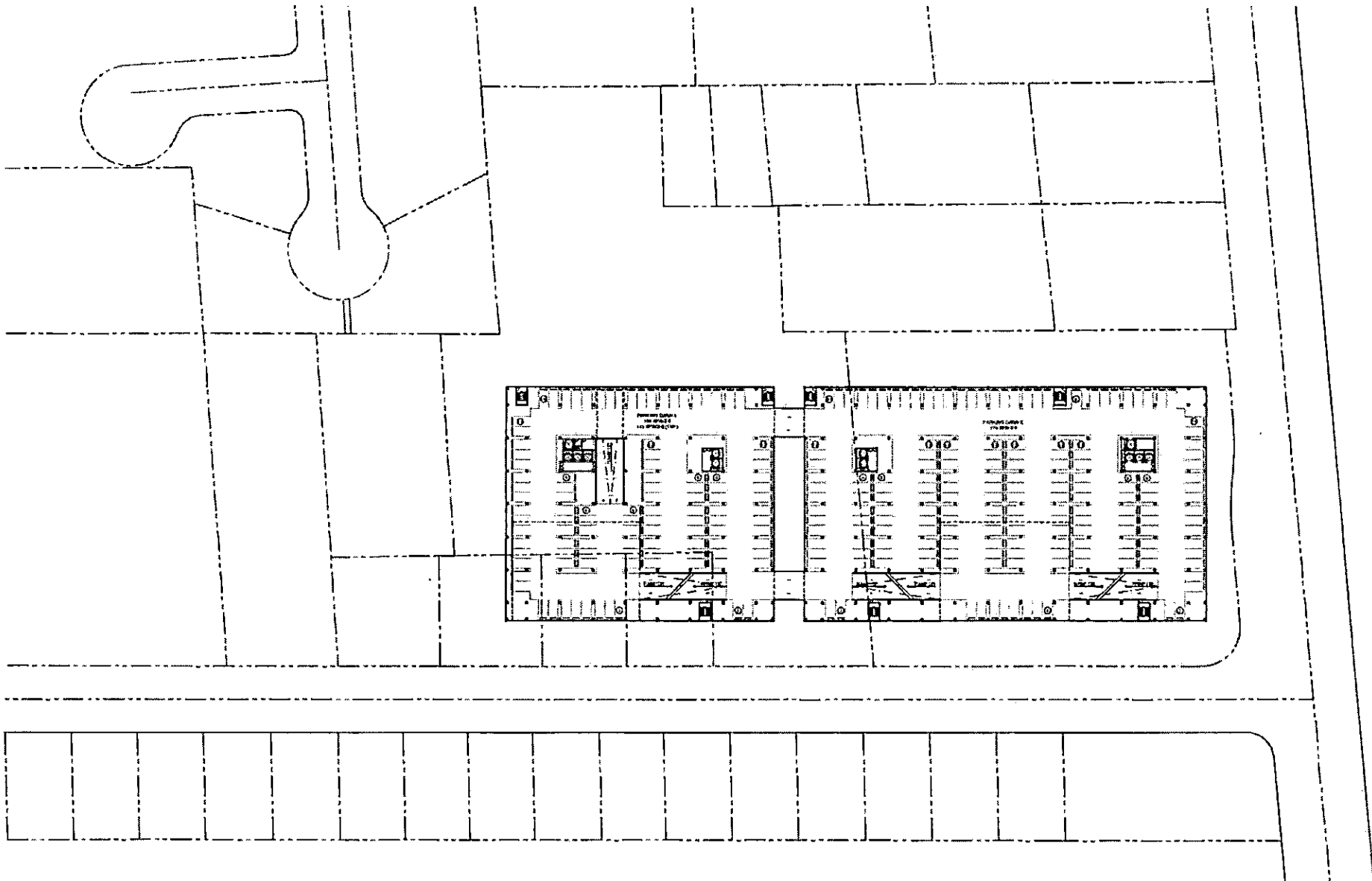
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03/13/08 PC



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 800 S. LAS VEGAS AVENUE, SUITE 100
 LAS VEGAS, NEVADA, 89101
 P. 702.466.1122 F. 702.466.1104
 www.edvanceassociates.com

FLOOR PLAN - SUBTERRANEAN LEVELS -1 THRU -4

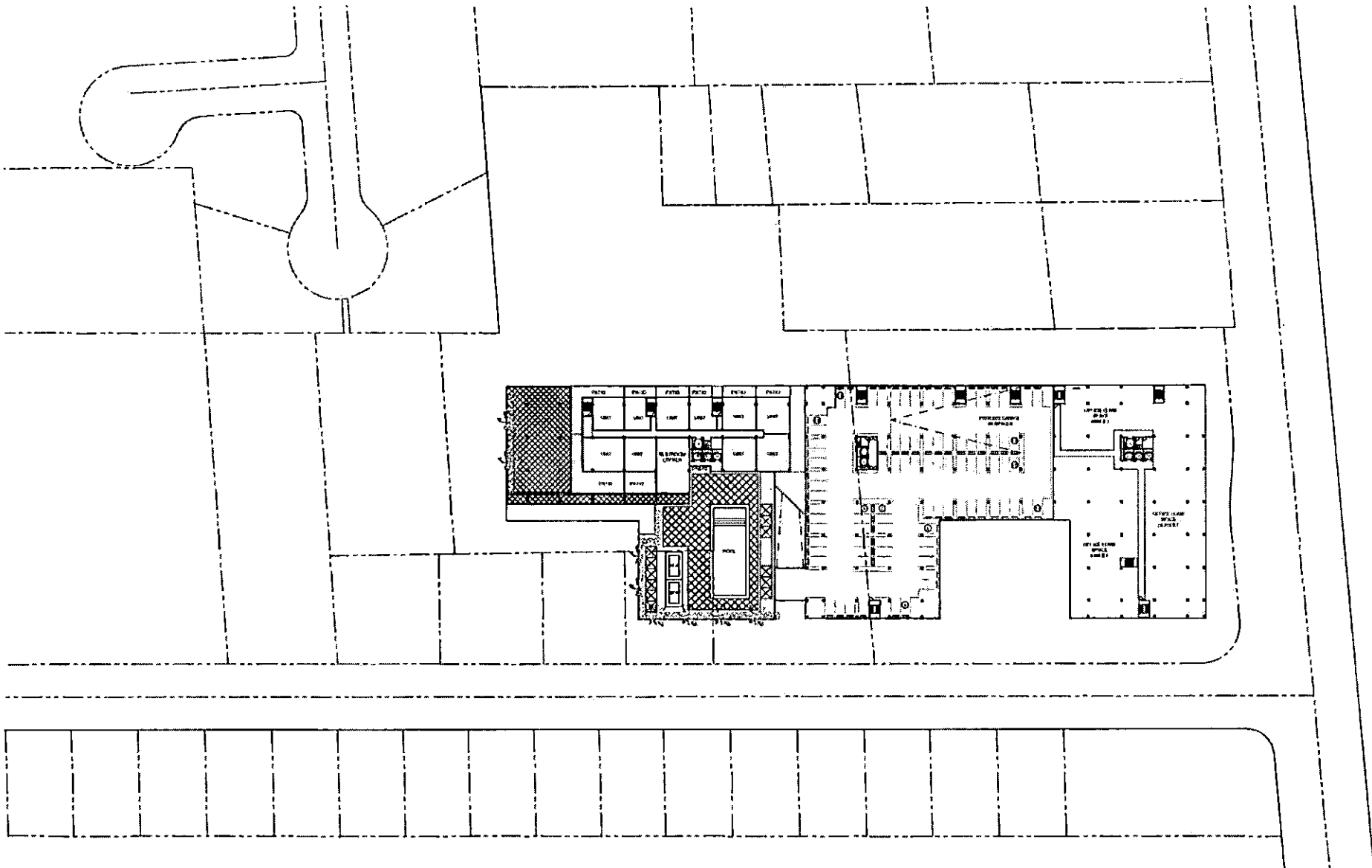
SAHARA AVENUE & SIXTH STREET MIXED-USE **ZON-25776** **VAR-25778** FEBRUARY 22, 2008

LAS VEGAS, NEVADA



SUP-25775 **SUP-25779**
SDR-25773 **REVISED**
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 www.adrianmiller.com

FLOOR PLAN - TOWER LEVEL 2 (3-4 SIM)

SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776

SUP-25775

SDR-25773

03/13/08 PC

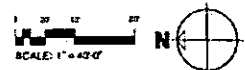
VAR-25778

SUP-25779

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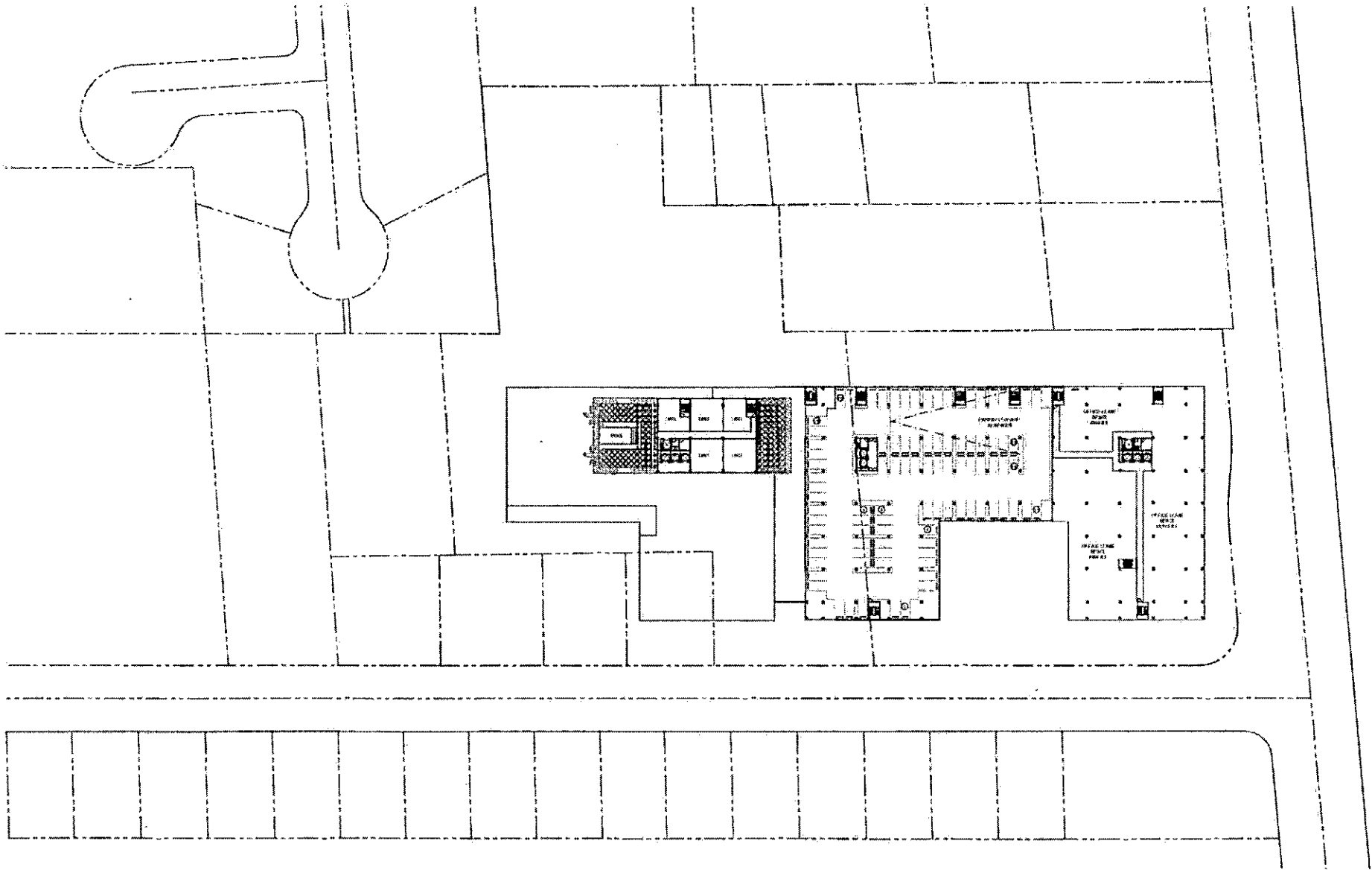
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 WWW.ADVANCEASSOCIATES.COM

FLOOR PLAN - LEVEL 5

SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776

SUP-25775

SDR-25773

03/13/08 PC

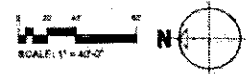
VAR-25778

SUP-25779

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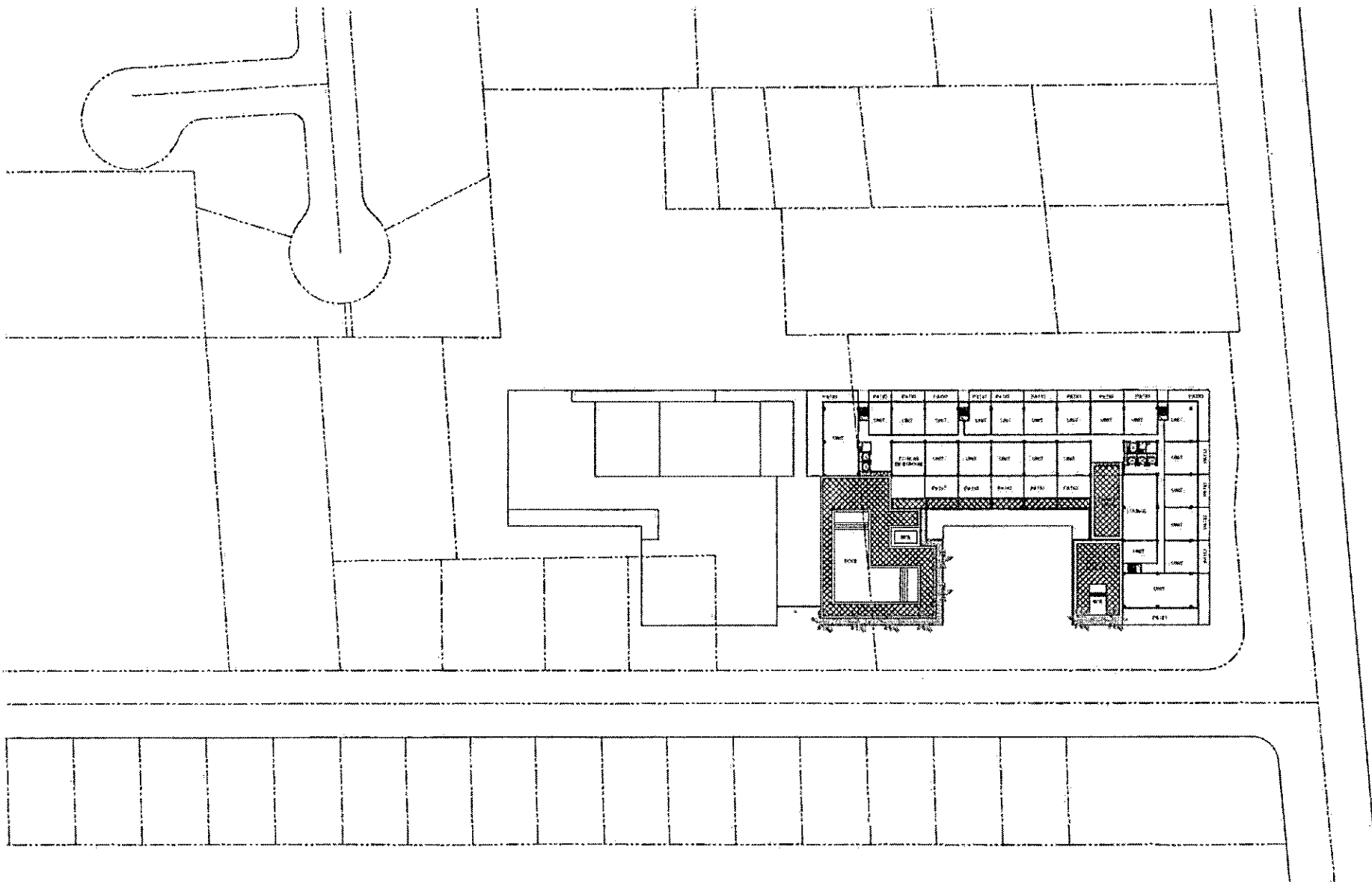
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 880 S. VULCAN CENTER BOULEVARD, SUITE 100
 LAS VEGAS, NEVADA 89144
 P. 702.448.8187 F. 702.448.8196
 www.evaa.com

FLOOR PLAN - TOWER LEVEL 6 (Z-9 SIM.)

SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776

SUP-25775

SDR-25773

03/13/08 PC

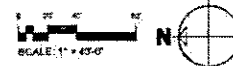
VAR-25778

SUP-25779

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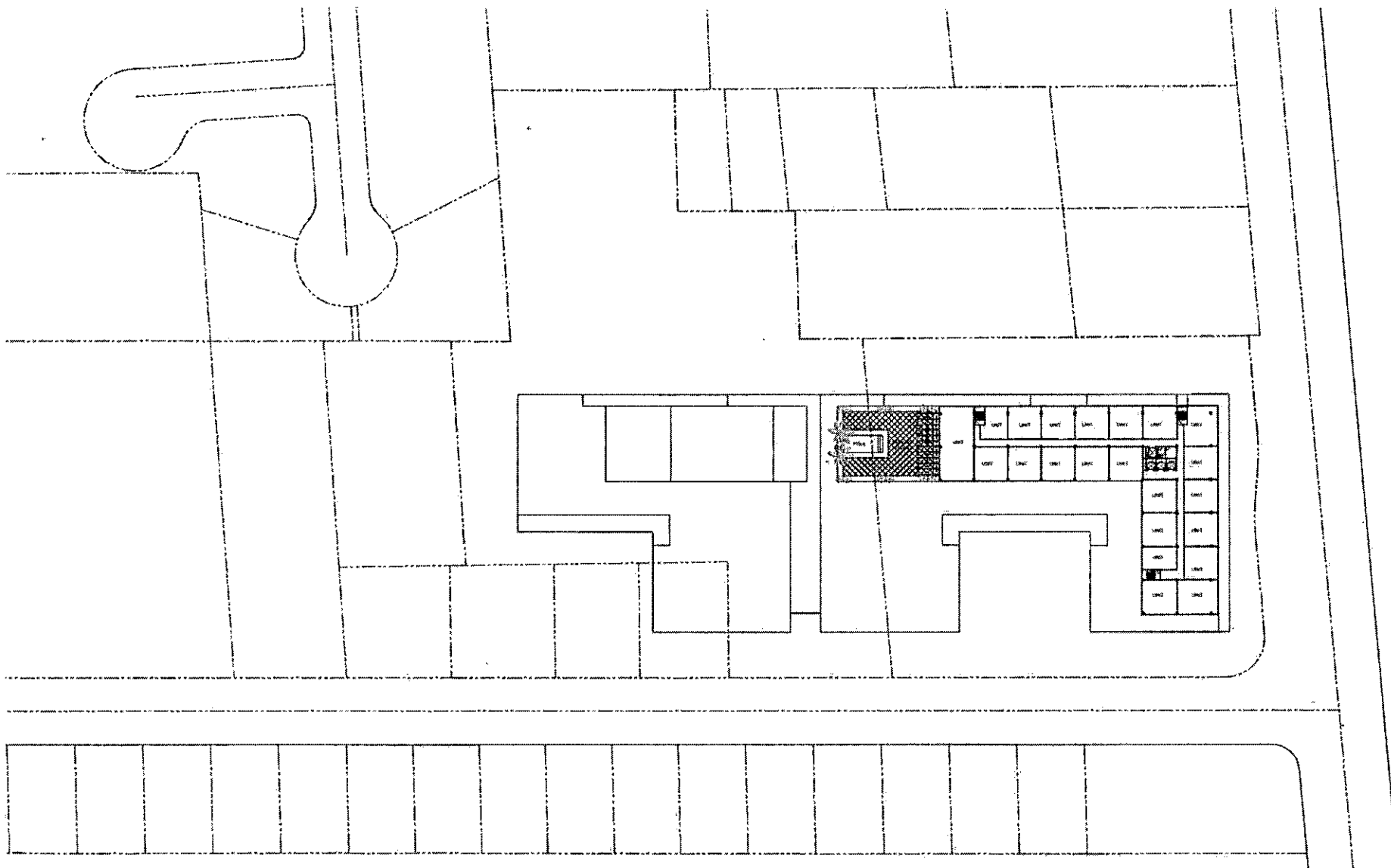
FEBRUARY 22, 2008

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 P. 702.446.8128 F. 702.446.8129
 www.edyance.com

FLOOR PLAN - TOWER LEVEL 10 (11-12 SIM.)

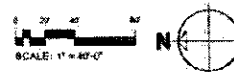
SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776

VAR-25778

FEBRUARY 22, 2008

LAS VEGAS, NEVADA



SUP-25775

SUP-25779

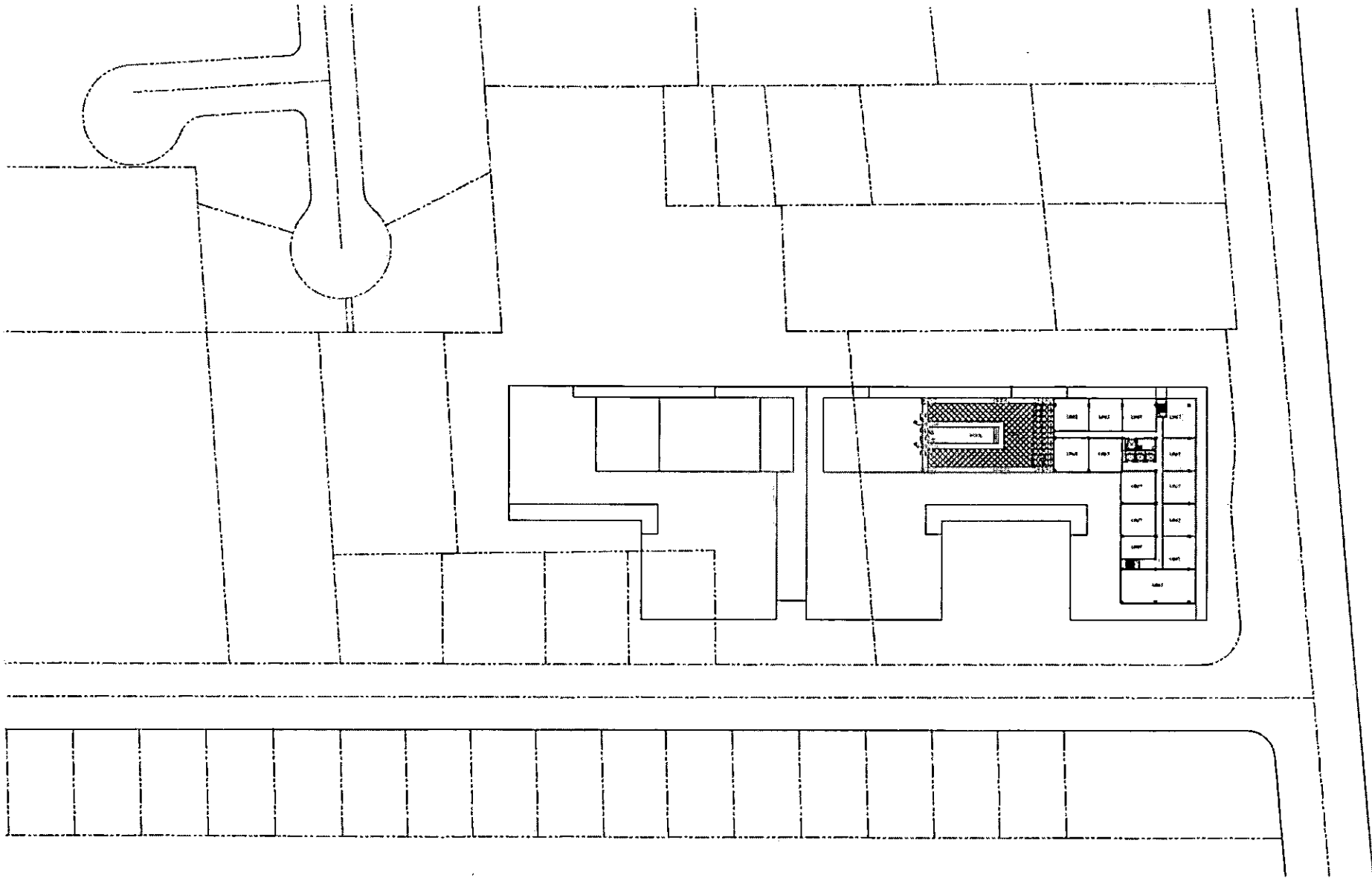
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REVISED

03/13/08 PC

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 P. 702.446.8138 F. 702.446.8139
 www.edvance.com

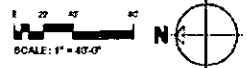
FLOOR PLANS - TOWER LEVELS 13 (14-16 SIM.)

SAHARA AVENUE & SIXTH STREET MIXED-USE ZON-25776

VAR-25778

FEBRUARY 22, 2008

LAS VEGAS, NEVADA



SUP-25775

SUP-25779

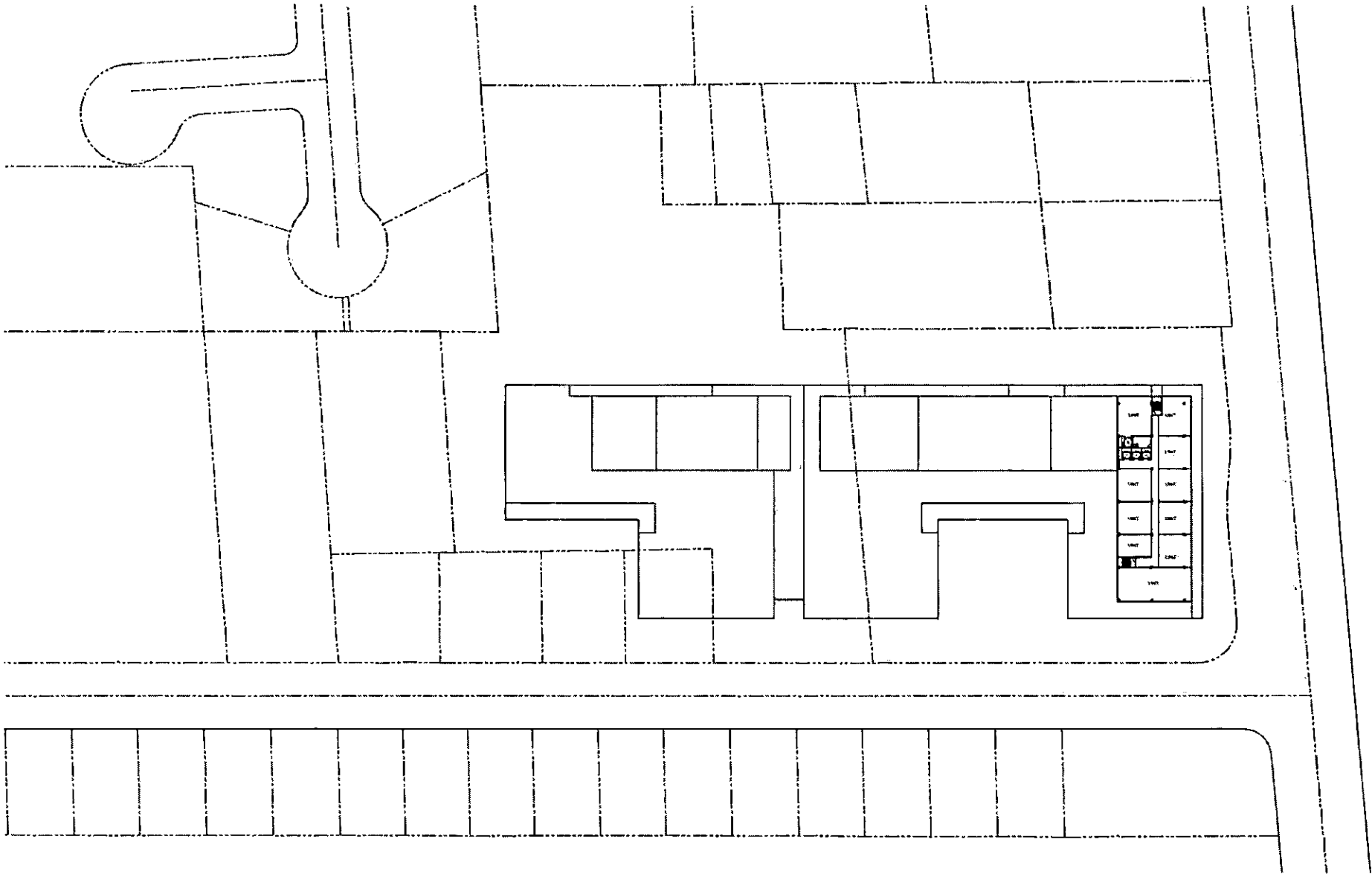
SDR-25773

REVISED

03/13/08 PC

RECEIVED

FEB 22 2008



ED VANCE AND ASSOCIATES
800 S. PAVILION CENTER DRIVE, SUITE 100
LAS VEGAS, NEVADA 89166
P. 702.584.1100 F. 702.584.1101
www.edvanceassociates.com

FLOOR PLANS - TOWER LEVELS 17-38

SAHARA AVENUE & SIXTH STREET MIXED-USE ZON-25776 VAR-25778

SUP-25775 SUP-25779

SDR-25773 REVISED

03/13/08 PC

FEBRUARY 22, 2008

LAS VEGAS, NEVADA



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FEB 22 2008



ZON-25776, VAR-25778, SUP-25775, SUP-25779 AND SDR-25773 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: FAITH COMMUNICATIONS CORPORATION
ADJACENT TO THE EAST SIDE OF SIXTH STREET, APPROXIMATELY 730 FEET NORTH OF SAHARA AVENUE AND 290 FEET EAST OF SIXTH STREET
JANUARY 10, 2008 PLANNING COMMISSION

12/11/07



ZON-25776, VAR-25778, SUP-25775, SUP-25779 AND SDR-25773 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: FAITH COMMUNICATIONS CORPORATION
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JANUARY 10, 2008 PLANNING COMMISSION

12/11/07



February 25, 2008

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

Re: Revised Justification Letter Regarding Application(s) for
SDR-25773, SUP-25775, ZON-25776, VAR-25778, SUP-25779
For the Property located at NEC Sahara Avenue & 6th Street
APN #'s 162-03-801-011, 013, 014, 015, 120, 099; 162-03-811-000 (the
"Property")

To Whom It May Concern:

This letter is written on behalf of the applicant, Exceed Development LLC, and shall serve as the required justification letter for the associated applications for the parcels listed above, an approximate 7 net acre mixed-use project at the Property.

The Property is located on the north side of Sahara Avenue and the east side of 6th Street. A portion of the Property, APN #162-03-801-099, lies within the City's Redevelopment Area. The General Plan calls for the land-use to be "C" and "SC" or General Commercial and Service Commercial.

The specific SUP applications and requested waivers associated with this Site Development Review and Re-Zoning application are as follows:

- SUP requested for Mixed-Use in a C-1 zone
- SUP requested for Height within Airport Overlay
- Variance requested for encroachment into the height/setback along a street classified as a collector or larger.
- Waiver of Development Standards requested for encroachment into the residential adjacency height/setback.

ZON-25776 VAR-25778
SUP-25775 SUP-25779
SDR-25773 REVISED
03/13/08 PC

900 South Pavilion Center Drive-Suite 160
Las Vegas, Nevada 89144
o 702.946.8195 | f 702.946.8196
www.edvanceassociates.com

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FEB 25 2008

The attached Site Development Review, Special-Use Permit, Variance & Waiver applications seek approvals for:

- ~~1,105~~ 676 units of Residential Condominiums
- ~~179,860~~ 108,500 square feet of flex Commercial Lease Space of which ~~10,660~~ 36,200 square feet is retail and ~~169,200~~ 72,300 square feet is office.
 - 10,660 square feet of Retail directly fronts Sahara Avenue

The proposed development, as submitted, consists of ~~one~~ two buildings, divided by a driveway ramp, with ~~a~~ four (4) levels of underground parking garage. The remainder of the parking would be in an above-ground parking garages on the south end of the property. The parking would occur on Levels 2-~~7~~ 5 along with office lease space. The Ground Level would primarily be the retail/restaurant lease space and back of house functions ancillary to the condo function. An amenities deck, including the pool, spa and outdoor terrace, would be on Level ~~8~~ 2 for the north building and on level 6 for the south building. Therefore, the first ~~eight~~ six (S6) levels shall serve as the south building's base while the north building's base will consist solely of the 20' retail base. The condominiums will begin at Level 8 and continue up to Level ~~43~~ 38 to a maximum height of ~~500'~~ 425'-0".

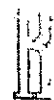
As illustrated on the attached site plan, the building coverage occupies approximately 46% of the site providing for a highly pedestrian-friendly plaza in front of the retail along Sahara Avenue and a ~~pair of~~ beautifully enhanced and landscaped ~~entries-entry~~ and porte cocheres off of 6th Street. Also incorporated into the design is an approximate ~~.83~~ .52 acre park/green space located on the east side of the development, adjacent to and acting as a buffer to the neighboring residential properties. This would be available to both the residents of the development and to the neighborhood surrounding the development. The development mimics many of the development standards set forth in the City of Las Vegas Downtown Centennial Plan in order to provide a consistency with developments that are planned to west and help promote pedestrian activity along Sahara Avenue and 6th Street.

The proposed development seeks to be both a positive contribution to the City of Las Vegas and to the Beverly/Southridge neighborhoods. We have met with members of the adjacent neighborhood and incorporated several changes to mitigate their concerns. The project employs several of the strategies outlined within the Beverly/Southridge Neighborhood Plan. Specifically, addressing the following under the "Existing Land Use" portion:

Issue 2. Strategy 1: Residential Adjacency & Building Heights

The Plan calls for a request that any development whose building foundation is within 300' of property zoned for single family residential homes be required to adhere to the City's Residential Adjacency Standards.

ZON-25776 VAR-25778
SUP-25775 SUP-25779
SDR-25773 REVISED
03/13/08 PC



FEB 25 2008

In order to help with concerns from the neighboring residences, the tallest portions of the project are pushed as far south from the neighborhood to the north and as far east from the neighborhood across Sixth St.

Specifically, the residential adjacency standards stemming from the homes to the north are met for the entire project except the tower portion, which is located more than 500' from these homes from the north. Additionally, where the development is closest to these existing homes, at the north end of the property, the building has a more "mid-rise residential" feel with four (4) levels of residential units directly atop a 20' retail base consistent with similar developments recently approved and constructed adjacent to existing homes within the boundaries of the Plan.

Along Sixth Street, the Tower portion is located directly across from an existing commercially zoned and retail-based land-use; therefore the residential adjacency does not apply. Moving north, the building is located more than 100' at its closest point to these homes and up to about 180' at its greatest point. The height of the building at these points is 60' and is buffered by a 40' wide beautifully landscaped area. Any tower portion of the project that is directly in front of these homes are located more than 230' away.

All this being said, we are happy to say they we feel that the majority of the project conforms to this strategy.

Issue 3, Strategy 3: Poorly Maintained Private Streets

This development is in support of this strategy, incorporating CLV standards for it's portion of improvements and would further be in support of associating with the adjacent business owners using the private street in the beautification efforts.

Issue 4, Strategy 1: Sahara Re-development

The parcel at the corner of Sahara Ave. & Sixth St. is within the CLV Re-development area. This development is the true definition of mixed-use, incorporating retail/restaurant, office and residential components, exactly what would be necessary to keep with the urban goal. The project not only provides ample space to incorporate the uses being displaced, but provides additional space as well.

Issue 5, Strategy 1: Vacant Lots

A large portion of this project incorporates lots that are currently vacant, and an eye-sore within the community. We have been working with the neighborhood associations to make the necessary changes to make this project compatible with the neighborhood.

ZON-25776 VAR-25778
SUP-25775 SUP-25779
SDR-25773 REVISED
03/13/08 PC

RECEIVED
FEB 25 2008

The project is also in support of the "Traffic Issues" portion of the Plan. Specifically:

Issue 1: Cut-thru Traffic

In meeting with the residential neighbors we have made changes to the development to mitigate and limit this projects impact on traffic cutting through the residential neighborhood. By limiting the facilities access points along Sixth Street to only visitors of the property, both residential guests and visitors to the retail and commercial uses, this limits the number of vehicles placed directly onto Sixth Street. All residents and employees within the development will access the property from the existing common commercial road off of Sahara Avenue and will only be allowed to exit either back down this drive or directly onto Sahara Avenue by means of a "one way," egress-only drive.

Recent changes to the submitted development plans also eliminate the need for the perimeter landscape buffers, which also helps with the compatibility of the development.

By virtue of the attached applications, the City of Las Vegas is presented with another opportunity to promote additional redevelopment and more intense land uses downtown. This project specifically will further restore vitality and economic opportunities and give overall direction to future public and private improvements throughout the (redevelopment) area. We are confident this project will enhance the momentum for further needed redevelopment along Sahara Avenue moving east from Las Vegas Boulevard. The City Council has frequently asserted its desire to have quality new residential development in the Downtown area, and this development plan fits the standard.

The approval of this project will allow the City to meet many of its design goals and objectives for land use, urban form, pedestrian environment, and image and character in and adjacent to Downtown Las Vegas.

We greatly appreciate your time and effort in the review of this development proposal. If you have any questions, or require further information, please do not hesitate to contact me at 702-946-8195.

Sincerely,



Chris Richardson, Ed Vance & Associates
on Behalf of Exceed Development, LLC.

ZON-25776 VAR-25778
SUP-25775 SUP-25779
SDR-25773 REVISED
03/13/08 PC

DEC
FEB 25 2008

January 8, 2008

Commissioners,

I am writing on behalf of the Beverly Green Neighborhood association regarding the following items listed on your January 10th agenda;

SDR-25773 (request for a waiver of normal requirement that a building of this height to be built adjacent to a residential home be 1500 feet from the nearest home; the request is to allow the building to be built 100 feet from the nearest home.)

SUP-25775 (request for a special use permit to build a 500-foot high building, where the ordinary limit is 175 feet)

ZON-25776 (request to rezone the land on 6th street for commercial use)

VAR-25778 (request for a variance from the normal requirement of a "stepback" from the edge of the property)

SUP-25779 (request for a special use permit for mixed-use development on land currently designated for residential use)

The proposal, located on 6th street north of Sahara, calls for a 500-foot tower and a 12 story portion of the building to be built directly adjacent to single family homes. The building would include approximately 1100 residential units and 180,000 square feet of commercial use.

Our neighborhood has consistently supported development projects that improve the area. However, this proposal is clearly incompatible with the surrounding neighborhoods. First, the change from R-1 to C-1 is in direct violation of the Beverly Green-Southridge Neighborhood Plan (BGSNP). The BGSNP, a document that went through numerous public meetings and review, was accepted unanimously by the Las Vegas City Council as the neighborhood view. It should be considered the formal voice of the neighborhood.

The height of 500 feet and of 12 stories directly adjacent to single family homes is contrary to the City's stated goals of preserving these neighborhoods as residential. It is also in opposition to the BGSNP. Finally, the height is in direct conflict with the City's own height restrictions. In fact, the waiver that developer has requested would lessen the distance requirement by 15 times!

The residents of these neighborhoods have made this a wonderful place to live. And they have done it through hard work, perseverance, and a belief that their voices mattered. I urge you to reject this project as incompatible with the adjacent neighborhoods.

Sincerely,


Ben Contine

27.32

January 10, 2008

Las Vegas City Planning Commission

Re: Proposed development on 6th Street north of Sahara

SDR-25773 (request for a waiver of normal requirement that a building of this height to be built adjacent to a residential home be 1500 feet from the nearest home; the request is to allow the building to be built 100 feet from the nearest home.)

SUP-25775 (request for a special use permit to build a 500-foot high building, where the ordinary limit is 175 feet)

ZON-25776 (request to rezone the land on 6th street for commercial use)

VAR-25778 (request for a variance from the normal requirement of a "stepback" from the edge of the property)

SUP-25779 (request for a special use permit for mixed-use development on land currently designated for residential use)

We own property on 6th Street at 2212 and 2200, directly across the street from the proposed building site located on the east side of 6th Street. After reviewing the requests for variances requested by the developer, We are opposed to all of them in their entirety.

We believe that a 40+ story building is inappropriately tall for that neighborhood. We oppose the removal of set back limitations. And we oppose the zoning change to commercial without knowing the use of the commercial space. We also question whether 6th Street can handle the increased traffic flow. The street is currently used as a throughway. Residential speed limits are ignored. This proposed building would only serve to increase problem for residents on 6th Street.

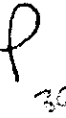
We are in favor of a modest development that would serve the residents of the surrounding area.

Frank Butterfield

Brian Morrell



Official Notice of Public Hearing





CHRIS GIUNCHIGLIANI
Commissioner

Board of County Commissioners

CLARK COUNTY GOVERNMENT CENTER

500 S GRAND CENTRAL PKY

BOX 551601

LAS VEGAS NV 89155-1601

(702) 453-3500 FAX: (702) 303-8041

January 9, 2008

City of Las Vegas
Planning Commission
400 Stewart Ave.
Las Vegas, NV 89101

Dear Planning Commissioners:

I am writing a letter in opposition to items 31, 32, 33, 34, and 35 on the January 10, 2008, agenda requested by Exceed Properties. They are requesting a rezoning to commercial, a waiver of setbacks, a special use permit for a 500 foot building, a special use permit for a mixed-use development, and a site review plan.

I participated as a resident and former assemblywoman for the area on a previous project that was proposed several years ago. The community worked with that developer in good faith. Now, apparently, the land was flipped and additional parcels were added to this project. While this is in the City, I am also the Commissioner for the area and my constituents have loudly voiced their concerns and opposition. As an individual, I am also opposed.

The project is too dense, too high, it intrudes on the residential area, it isn't compatible with the surrounding residential areas, and it will cause traffic problems on both 6th Street and Sahara Avenue. Further, this would be the tallest building on East Sahara for miles. In fact, it would be taller than Allure, which is on the west side of Sahara and close to a gaming overlay. Also, the fact, that they can't make any of their setbacks tells me this is too small a footprint for what they are proposing. This project also conflicts with the adopted neighborhood plan that everyone worked on and presented to the City Council.

Finally, this would cause the loss of small businesses that have been serving the area for years. While we all want some development it should not negatively impact the residential character of an area. Since many developers aren't moving forward with projects due to the housing slow down, I suspect this may be one more opportunity to "flip" a parcel to the detriment of the area.

I apologize for not being able to be in attendance.

Sincerely,

Chris Giunchigliani
Commissioner District E

Submitted after final agenda

Date 1/10/08 31-
PC Item 35

P

From: Richard Reid
548 Canosa Avenue
Las Vegas, NV 89104

January 7, 2008

VIA FAX

To: Las Vegas City Clerk
City Hall
Las Vegas, NV

I have been informed that the Las Vegas City Planning Commission hearing on this Thursday evening, January 10th, 2008, will have on its' agenda the **high-rise commercial/residential tower**, proposed for construction on East Sixth Street.

I did not receive any official notice of the Planning Commission's intent to deal with this issue at their January 10th meeting. I understand that only 123 people were contacted by mail, seeking responses, either in support or opposition to this project. In polling my neighborhood (only two blocks from the proposed project) I have yet to find even one person, who received any notice.

I am extremely upset to have been omitted from any notification.

This project is a matter of extreme importance to my neighborhood !

Accordingly, I am faxing my response to voice profound opposition to this project.

Specifically, I am opposed to all requests put forth by the developer in the following agenda items of Planning Commission meeting:

- SDR-25773
- SUP-25775
- ZON-25776
- VAR-25778
- SUP-2577

Lastly, being physically handicapped, I wish to be on record, as requesting the opportunity to address the members of the Planning Committee, detailing my objections, at the appropriate time, during the January 10th meeting.

Sincerely,



Richard Reid

cc: Mayor Pro-Gern Gary Reese, Las Vegas City Clerk, Las Vegas Planning & Development

Submitted after final agenda	
Date	1/10/08
PC Item	31-35

P

TICK SEGERBLOM
ASSEMBLYMAN
District No. 9



COMMITTEES:
Education
Elections, Procedures, Ethics,
and Constitutional Amendments
Judiciary

State of Nevada Assembly

Seventy-Fourth Session

DISTRICT OFFICE:
704 S. Ninth Street
Las Vegas, Nevada 89101
Office: (702) 388-9600
Fax No.: (702) 385-2909

LEGISLATIVE BUILDING:
401 S. Carson Street
Carson City, Nevada 89701-4717
Office: (775) 684-8549
Fax No.: (775) 684-8533
www.leg.state.nv.us

BY FAX 385-7268

January 7, 2008

Honorable Planning Commission Members
City of Las Vegas Planning Commission
Stewart Avenue
Las Vegas, Nevada

RE: SDR-25773
SUP-25775
ZON-25776
VAR-25778
SUP-25779

Dear Members:

Please oppose the items listed above. This project would seriously hurt the existing residential neighborhood and should not be allowed.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be "R. Segerblom", written over a large, stylized "Z" or "R" shape.

TICK SEGERBLOM
ASSEMBLYMAN

Submitted after final agenda	
Date 1/10/08	Item 31-
PC	35

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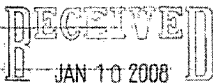
1-10-08

To Andy Reed and the Planning Commission,
As president of Southridge NA, and on
behalf of Penny Dale, V.P., we are asking
that you deny approval of items.

#31 - ZON 25776
32 - VAR 25778
33 - SUP 25775
34 - SUP 25779
35 - SDR 25773

There has not been enough time to have
a proper dialog with the full spectrum of
the neighborhood associations and the
developers. (Not that we haven't tried.)
We feel that a project of this magnitude
deserves more attention to the people of the
neighborhoods.

I'm sending this letter along with an
E-mail I sent yesterday. I hope it's all
legible. I was planning to speak in
person but I have an ongoing leg injury
that has been giving me problems as of
late. I'm sure I will be well represented.
I'll get there one of these days.



11:35am @

Sincerely,

Michael Harratty

Michael Harratty
President, Southridge NA

Submitted after final agenda

1/10/08 31-
Date PC Item 35

MICHAEL HANRATTY

From: "MICHAEL HANRATTY" <m.hanratty@worldnet.att.net>
To: "Susan Carroll" <smc@cox.net>; "Hart Elsie" <hart@justforfunstuff.com>;
 <centavodale@aol.com>; <l_pellegrini@hotmail.com>; <minkon@earthlink.net>;
 <jsimpson@lasvegasnevada.gov>; <gregorystephenbrown@gmail.com>;
 <jacobsmr@gmail.com>; <darryl@cox.net>; <alissamandjo@earthlink.net>;
 <nrbob7@yahoo.com>; <jkirk2@cox.net>; <vpawnshop@aol.com>; <pam50@cox.net>;
 <mpearl@aol.com>; <jwright@co.clark.nv.us>; <myersyounkin@aol.com>; <vic@trinity-life.org>;
 <breeze657@aol.com>; <sued123@cox.net>; <davisgroup@yahoo.com>;
 <jack@uninet.net>; <corvin@cox.net>; <cathe@trinity-life.org>;
 <bubba13_1999@yahoo.com>; <hart@justforfunstuff.com>; <jeff@trinity-life.org>;
 <jeffbower@digitalmediaco-op.com>; <janemiyama@aol.com>; <myersyounkin@netzero.com>;
 <shannoncult@cox.net>; <arthur@writingwithfamilies.com>; <giunchiolani@aol.com>;
 <jmsgibson@yahoo.com>; <tkkurz@yahoo.com>; <michael.lugering@univ.edu>;
 <vcarrera@cox.net>; <p7707t@nmpd.com>; <bobbyg@trinity-life.org>;
 <scottswank@gmail.com>; <pk4@cox.net>; <tami1@mac.com>
Sent: Wednesday, January 09, 2008 7:51 PM
Subject: Re: Update on proposal to build high-rise on 6th Street

To the E-mail gang of Southridge N A and beyond.

It is becoming clearly evident as different E-mails are filtering in that there are various and mixed views on the proposed high-rise at Sahara Ave. and Sixth St. As president of Southridge N A, I have maintained neutrality on this issue and will support the majority when that has been established. That's where the problem lies. There has not been enough time to come to a conclusion. I contacted the liaison (Strategic Solutions) and told them I would help them to organize a meeting where both Southridge and Beverly Green neighborhood associations would be given ample notification to attend. They told me that due to the holidays it would be more impossible to get it all together. They said they'd get back to me. They never did. It seems to me that Strategic Solutions' strategy is to get this pushed through without any fanfare or opposition. There have been other developers and businesses that have bent over backwards to accommodate the neighborhood associations for lesser projects.

At this time I am going to recommend that they deny approval of this project until the full perimeter of both neighborhood associations have a fair and equal voice.

Sincerely,

Michael Hanratty
 702 369 2432

— Original Message —

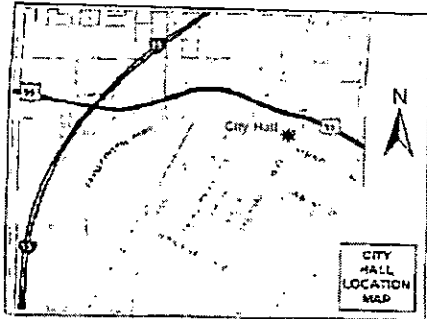
From:
To:

Sent: Wednesday, January 09, 2008 4:57 PM
Subject: RE: Update on proposal to build high-rise on 6th Street

1/10/2008

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.



I SUPPORT
this Request



I OPPOSE
this Request

SUP-25779

16203315015

Case SUP-25779

LIBBON ROBERT P
556 BONITA AVE
LAS VEGAS NV 89104-2869

89104-2869 0071

|||||

Submitted after final agenda

Date

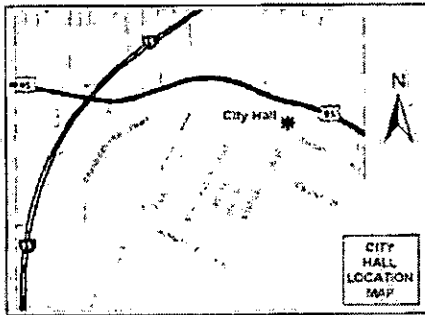
1/10/08
PC

Item 34

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.



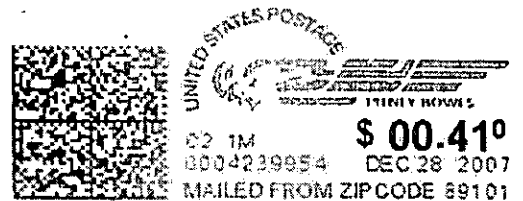
I SUPPORT
this Request



I OPPOSE
this Request

SUP-25779

8910432805 0009



RECEIVED
JAN 07 2008

15203714033

Case: SUP-25779

STIBOREK LOLA TRUST
604 BONITA AVE
LAS VEGAS NV 89104-2805

Submitted after final agenda

Date

1/10/08
PC

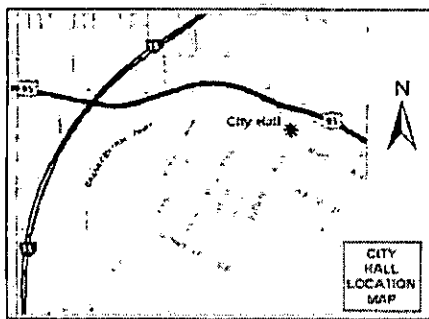
Item

34

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.



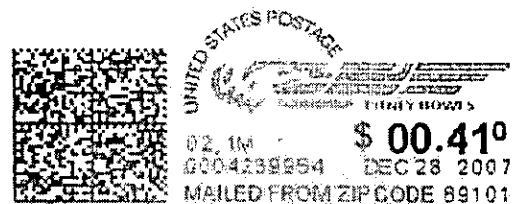
I SUPPORT
this Request



I OPPOSE
this Request

SUP-25779

8910432831 0071



RECEIVED
JAN 07 2008

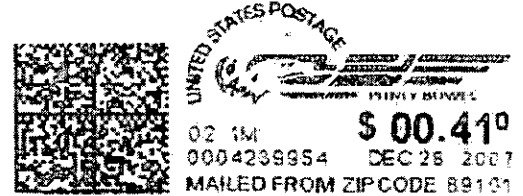
Case: SUP-25779
16203315037
HICKS GUY EVANS & HELEN LOUISE
1916 S 6TH ST
LAS VEGAS NV 89104-2831

Submitted after final agenda

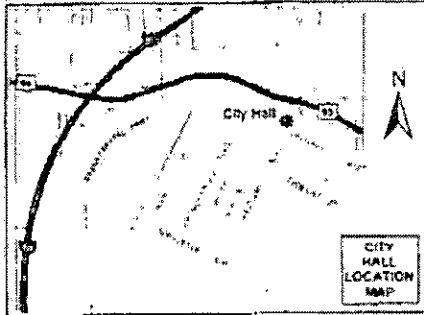
Date 1/10/08
PC Item 34



City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986



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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.



I SUPPORT
this Request

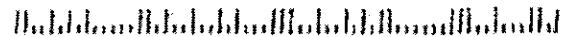


I OPPOSE
this Request

SUP-25779

Case: SUP-25779
 16203801043
 MINER RICHARD L & RHEA ETAL
 2118 WINTERWOOD BLVD
 LAS VEGAS NV 89142-1850

8914231850 0066



Submitted after final agenda

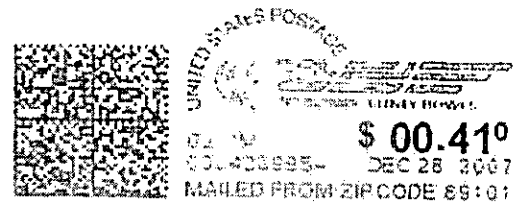
Date

1/10/08

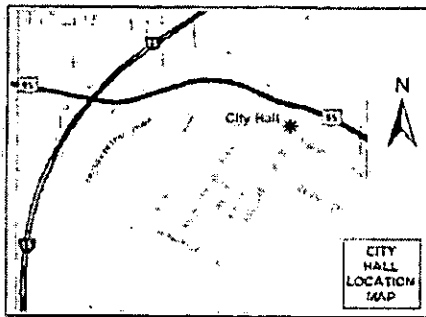
PC Item 34

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986



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☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

SUP-25779

16203801009 Case, SUP-25779
SCHLEUSNER LARRY & P FAM TR
6675 WEATHER VIEW DR
LAS VEGAS NV 89110-4019

Submitted after final agenda

Date. 1/10/08 PC Item 34

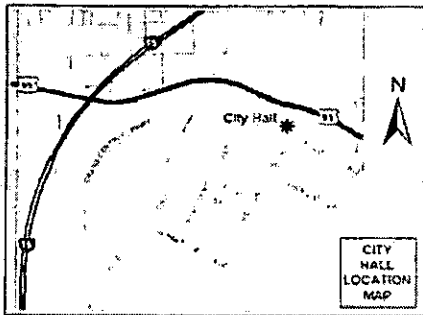
8911034019 0034



P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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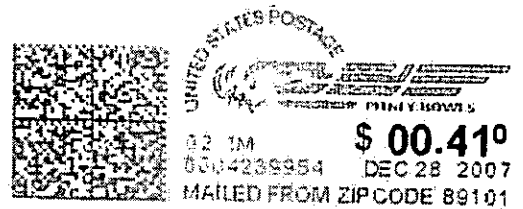
I SUPPORT
this Request

☒

I OPPOSE
this Request

SUP-25779

8910432956 0009



RECEIVED
JAN 08 2008

16203810023
HARPER WALTER O
820 ALHAMBRA DR
LAS VEGAS NV 89104-2966

Case: SUP-25779

Submitted after final agenda

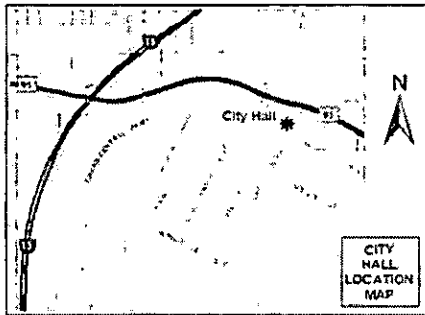
Date

1/5/08
PC Item 34

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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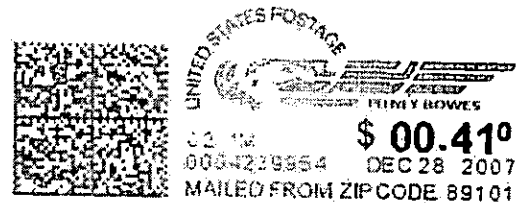
I SUPPORT
this Request

☒

I OPPOSE
this Request

SUP-25779

8910482822 0009



DEC 28 2007
JAN 08 2008

16203715005 Case: SUP-25779
SKONIECZNY HENRY J
705 E ST LOUIS AVE
LAS VEGAS NV 89104-2822

Submitted after final agenda

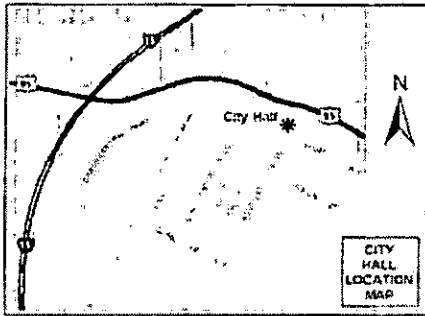
Date

1/15/08
PC Item 34

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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I SUPPORT
this Request



I OPPOSE
this Request

SUP-25779

5265185110 0011



RECEIVED
JAN 08 2008

16210113019 Case: SUP-25779
WILSON F E & P V R LTD
26622 ESPALTER DR
MISSION VIEJO CA 92691-5110

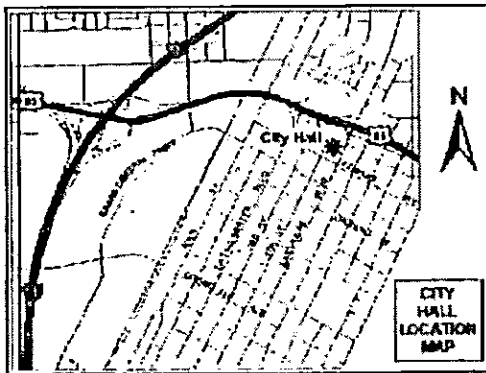
Submitted after final agenda

Date 1/8/08 Item 34

A

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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I SUPPORT
this Request

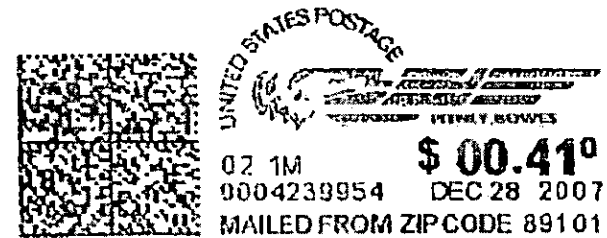


I OPPOSE
this Request

Date
 Submitted after final agenda
 PC Item

SUP-25779

6000231459 0001

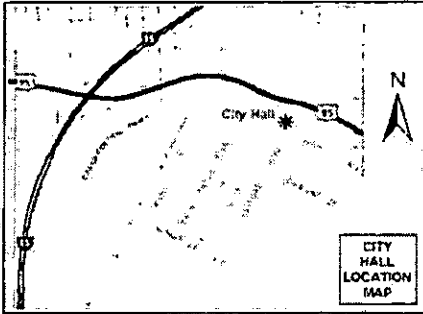


16203811040
 EXCEED PROPERTIES INC
 964 SPAFFORD ST
 ANTIOCH IL 60002-1459

Case: SUP-25778

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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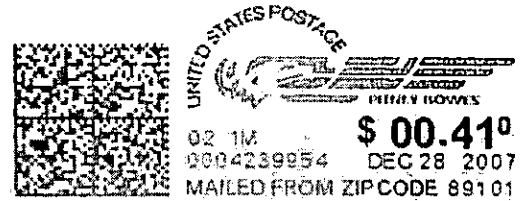
☒ I SUPPORT
this Request



☐ I OPPOSE
this Request

SUP-25779

8910482727 0071



RECEIVED
JAN 07 2008

Case: SUP-25779
16203420003
BEAN SUZANNE L
2012 BEVERLY WY
LAS VEGAS NV 89104-2727

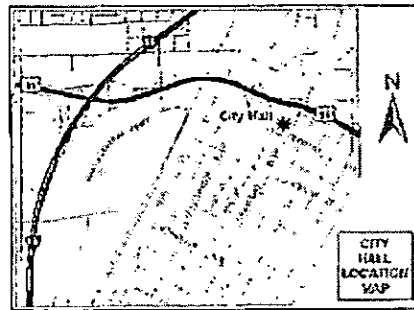
Submitted after final agenda

Date 1/10/08 PC Item 34

A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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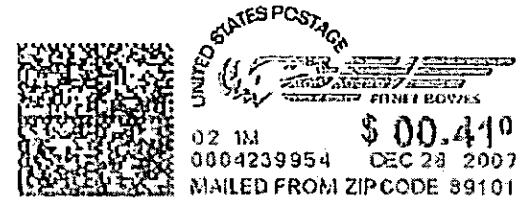


I SUPPORT
this Request



I OPPOSE
this Request

SUP-25779



Case: SUP-25779
16203801104
ZURAWSKI STANLEY M SR & N ETAL
%M/M S ZURAWSKI JR
1920 BANNIES LN
LAS VEGAS NV 89102-2419

8910232419 0020

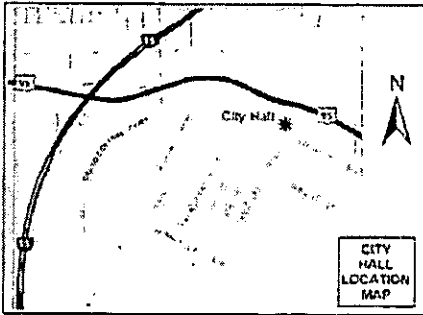


Submitted after final agenda
Date 1/10/08
PC Item 34

A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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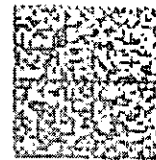
I SUPPORT
this Request



I OPPOSE
this Request

SUP-25779

8910482763 0071



U.S. POSTAGE
\$ 00.41⁰
DEC 28 2007
MAILED FROM ZIP CODE 89101

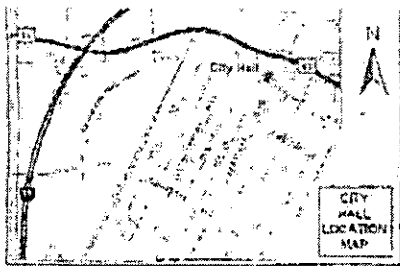
RECEIVED
JAN 03 2007

Case: SUP-25779
16203421015
VICUNA MARIA L
2309 BEVERLY WY
LAS VEGAS NV 89104-2763

Submitted after final agenda

Date 1/10/08 Item 34
PC

A



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☐ I SUPPORT
this Request

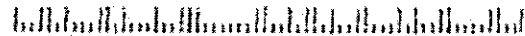
☒ I OPPOSE
this Request

16203801137
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

Case: VAR-25778

~~VAR-25778~~

3794081290 B014



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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.

☐ I SUPPORT
this Request

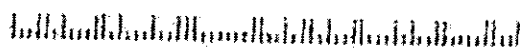
☒ I OPPOSE
this Request

16203801137
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

Case: SDR-25773

~~SDR-25773~~

3794081290 B014



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☐ I SUPPORT
this Request

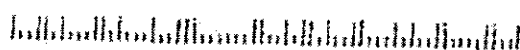
☒ I OPPOSE
this Request

16203801137
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

Case: SUP-25775

~~SUP-25775~~

3794081290 B014



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☒ I SUPPORT
this Request

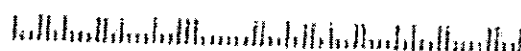
☐ I OPPOSE
this Request

16203801137
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

Case: ZON-25776

~~ZON-25776~~

3794081290 B014



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☒ I SUPPORT
this Request

☐ I OPPOSE
this Request

16203801137
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

Case: SUP-25779

~~SUP-25779~~

Submitted after final agenda

Date 1/10/08 PC Item 34

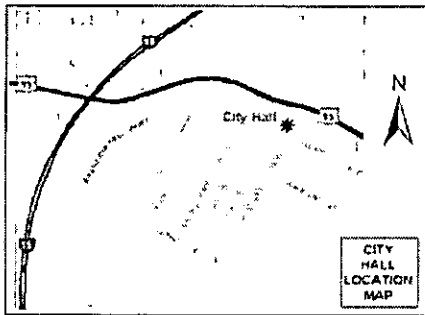
No. 0575 2/2

Jan. 9. 2008 5:05PM

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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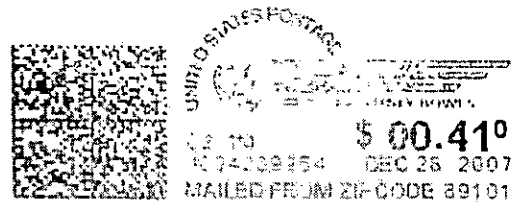


I SUPPORT
this Request



I OPPOSE
this Request

SUP-25779



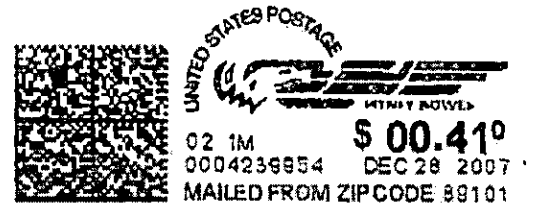
RECEIVED
DEC 31 2007

16210112015 Case: SUP-25779
CHEVRON GROUP LLC
%ADVANTAGE REAL EST GROUP
P O BOX 30698
LAS VEGAS NV 89173-0698

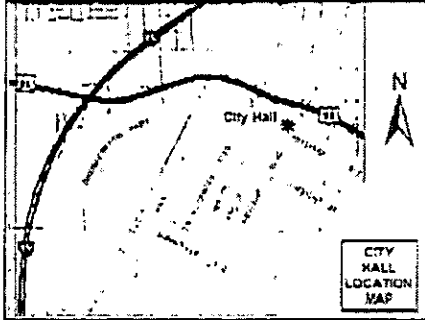
891730698 8007



City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986



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I SUPPORT
this Request



I OPPOSE
this Request

16203801064
 FRASER TRUST
 9119 GARDEN VIEW DR
 LAS VEGAS NV 89134-8827

Case: SUP-25779

SUP-25779

891348827 CD12



Telephone Protest/Support Log

Meeting Date: 1/10/08

Case Number: Sup 25779

Date: 1/4/08
Name: Annette Marcus
Address: 545 Canosa Avenue
Las Vegas, NV 89104
Phone: (702) 732-2232
☒ PROTEST ☐ SUPPORT

Date: 1/7/08
Name: Richard Reid
Address: 548 Canosa Avenue
Las Vegas NV 89104
Phone: (702) 697-0098
☒ PROTEST ☐ SUPPORT

Date: 1/10/08
Name: Ronald Knoll
Address: 547 Canosa Ave
Las Vegas NV 89104
Phone: (702) 735-0394
☒ PROTEST ☐ SUPPORT

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

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

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

Submitted after final agenda

Date 1/10/08
FC Item 34

PHYLLIS M. SILVESTRI, PRP, CP
Professional Registered Parliamentarian (NAP)
CERTIFIED PARLIAMENTARIAN (AIP)

610 CANOSA AVENUE LAS VEGAS, NEVADA 89104
(702) 735-6501

The Las Vegas City Council

January 30, 2007

The Las Vegas City Council Planning Division
731 South 4th Street
Las Vegas, NV 89101

Dear Members,

Re: ZON-15776

I recently received five cards from you requesting approval of zoning changes on South Sixth Street, between Sahara and St. Louis Avenues. I learned that these changes are necessary so that a certain contractor could build a forty-two (42) story building on South 6th, which would have 4 stories of commercial stores and thirty stories of residential condominiums. As a resident of this area, I was asked to state my "approval" or "disapproval" of such action.

I strongly "disapprove" and these are my reasons:

- This is a residential neighborhood and we'd like to keep it that way.
- The traffic would be unbearable, especially as there is a children's park on St. Louis between 6th Street and Maryland Parkway
- There are five churches between 6th and Maryland Parkway and each has classes for young children and it would be dangerous for them.
- We strongly resent an outside contractor coming into our residential neighborhood especially as there is a good deal of vacant land close by, such as Commercial Center where such a building could be built.
- The City has recently made St. Louis a lovely and pretty, single lane street for which we are all very appreciative.

I ask you to kindly deny such variances for the land involved between St. Louis and Sahara on 6th Street.

Sincerely,

Phyllis M. Silvestri

Phyllis M. Silvestri, a resident in this area for the past 57 years.

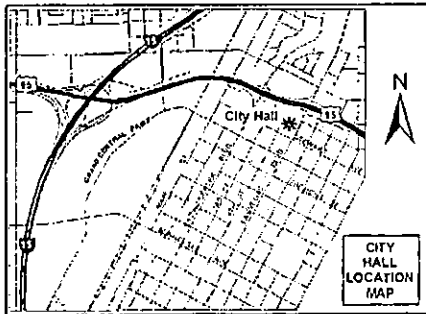
FEB 06 2008

Submitted after final agenda
Date 2/14/08 27-31

8

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

SUP-25779

STEVE GERACE
1036 BONITA AVE
LV, NV 89104

Submitted after final agenda

Date

2/14/08

PC

Item

30

P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 13, 2008**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

ABEYANCE - SDR-25773 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-25776, VAR-25778, SUP-25775, AND SUP-25779 - PUBLIC HEARING - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: EXCEED PROPERTIES, INC., ET AL. - Request for a Site Development Plan Review FOR A PROPOSED 43-STORY MIXED-USE DEVELOPMENT INCLUDING 1,105 RESIDENTIAL UNITS AND 179,860 SQUARE FEET OF COMMERCIAL USES, WITH A WAIVER OF RESIDENTIAL ADJACENCY REQUIREMENTS TO ALLOW A 101-FOOT SETBACK WHERE 1,500 FEET IS REQUIRED AND WAIVERS OF PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW A ZERO-FOOT BUFFER ALONG A PORTION OF THE NORTH PROPERTY LINE AND FIVE FEET ALONG THE EAST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED on 7.02 acres adjacent to the northeast corner of Sixth Street and Sahara Avenue (APNs 162-03-801-011, 013, 014, and 099; 162-03-811-001 through 084), C-1 (Limited Commercial) Zone, R-PD25 (Residential Planned Development - 25 Units per Acre) Zone, and R-1 (Single Family Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 3 (Reese)

C.C.: 04/16/2008**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****38****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****8****City Council Meeting****0****RECOMMENDATION:****DENIAL****BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest letters, protest/support postcards, and telephone protests

Motion made by STEVEN EVANS to Deny

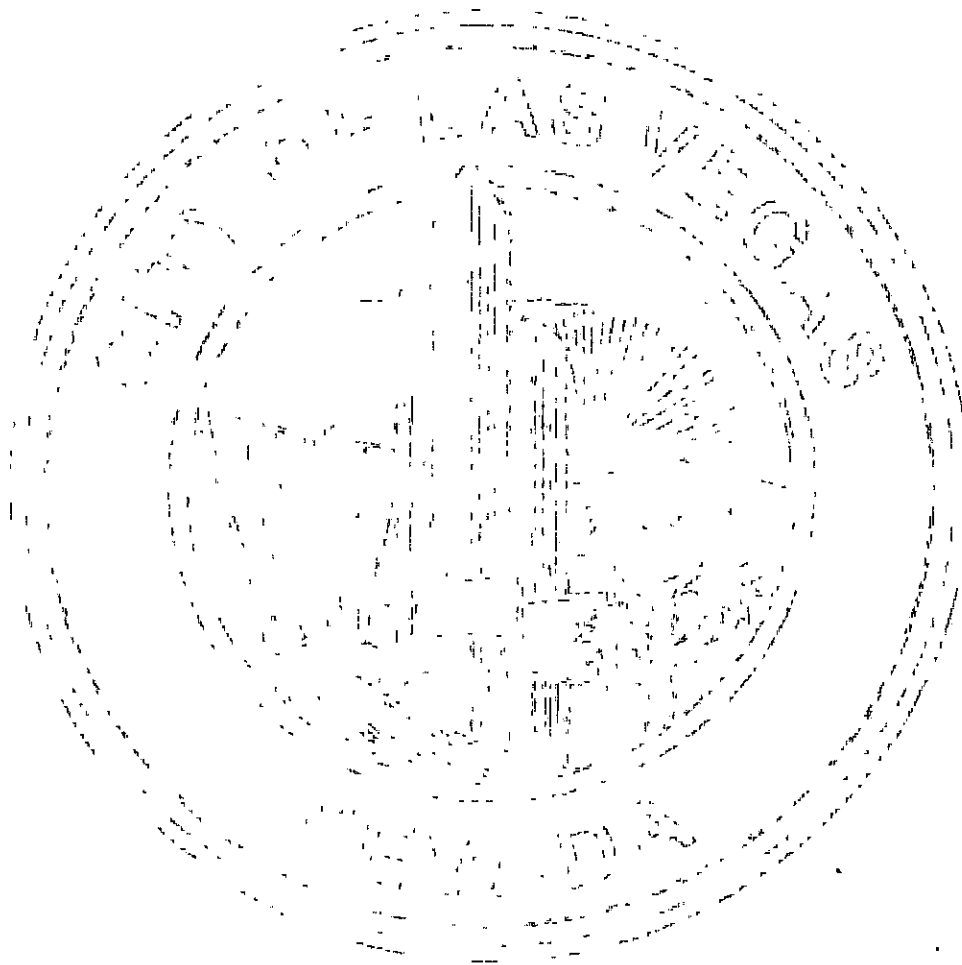
PLANNING COMMISSION MEETING OF: MARCH 13, 2008

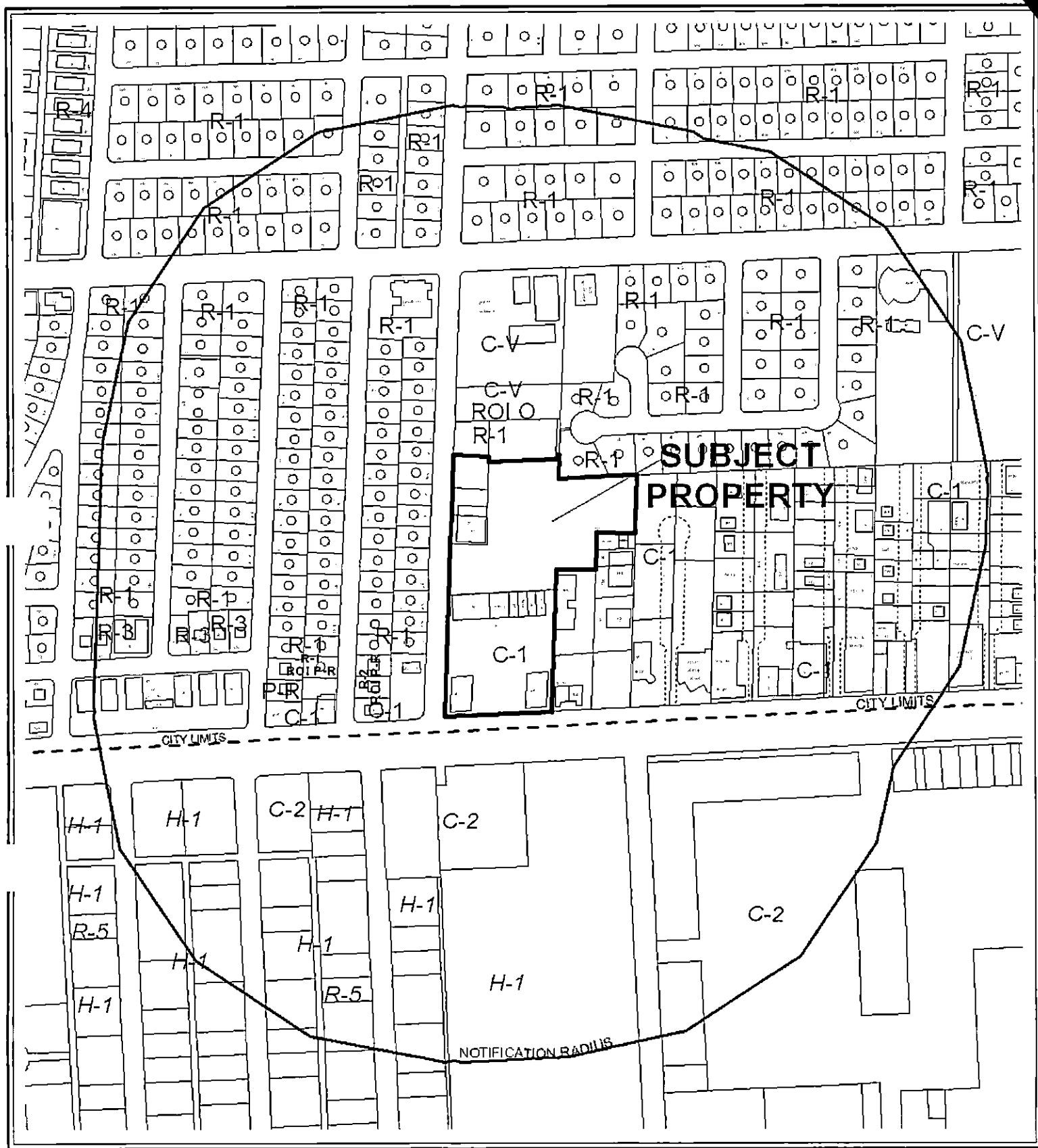
Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

SAM DUNNAM, DAVID STEINMAN, BYRON GOYNES, RICHARD TRUESDELL,
STEVEN EVANS, VICKI QUINN, GLENN TROWBRIDGE; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None).

Minutes:

See Item 21 for related backup and discussion.





CASE: **SDR-25773**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

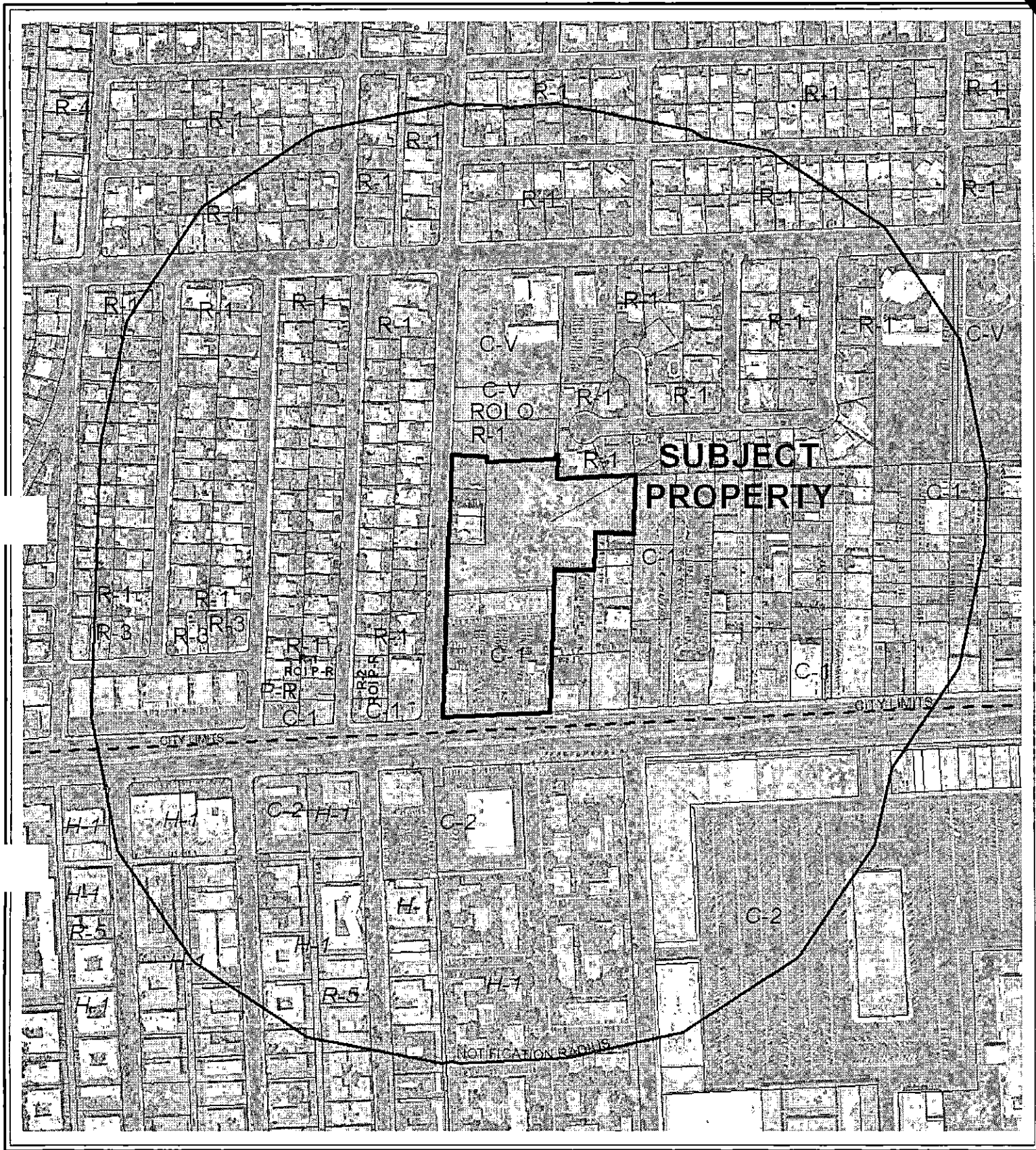
R-PD (RESIDENTIAL PLANNED DEVELOPMENT - 25 UNITS PER ACRE) AND
R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 200 400 Feet





CASE: **SDR-25773**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD (RESIDENTIAL PLANNED DEVELOPMENT - 25 UNITS PER ACRE) AND
R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 13, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SDR-25773 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: EXCEED PROPERTIES, INC., ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-25776), Variance (VAR-25778), and Special Use Permits (SUP-25775 and SUP-25779) 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 02/22/08, except as amended by conditions herein.
4. A Waiver from Title 19.08.060 Residential Adjacency Requirements is hereby approved, to allow a residential adjacency setback of 510 feet where 550 feet is the minimum required from the protected property at northeast corner of the property.
5. A Waiver from Title 19.08.060 Residential Adjacency Requirements is hereby approved, to allow a residential adjacency setback of 126 feet where 1,275 feet is the minimum required from the protected property at the west property line.
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. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

RTS

SDR-25773 - Conditions Page Two
March 13, 2008 - Planning Commission Meeting

8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
9. 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).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
15. 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.
16. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC & R's.

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17. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
18. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

19. Dedicate an additional 10 feet of right-of-way for a total width of 150 feet on Sahara Avenue in accordance with the City's Master Plan of Streets and Highways and the necessary right-of-way for a right turn lane on Sahara Avenue in accordance with Standard Drawing No. 201.1; construction is not required at this time. In addition dedicate a 25-foot radius on the northeast corner of 6th Street and Sahara Avenue and grant a traffic signal chord easement at this intersection. All dedications shall record prior to the issuance of any permits for this site.
20. Coordinate with the City Surveyor to determine whether a Merger and Re-Subdivision Map or other map is necessary; comply with the recommendations of the City Surveyor.
21. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
22. 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.
23. The proposed driveways accessing this site from Sahara Avenue and 6th Street shall be designed, located and constructed in accordance with Standard Drawing #222a. The driveway accessing Sahara Avenue shall receive approval from the Nevada Department of Transportation.
24. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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25. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits; submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
26. Submit a sewer connection plan and a sewer abandonment plan for all existing sewer lines to the Collection System Planning Section of the Department of Public Works prior to the issuance of any permits. Comply with the recommendations of the Collection System Planning Section. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
27. 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.
28. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings or the submittal of a map for this site, whichever may occur first. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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29. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
30. Landscape and maintain all unimproved rights-of-way on Sahara Avenue adjacent to this site.
31. Submit an Encroachment Agreement for all landscaping located in the public right-of-way adjacent to this site prior to occupancy of this site.
32. Coordinate with the Regional Transportation Commission regarding the Sahara Avenue Corridor/Rapid Transit Study prior to the issuance of any permits to address impacts to this site plan, if any.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Site Development Plan Review for a proposed 38-story mixed-use development that includes 108,500 square feet of commercial area and 676 residential units on 6.34 acres adjacent to the northeast corner of Sixth Street and Sahara Avenue. The commercial square-footage is divided into 36,200 square feet of retail/restaurant space, of which 10,660 square feet of retail fronts towards Sahara Avenue, and 72,300 square feet of office space that will occupy the space on the second through fifth floors.

The applicant indicates that the proposed project is an opportunity to promote additional redevelopment and more intense land uses downtown by furthering to restore vitality, economic opportunities, and giving an overall direction to future public and private improvements throughout the area. The proposed development and potential uses are permitted in the proposed/existing C-1 (Limited Commercial) zoning district. However, the need for a Variance (VAR-25778) and waivers addressed in this request indicate that the scope and scale of the proposed development is too intense and not compatible with the surrounding area. Further, the proposed development is not in keeping with the goals and strategies as outlined in the Beverly/Southridge Neighborhood Plan and denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/04/92	The City Council approved the appeal of the Planning Commission denial of a request for a Rezoning (Z-0107-91) from R-1 (Single Family Residential) and C-1 (Limited Commercial) to R-PD40 (Residential Planned Development – 40 Units per Acre) on 3.3 acres located on the east side of 6th Street north of Sahara Avenue. The request included a deviation from the five-acre minimum site area for an R-PD project (this now requires a variance). The City Council placed a condition on the approval restricting the rezoning to R-PD25 (Residential Planned Development – 25 Units per Acre) with a maximum of 84 units. A General Plan Amendment was not required. The Rezoning was subject to a 12-month Resolution of Intent. Staff recommended approval of the Rezoning on condition that it be restricted to R-PD36 (Residential Planned Development – 36 Units per Acre).
07/15/92	The City Council approved a Plot Plan Review [Z-0107-91(1)] for a proposed two-story, 84-unit condominium development on 3.3 acres on the east side of 6th Street north of Sahara Avenue. Staff recommended approval. (There was no Planning Commission hearing.)

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07/23/92	The Planning Commission approved a Tentative Map (TM-0045-92) for an 84-unit condominium subdivision (Sixth Street Condominiums) on 3.3 acres located on the east side of 6th Street north of Sahara Avenue. Staff recommended approval.
10/22/92	The Planning Commission approved a name change [TM-0045-92(1)] of an approved Tentative Map (TM-0045-92) from Sixth Street Condominiums to Sahara Courtyards Condominiums. Staff recommended approval. The Planning Commission subsequently approved the Final Map (FM-0085-92) of Sahara Courtyards Condominiums. This map recorded on 05/21/93.
04/21/93	The City Council approved a Special Use Permit (U-0031-93) to allow the sale of beer and wine within an existing restaurant at 600 East Sahara Avenue. The Board of Zoning Adjustment and staff recommended approval.
04/14/94	The Planning Commission approved a Plot Plan Review [Z-0107-91(2)] for a proposed two-story, 84-unit condominium development (12 buildings) on 3.3 acres on the east side of 6th Street north of Sahara Avenue. Staff recommended approval.
07/14/94	The Planning Commission approved an Amended Final Map [FM-0085-92(1)] for Sahara Courtyards Condominiums on 3.1 acres on the east side of 6th Street north of Sahara Avenue. The purpose of amending the map was to change the configuration of condominium units. The map was never recorded.
08/06/03	The City Council passed R-108-2003 adopting the Beverly Green/Southridge Neighborhood Plan.
08/04/04	The City Council tabled a request for a General Plan Amendment (GPA-4332) to amend a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) to M (Medium Density Residential) on 3.16 acres on the east side of 6th Street, approximately 360 feet north of Sahara Avenue. The Planning Commission and staff recommended approval.
01/13/05	The Planning Commission voted to Withdraw Without Prejudice a request for a General Plan Amendment (GPA-5661) to amend a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) to H (High Density Residential) on 3.2 acres on the east side of 6th Street, approximately 360 feet north of Sahara Avenue. Staff recommended denial.
01/10/08	This item was held in abeyance at the applicant's request to allow time to meet with the neighbors and make revisions to the project proposal.
02/14/08	This item was held in abeyance at the applicant's request to allow time to meet with the neighbors and make revisions to the project proposal.
03/13/08	Companion items for a Rezoning (ZON-25776), a Variance (VAR-25778), and two Special Use Permits (SUP-25775 and SUP-25779) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
Prior to 01/01/51	A business license, L11-00001, for a Beer Wine Cooler On-Off Sale category license for 610 East Sahara Avenue, Suite 2 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 01/24/02 due to a reclassification of the license type.

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Prior to 01/01/51	A business license, C15-00281, for a Convenience Store category license for 610 East Sahara Avenue, Suite 2 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 01/29/02 due to a reclassification of the license type.
Prior to 01/01/51	A business license, L16-00042, for a Tavern category license for 620 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 11/18/02 due to a change of manager. *
Prior to 01/01/51	A business license, R09-00027, for a Restaurant - Seating 45 or More category license for 620 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 12/13/02. *
Prior to 01/01/51	A business license, R23-00009, for a Recreational Instruction or Lessons category license for 610 East Sahara Avenue, Suite 11 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 02/12/03 due to a reclassification of the license type. *
Prior to 01/01/51	A business license, C05-00904, for a Tobacco Dealer - Retail category license for 610 East Sahara Avenue, Suite 2 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 02/12/03 due to a reclassification of the license type.
Prior to 01/01/51	A business license, R09-00070, for a Restaurant - Seating 45 or More category license for 600 East Sahara Avenue was issued by the Department of Finance and Business Services. This license was reissued on 10/01/03 due to a misplaced original. *
02/02/89	A building permit application, plan check M-0162-89, was submitted for the site. This was for a plan check review for an interior remodel of an existing restaurant at 600 East Sahara Avenue. This permit (89018670) was reviewed and approved by the Planning and Development Department on 02/02/98 and issued by the Building and Safety Department 03/22/89. This permit received a final inspection on 04/06/89.
05/17/89	A business license, B08-00846, for a Beauty/Cosmetics Sales category license for 610 East Sahara Avenue, Suite 6 was processed in by the Department of Finance and Business Services. This license was issued by Business Services and reissued on 12/04/02 due to a reclassification of the license type.
02/01/90	A business license, B04-01032, for a Barber Shop category license for 610 East Sahara Avenue, Suite 5 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 02/02/90 and reissued on 04/15/98 due to a change of suite numbering.
09/11/91	A business license, C11-04092, for a Masonry Contractor category license for 604 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 09/13/91 and reissued on 02/27/97. A "Cease and Desist" notice was issued 03/15/06. *

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04/21/93	A business license, L09-00087, for a Beer Wine Cooler On Sale category license for 600 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 06/01/93 and reissued on 10/02/03 due to a misplaced original. *
07/21/97	A business license, B05-02665, for a Cosmetological Establishment category license for 610 East Sahara Avenue, Suite 6 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 07/29/97 and reissued on 04/15/98 due to a change of suite numbering.
01/20/99	A business license, A01-01074, for an Administrative Office category license at 610 East Sahara Avenue, Suite 1 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 01/29/99. *
10/18/00	A business license, F14-00035, for an Auto Title Loans category license for 610 East Sahara Avenue, Suite 10 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 10/31/00 and reissued on 11/30/07 due to a change of ownership. *
09/07/01	A business license, R10-00045, for a Food Caterer category license for 600 East Sahara Avenue was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 09/27/01 and reissued on 12/17/02 due to a misplaced original. *
01/12/04	A business license, M09-00080, for a Mail Box Center category license for 610 East Sahara Avenue, Suite 7 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 01/15/04. *
12/17/04	A business license, M01-08415, for a Maintenance Services - Janitorial category license for 610 East Sahara Avenue, Suite 7 was processed in by the Department of Finance and Business Services. This license was issued by Business Services on 12/23/04 and reissued on 02/09/05. *
12/23/04	A business license, C07-03299, for a Clothing Store category license for 610 East Sahara Avenue, Suite 13 was processed in by the Department of Finance and Business Services. This license was approved by the Planning and Development Department on 05/20/05 and issued by Business Services on 06/21/05.
05/02/05	A business license, A04-00084, for an Advertising Space Leasing or Selling category license for 610 East Sahara Avenue, Suite 7 was processed in by the Department of Finance and Business Services. This license was approved by the Planning and Development Department on 05/09/05 and issued by Business Services on 05/10/05.
06/23/06	A building permit application, plan check L-0889-06, was submitted for the site. This was for a plan check review for a tenant improvement (stone entry/floor plan remodel) for a certificate of occupancy at 620 East Sahara Avenue. This permit (07000608) was reviewed and approved by the Planning and Development Department on 07/10/06 and issued by the Building and Safety Department 02/15/07. A revision of the architectural, plumbing, and electrical drawings were reviewed and approved 03/19/07. This permit received a final inspection on 05/15/07.

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10/30/07	A business license, C21-00192, for a Check Cashing Service category license for 610 East Sahara Avenue, Suite 10 was processed in by the Department of Finance and Business Services. This license was approved by the Planning and Development Department on 11/16/07 and issued by Business Services on 11/30/07.
Pre-Application Meeting	
11/16/07	A pre-application meeting was held, where submittal requirements and elements of this application were discussed. Specifically, staff listed and described several major issues with the project as follows: • Of primary concern is the multiple General Plan designations over the site (C, SC and L) and whether the full site would be included in the Downtown Redevelopment Area when it is all reverted to one parcel. The applicant was advised to submit a General Plan Amendment for the SC (Service Commercial) and L (Low Density Residential) parcels while an answer was sought. • A Waiver of residential adjacency standards must be requested as a part of the Site Development Plan Review application. • A Merger and Resubdivision map would need to be recorded prior to issuance of permits. • NDOT approval is required for any driveway on Sahara. • Subterranean parking was an issue, due to the high water table in the area and the expense of digging through hard caliche. • The applicant was informed of the strict time limits on any future Tentative Map approvals—project must be completed within two years or a new map must be submitted. • A Development Impact Notice and Assessment and Project of Regional Significance questionnaire must be completed, signed and submitted as part of the submittal package. • A neighborhood meeting is required if a General Plan Amendment application is submitted; however, a meeting was recommended even if no amendment is submitted. • The area on the site plan labeled “Central Plant” needed to be more detailed for the submittal.
Neighborhood Meeting	
01/29/08	A neighborhood meeting was held at the Trinity Life Center, 1000 East St. Louis Street. Thirty-eight members of the public, two representatives of the applicant, and one member of the Planning and Development staff attended. Those in attendance had the following comments and concerns: • Concern regarding number and location of entrances off 6th Street. • Traffic on 6th Street and St. Louis Avenue and parking intensity. • Residential adjacency waivers issue. • Property values – effect of density apartments rather than condos. • Screening of activity podiums and hours of operation.

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	• Shade and shadow study presented. • Traffic study to be done prior to Planning Commission. • Estimate new students into CCSD. • Exterior lighting and signage question. • Use of fire retardant coverings. • Apartments to be medium income target. • Small unit sizes. • Tower out of scale with neighborhood. • Not in compliance with Southridge / Beverly Green Neighborhood Plan (albeit non-binding). • Construction staging plan. The majority of those in attendance had significant concerns and opposed the project. A minority were in favor.
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- * This business license has been issued with no indication that it was reviewed or approved by the Planning and Development Department.

<i>Field Check</i>	
12/06/07	The Department of Planning and Development conducted a site visit that found that the south side of the site is developed with a shopping center and two restaurant pads. There is a large mobile storage container in the parking lot area of the shopping center. A low wall with an approximately eight-foot wrought iron fence is located along the north property line of the shopping center. Along 6th Street to the north is a radio station, also with a mobile storage container in the parking area. The rest of the site is undeveloped, except for a private street that is an extension of the road servicing several office buildings to the east of the subject site. This street terminates in a cul-de-sac with an arm jutting out. Cut-through traffic across the site from 6th Street to this private street was observed, although there are no curb cuts on 6th Street except at the radio station.

<i>Details of Application Request</i>	
<i>Site/Area</i>	
Net Acres	6.34

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
	Undeveloped (w/ full cul-de-sac terminus)	SC (Service Commercial)	R-PD25 (Residential Planned Development – 25 Units per Acre)
	Radio Broadcasting	SC (Service Commercial)	R-1 (Single Family Residential)

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North	Undeveloped	SC (Service Commercial)	R-1 (Single Family Residential)
	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Auto Repair	CT (Commercial Tourist – Clark County Designation)	C-2 (General Commercial – Clark County Designation)
	Multi-Family Residential	CT (Commercial Tourist – Clark County Designation)	H-1 (Limited Resort and Apartment – Clark County Designation)
East	Restaurant	C (Commercial)	C-1 (Limited Commercial)
	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
	Undeveloped (w/ partial cul-de-sac terminus)	C (Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Auto Parts (New and Rebuilt)	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Beverly Green/Southridge Neighborhood 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			
A-O Airport Overlay District (175 Feet)	X		N ***
Trails		X	n/a
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment	X		Y ****
Project of Regional Significance	X		Y ****

- * The proposed project does not reflect Strategy 1 as outlined under Issue 2 of the Existing Land Uses section of The Beverly/Southridge Neighborhood Plan which requests: “any development whose building foundation is within 300’ of property zoned for a single-family residential home be required to adhere to Title 19.08.060 Residential Adjacency Standards.”

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- *** Only one of the subject site's parcels (162-03-801-099), which contains existing retail and commercial uses, is located within the Downtown Redevelopment Area.
- *** The proposed height of the residential tower, 425 feet, exceeds the height limitation of 175 feet for this area established by the McCarran International Airport Overlay Map portion of A-O (Airport Overlay) District. A companion Special Use Permit (SUP-25775) has been submitted pursuant to Title 19.06.080 and if approved would grant relief from the height limitation.
- **** Pursuant to Ordinance No. 5227, the project under review outlines a project that meets the threshold that defines a "Project of Significant Impact" as outlined in the ordinance for a development in excess of 500 residential units. Further, pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance," as there are requests for Special Use Permits within 500 feet of the City's boundary with unincorporated Clark County. Two Special Use Permits are requested in conjunction with this project. The applicant has prepared and submitted, as part of the overall project submittal, an impact report as required by the Ordinances for referral to affected agencies. As of 12/26/07, comments have only been received from the following agencies:
- The Collection Systems Planning section of the city of Las Vegas Department of Public Works comments that in respect to wastewater, the developer of this project shall provide a sewer connection & abandonment plan of any existing sewer lines within this project to the Collection Systems Planning section of The City of Las Vegas per Section 10 of the Development Impact Notice and Assessment (DINA).
 - The City of Las Vegas Flood Control Section of the Department of Public Works will require a technical drainage study as an "if approved" condition as a part of this review.
 - The Metropolitan Police Department has determined that the proposed project has the potential to increase calls for service and increase response times in the Downtown Area Command.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	n/a	276,170 SF	n/a
Min. Lot Width	100 Feet	306 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y *
• Side	10 Feet	52 Feet	Y
• Corner	15 Feet	41 Feet	Y **
• Rear	20 Feet	48 Feet	Y **

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Max. Lot Coverage	50%	46%	Y
Max. Building Height	n/a	425 Feet (38-Stories)	n/a
Trash Enclosure	Gated and Screened	Enclosure (A part of the building, access from east service drive)	Y
Mech. Equipment	Screened	Screened	Y

* The setback complies with C-1 (Limited Commercial) district standards, but does not comply with meet the 1:1 stepback ratio for the portion of the height above 35 feet. A companion Variance (VAR-25778) has been requested and if approved will grant relief from the city standard.

** The setback complies with C-1 (Limited Commercial) district standards, but does not comply with Residential Adjacency setbacks.

Pursuant to Title 19.08.060, the following residential adjacency standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope (Northeast Corner)	555 Feet	510 Feet	N *
3:1 proximity slope (West Side of Property)	1,275 Feet	126 Feet	N *
Adjacent development matching setback	15 Feet	>15 Feet	Y
Trash Enclosure	50 Feet	>50 Feet	Y

* A waiver has been requested as a part of this review that if approved it would allow a residential adjacency setback of 510 feet where 555 feet would be required to meet the 3:1 Proximity Slope standard at the northeast corner of the site and 126 feet where 1,275 feet would be required to meet the 3:1 Proximity Slope standard at the west side of the site. This would grant relief from the city standards.

Pursuant to Title 19.10 and 19.12, the following landscaping and open space 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	0 Trees *	0 Trees	Y
Buffer:				
Min. Trees	1 Tree / 20 Linear Feet	79 Trees	59 Trees	N **
	1 Tree / 30 Linear Feet	26 Trees	27 Trees	Y
TOTAL		105 Trees	86 Trees	N **
Min. Zone Width	15 Feet – ROW		>15 Feet	Y
	8 Feet – Interior Lot Line		8 Feet	Y
Wall Height	6 Feet		6 Feet	Y

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- * Parking is provided for 1,496 vehicles, however there are no uncovered surface parking spaces. This calculation is based only on the open parking lot spaces.
- ** There is limited area for trees within the perimeter landscape buffers along the west side of the property adjacent to South 6th Street due to the multiple driveway access points. It is noted that additional landscaping will be provided on the west side of the development where previous plans called for two, five space parking lots and a second primary access.

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

Parking Requirement							
Use	Gross Floor Area or Number of Units	Base Parking Requirement			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Commercial, Other Than Listed *	36,200 SF	1 Space / 175 SF	204 Spaces	3 Spaces	204 Spaces	4 Spaces	Y
Office, Other Than Listed	72,300 SF	1 Space / 300 SF	237 Spaces	4 Spaces	237 Spaces	5 Spaces	Y
Multi-family Residential	270 Units	1.25 Spaces /Studio Unit	331 Spaces	6 Spaces	332 Spaces	6 Spaces	Y
	406 Units	1.25 Spaces /1 Bedroom Unit	499 Spaces	9 Spaces	499 Spaces	9 Spaces	Y
	676 Units	1 Space / 6 Units	108 Spaces	5 Spaces	108 Spaces	6 Spaces	Y
Sub-total	108,500 SF / 676 Units		1,379 Spaces	27 Spaces	1,466 Spaces	30 Spaces	Y **
TOTAL (including handicap)	108,500 SF / 676 Units		1,406 Spaces		1,496 Spaces		Y
Loading Spaces	108,500 SF	3 Spaces at 50,000 SF + 1 Space for each added 100,000 SF	4 Spaces		4 Spaces (3 Truck Dock Spaces)		Y

- * There is a notation that indicates that some of the retail space may be used for a restaurant use in the future. Depending on the extent of any future restaurant(s) within this commercial space, the development may become parking deficient as a restaurant use has a higher parking demand than retail or other general commercial uses.

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- ** The parking analysis included as a part of the site plan indicates that there will be 93 parking spaces in excess of the Title 19 requirements but does not specifically allocate these spaces to any particular use.

Waivers		
Request	Requirement	Staff Recommendation
To allow a residential adjacency setback of 510 feet.	The 3:1 proximity slope would require a setback of 555 feet from the northeastern corner of the property.	Denial
To allow a residential adjacency setback of 126 feet.	The 3:1 proximity slope would require a setback of 1,275 feet from the western property line.	Denial

Comparison of proposed development – Original Submittal versus Revised Submittal*:

<i>Element</i>	<i>Original Submittal Dated 11/27/07</i>	<i>Revised Submittal Dated 01/24/08</i>	<i>Revised Submittal Dated 02/22/08</i>	<i>Difference (Original vs. Current Revision)</i>
Residential Units	1,105 Units	673 Units	676 Units	39% Reduction (429 Unit)
-- Studio Units	0 Units	270 Units	270 Units	Added Unit Type
-- 1 Bedroom Units	780 Units	403 Units	406 Units	48% Reduction(374Unit)
-- 2 Bedroom Units	195 Units	0 Units	0 Units	Eliminated Unit Type
-- 3 Bedroom Units	130 Units	0 Units	0 Units	Eliminated Unit Type
Amenity SF	70,000 SF	70,000 SF	70,000 SF	No Change
Commercial SF	179,860 SF	108,500 SF	108,500 SF	40% Reduction (71,360 SF)
Building Height	500 Feet	345 Feet	425 Feet	15% Reduction (75 Feet)
# of Stories	49 Stories	30 Stories	38 Stories	26.8% Reduction (11 Stories)
Parking Required	2,386 Spaces	1,403 Spaces	1,406 Spaces	41% Reduction (980 Spaces)
Parking Provided	2,496 Spaces	1,444 Spaces	1,496 Spaces	40% Reduction (1,000 Spaces)
Waiver Requests				
-- L/S Buffer (less than 8 FT)	0 Feet (part of N PIL) 5 Feet (part of E PIL)	0 Feet (part of N PIL) 5 Feet (part of E PIL)	No longer required	Increase buffers to 8 Feet

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-- Residential Adj. at northeast corner	50 Feet where 510 Feet are required (90%)	50 Feet where 195 Feet are required (74%)	510 Feet where 555 Feet are required (8%)	82% Reduction in amount of waiver requested
-- Residential Adj. along west side	101 Feet where 1,500 Feet are required (93%)	101 Feet where 1,005 Feet are required (90%)	126 Feet where 1,275 Feet are required (90%)	3% Reduction in amount of waiver requested

* This table has been included to provide a basic review of the significant elements and what has changed as a result of revisions submitted, date stamped 01/24/08, since this item was initially slated to be heard by the Planning Commission on 01/10/08.

ANALYSIS

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as SC (Service Commercial) on the northern portion. This category allows for low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The SC (Service Commercial) category may also allow mixed-use development with a residential component where appropriate. The southern portion of the project 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) General Plan land use categories. The proposed use is in conformance with these land use designations.

There is a Rezoning (ZON-25776) proposed to change the zoning of the northern portion of the project site from an R-1 (Single Family Residential) and R-PD25 (Residential Planned Development – 25 Units per Acre) zoning districts to a C-1 (Limited Commercial) zoning district. This would bring the entire project area into a single C-1 (Limited Commercial) zoning district. The existing radio broadcasting and retail uses are permissible in a C-1 (Limited Commercial) zoning district and the proposed mixed-use development is permissible with the approval of the companion Special Use Permit (SUP-25779) and would then be consistent with the existing SC (Service Commercial) and C (Commercial) General Plan designations.

The site is within the McCarran International Airport Overlay Map portion of the A-O (Airport Overlay) District. The proposed height of the tower, 425 feet, exceeds the height limitation of 175 feet for this area. A Special Use Permit (SUP-25775) has been submitted pursuant to Title 19.06.080 and if approved would grant relief from the height limitation.

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As previously noted, the southern portion of 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 Beverly/Southridge Neighborhood Plan area at the southern edge of the plan boundaries. The neighborhood plan is intended to serve as a set of guiding principles for the area. The proposed project does not reflect Strategy 1 as outlined under Issue 2 of the Existing Land Uses section of The Beverly/Southridge Neighborhood Plan which requests “any development whose building foundation is within 300’ of property zoned for a single-family residential home be required to adhere to Title 19.08.060 Residential Adjacency Standards.” This strategy is mainly a response to a concern regarding potential negative impacts a high rise structure may cause if built in the area with the goal being to “actively oppose any negative aesthetic effects a high rise structure may pose to the neighborhood.” There is a request for a waiver of the residential adjacency standards as a part of this review that exemplifies how the proposed development does not meet the intent of the neighborhood plan with regard to the building’s proposed height in relation to the neighboring single family residential homes.

The site encompasses multiple parcels with a proposed building built across the lot lines. As it is the stated intention of the applicant to create a mixed-use subdivision, there will need to be a tentative map review and final map technical review for a merger and resubdivision of the site prior to any building permits being issued.

- **Site Plan**

The site plan is in compliance with the standards of the existing/proposed C-1 (Limited Commercial) zoning district, however, it does not meet the residential adjacency standards for a commercial development adjacent to single family residential property. This location will consist of a 345-foot high mixed-use development that incorporates a multi-level office use, street level retail with a possibility of restaurants at the Sahara Avenue frontage and 673 residential units.

The site is located at the northeast corner of South 6th Street and East Sahara Avenue. The site consists of an undeveloped master condominium parcel, an undeveloped residential parcel, and three developed parcels (two of which contain a radio broadcast facility and parking lot and one which contains a retail center). The site plan illustrates a single mixed-use building divided into two component buildings. The northern component will function as a mid-rise (65-foot high) residential tower above four levels of subterranean parking and ground level lobby with residential support facilities and 11,355 square feet of retail/restaurant space. The larger component at the southern end of the site will be a tower massed towards Sahara Avenue that will contain residential units above the sixth floor amenity level with parking and office space on the second through fifth level. The ground floor is intended to house back-of-house and residential amenity rooms, ground floor retail and residential entryways. The ground level commercial fronts towards Sahara Avenue and is accessed from a pedestrian plaza and enhanced sidewalk.

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The site plan indicates that 1,496 parking spaces will be provided within the subterranean and above ground parking structure that makes up the basement and a portion of the second through fifth floors of the southern component of the development. The parking provided for this development is greater than the 1,406 parking spaces required by code. The garage parking for guest and valet is accessed off of South 6th Street either via the down ramps off of the developments main entry drive or from an access ramp for residences and commercial tenants situated on the east side in between the two components of the development. The garage access for the residence and commercial tenants is accessed via a private access drive that is situated 90 feet east of the property's Sahara Avenue frontage and enters the project site from the northeast.

- **Waivers**

The applicant had previously requested a waiver of the perimeter landscape buffer requirements. Specifically, the request was to provide no perimeter buffer for a small segment at the north property line and a reduced the perimeter buffer width (five feet where eight is required) along the east property line. This waiver is no longer need based on the revised site plan, date stamped 02/22/08.

There is also a waiver requested to allow deviations from residential adjacency standards. While, this type of deviation is usually a variance, Code allows mixed-use developments that contain a significant residential element to waive this standard. The waiver would allow a residential adjacency setback of 510 feet where 555 feet would be required to meet the 3:1 Proximity Slope standard from nearest protected property at the northeastern corner of the site and 126 feet where 1,275 feet would be required to meet the 3:1 Proximity Slope standard for nearest protected property along the west side of the property. Denial of these waiver requests is recommended.

- **Landscape Plan**

The landscape plan depicts adequate landscape buffer widths along the perimeter of this site. A waiver had been requested as a part of this review to allow the perimeter landscape buffer to be reduced from eight feet to five feet on the east side and a portion of the buffer area is requested to be zero feet where eight feet is required on the north side. That waiver is no longer necessary as a revision to the site plan has provided adequate buffering.

The perimeter landscape buffers are depicted as having a minimum 24-inch box tree planted at 20 feet on center where adjacent to or across the street from residential property and 30 feet on center where adjacent to commercial property. Due to the various drive entrances and exits there is a limited number of trees in the perimeter landscape buffer along the west side of the project site. There is no surface parking area proposed, therefore no parking area trees are required.

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The landscape plan reflects landscaping will be provided within the proposed park at the far northeastern portion of the site. This includes landscaping in various configurations surrounding the playground area and as screening from the walkways and dog walk areas. Further, extensive landscaping and a pedestrian plaza is depicted for the west side of the development where surface parking and a second primary drive access had previously been considered.

- **Elevations/Floor Plan**

The elevations depict an overall height of 38-stories for the high-rise portion of the mixed-use development at the southern end of the site adjacent to Sahara Avenue. The mid-rise portion is depicted at five-stories. Both components of this development are depicted as having ground level commercial spaces and residential spaces above that. The design meets the Title 19.04 requirements for a Mixed-Use development. The building uses metal awnings at the pedestrian level and fenestration, both textural and color, to breaking up the massing of the building. The building massing is further broken up by the visually separating the two components of the development at the parking entry ramp accessed from the rear service drive. Further, at the amenity level of the high-rise component (sixth floor) the building massing breaks into stratified layers which use balconies and complimentary color schemes to provide additional architectural character and definition. Metal mesh is used to screen the openings at the parking levels. The use of expression lines and the difference in massing, going from a solid base to differentiated building blocks visually separates the commercial and parking level portion of the building from the residential. Materials used include smooth finish and painted concrete, low glazing glass, metal awnings and glass guardrails. Stepback are not provided in accordance with Title 19.08.030 (C) from Sahara Avenue, a 150-foot Primary Arterial street. A Variance (VAR-25778), if approved, would grant relief from the city standards that require a one foot stepback for each additional one foot of height above 35 feet where adjacent to a collector street or larger.

The floor plans show that there will be a mix of studio and one bedroom residential units in the building but no unit layouts or proposed square footages were provided as a part of this review. There are residential community pools on levels two and five of the mid-rise component of the development. The high-rise component has parking and office space on the second through fifth floors with pools and other amenities on the sixth floor. Additional pools are indicated for the tenth and thirteenth floors.

This site development plan review has been submitted in conjunction with a Rezoning (ZON-25776) to change the northern portion of the project site to a C-1 (Limited Commercial) zoning district, a Variance (VAR-25778) to allow a deviation of the 1:1 stepback requirement above 35 feet where adjacent to a collector street or larger, a Special Use Permit (SUP-25775) to allow a building height of 425 feet in the A-O (Airport Overlay) District and a Special Use Permit (SUP-25779) to allow a mixed-use development with residential uses in the proposed C-1 (Limited Commercial) zoning district.

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The proposed Site Development Plan Review is in conformance with the site's General Plan designation and is appropriate for the proposed zoning district. However, while the applicant has made revisions to their original proposal (as noted in the table above), the scope and scale of the proposed development remains incompatible with the surrounding present and future area development and the building's height remains in conflict with the neighborhood plan for the area and Title 19; therefore, staff is recommending denial of this site development plan review request.

FINDINGS

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

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

The proposed mixed-use building is not compatible with adjacent development and development in the area as it requires multiple unsupported waivers and a Variance (VAR-25778) that indicate the development is too intense for this location.

- 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;**

This development is not consistent with the General Plan, Title 19, or the Beverly/Southridge Neighborhood Plan. The development specifically goes against the neighborhood plan which calls for high-rise projects within 300 feet of a single family residence to meet the Residential Adjacency Standards. Further, the proposed development is not consistent with Goal 2 of the General Plan as it relates to mature neighborhoods being sustained and improved through appropriate and selective high quality redevelopment and preservation.

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

South 6th Street, a 60-foot local street, will be the principal vehicular access point for guests and the valet service with additional access via a private access drive off of East Sahara Avenue, a 150-foot primary arterial street, for building residents and commercial tenants. Further, the frontage along East Sahara Avenue will be used by pedestrians patronizing the ground-floor commercial businesses and has access to public transportation, which may assist in reducing the number of vehicle trips generated by the development. The scope of this project and the added traffic on South 6th Street will likely result in a negative impact on adjacent roadways and neighborhood traffic. Mitigation measures suggested by the required Traffic Impact Analysis may reduce these negative impacts.

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

The proposed building and landscape materials are appropriate for the area and the City.

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

The proposed building will provide a new aesthetically pleasing mixed-use building to the area that will offer commercial opportunities as well as provide additional urban residential housing. However, the proposed development will not be harmonious and compatible with development in the area due to the scope and scale of the project.

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

The proposed plan will not impact public health, safety or welfare since the development will be subject to the International Building Code and City inspections during construction of the building as well routine business license inspections for the tenant commercial spaces.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 323

APPROVALS 7

PROTESTS 20

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-25773** APN: 162-03-801-011 162-03-801-120
162-03-801-013 162-03-810-015

Name of Property Owner: FAITH COMMUNICATIONS CORP.

Name of Applicant: Exceed Properties, Inc.

Name of Representative: ED VANCE & ASSOCIATES - CHRIS RICHARDSON

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: RESTED, PRES.

Print Name: BRAD STAHELI, PRESIDENT

Subscribed and sworn before me

This 19TH day of Nov., 2007

Notary Public in and for said County and State

Revised 11-14-06

PAUL S. MEAD
Notary Public, State of Nevada
Appointment No. 921073
My Term Expires Mar. 9, 2000

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f:\depot\Application Packet\Statement of Financial Interest.doc

PLANNING & DEVELOPMENT DEPARTMENT.

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-25773** APN: 162-03-801-099

Name of Property Owner: 600 E. SAHARA LLC

Name of Applicant: Excess Properties Inc.

Name of Representative: EO VINCE & ASSOCIATES - CHRIS RICHARDSON

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:

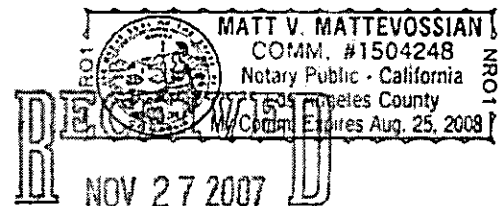
Signature of Property Owner:

Print Name: KHACHIK TOOMIAN'S Managing Partner

Subscribed and sworn before me

This 20th day of NOVEMBER, 2007

MATY V. MATTEVOSSIAN
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-25773** APN: 162-03-811-000

Name of Property Owner: EXCEED PROPERTIES, INC.

Name of Applicant: EXCEED PROPERTIES, INC.

Name of Representative: ED VANCE & ASSOCIATES - CHRIS RICHARDSON

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

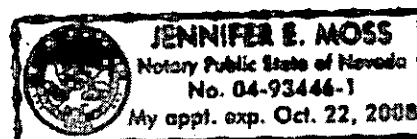
Signature of Property Owner: Charles V. Miles

Print Name: Charles V. Miles

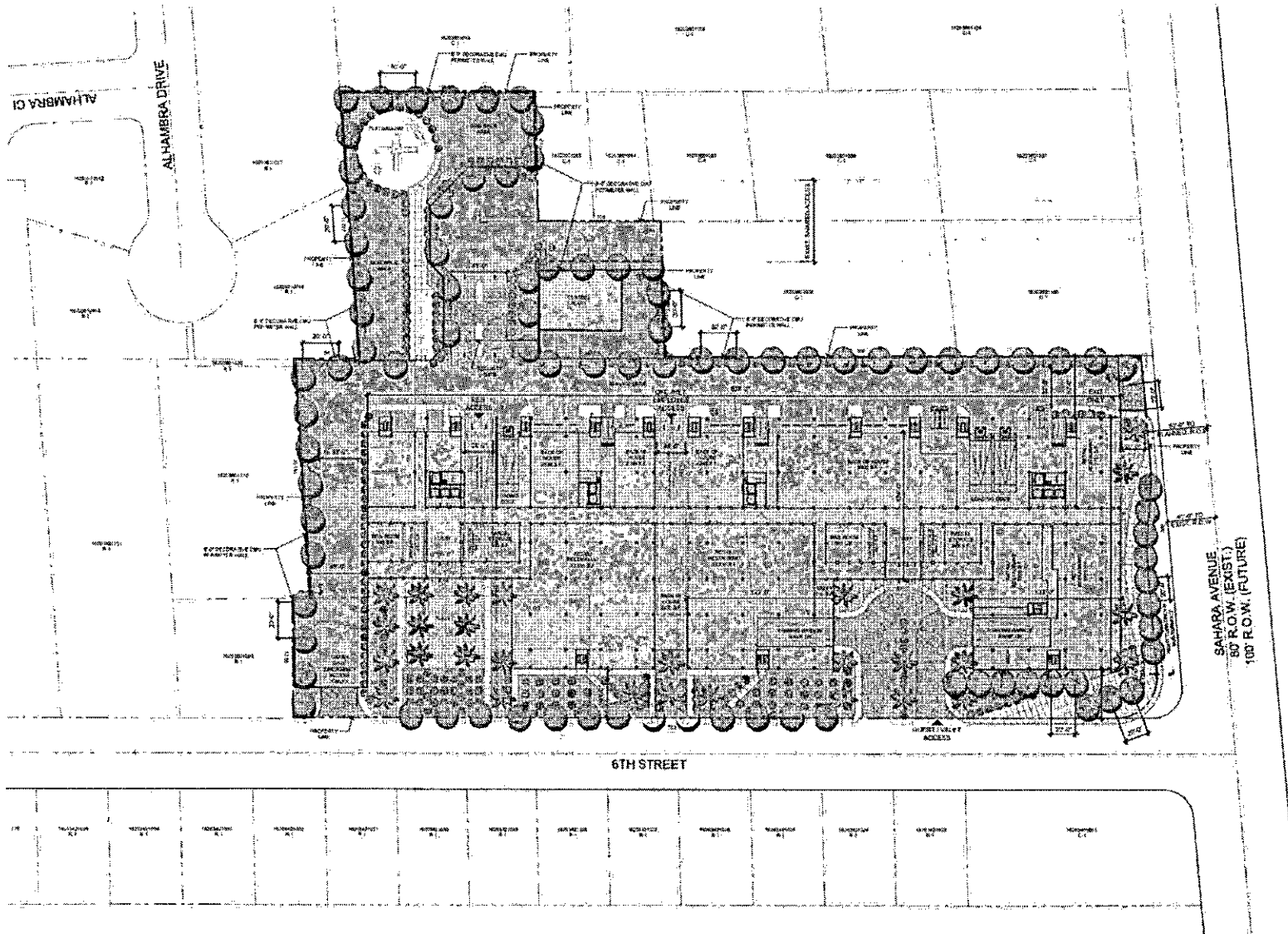
Subscribed and sworn before me

This 19 day of November, 20 07

Jennifer E. Moss
Notary Public in and for said County and State



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NOV 27 2007

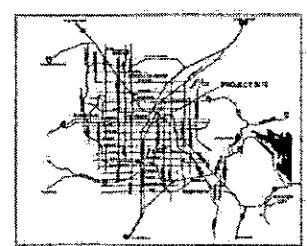


Site Data	
Address	City of Las Vegas Neighborhood Area
Overall Acreage	1.01 AC
Net Acreage	0.82 AC
Density	85.4 DENS/AC
Lot Coverage	46.4%
Current Zoning	C-UMPO 250.1
Proposed Zoning	C-1
Current Land Use	Commercial (C-1, C-2, C-3) General Commercial (C-1)
Proposed Land Use	Commercial (C-1, C-2, C-3) General Commercial (C-1)
Open Space %	49.6%
Floor Area Ratio (FAR)	1.15

Use Data	
Commission	1,000 Units / 475 Units
General Fund	\$4,000,000
General Office	\$2,500,000
Public Works & Utilities	\$1,500,000

Parking Analysis	
CONDOMINIUM	100 SPACES
1. 25 STUDIO UNITS (475 sq ft)	100 SPACES
2. 100 CONDOMINIUM UNITS (1,000 sq ft)	100 SPACES
3. 100 CONDOMINIUM UNITS (1,000 sq ft)	100 SPACES
COMMERCIAL	200 SPACES
RETAIL - 25,000 sq ft (1,111 sq ft)	200 SPACES
OFFICE - 15,000 sq ft (1,111 sq ft)	200 SPACES
COMMERCIAL - 10,000 sq ft	200 SPACES
TOTAL PARKING REQUIRED (ENTIRE PROJECT)	1,000 SPACES
TOTAL PARKING PROVIDED (ENTIRE PROJECT)	1,000 SPACES
ACCESSIBLE PARKING	
CONDOMINIUM (1) Access Line (1) 100' - 25' MINIMUM (1) 100' (1) 100'	100 SPACES
COMMERCIAL	200 SPACES
TOTAL	300 SPACES

LEGEND		
SYMBOL	NAME	SIZE
	DATE PALM	30' BUCK
	YUCCA	30' BUCK
	PHOENIX TREE	30' BUCK
	TREE	30' BUCK
	TREE	30' BUCK



ED VANCE AND ASSOCIATES
1645 SOUTH MAIN STREET, SUITE 100
LAS VEGAS, NEVADA 89104
P. 702.946.8197 F. 702.946.8195
WWW.EVANDASSOCIATES.COM

SITE PLAN & GROUND LEVEL FLOOR PLAN

SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776

VAR-25778

FEBRUARY 22, 2008

LAS VEGAS, NEVADA

SUP-25775

SUP-25779

SDR-25773

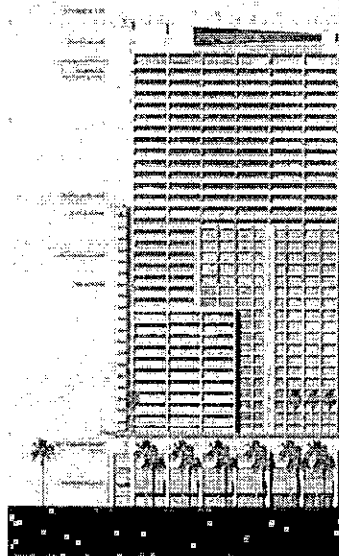
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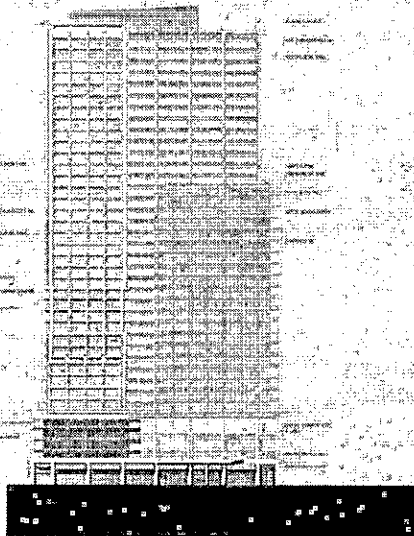


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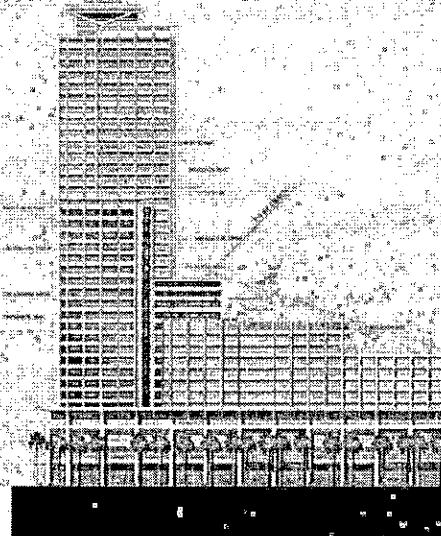


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NORTH ELEVATION

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EAST ELEVATION



EVANCE AND ASSOCIATES
 445 PARK AVENUE, SUITE 1000
 LAS VEGAS, NEVADA 89104
 P: 702.396.8181 F: 702.346.8186
 WWW.EVANDASSOCIATES.COM

EXTERIOR ELEVATIONS

SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776

SUP-25775

SDR-25773

VAR-25778

SUP-25779

REVISED

03/13/08 PC

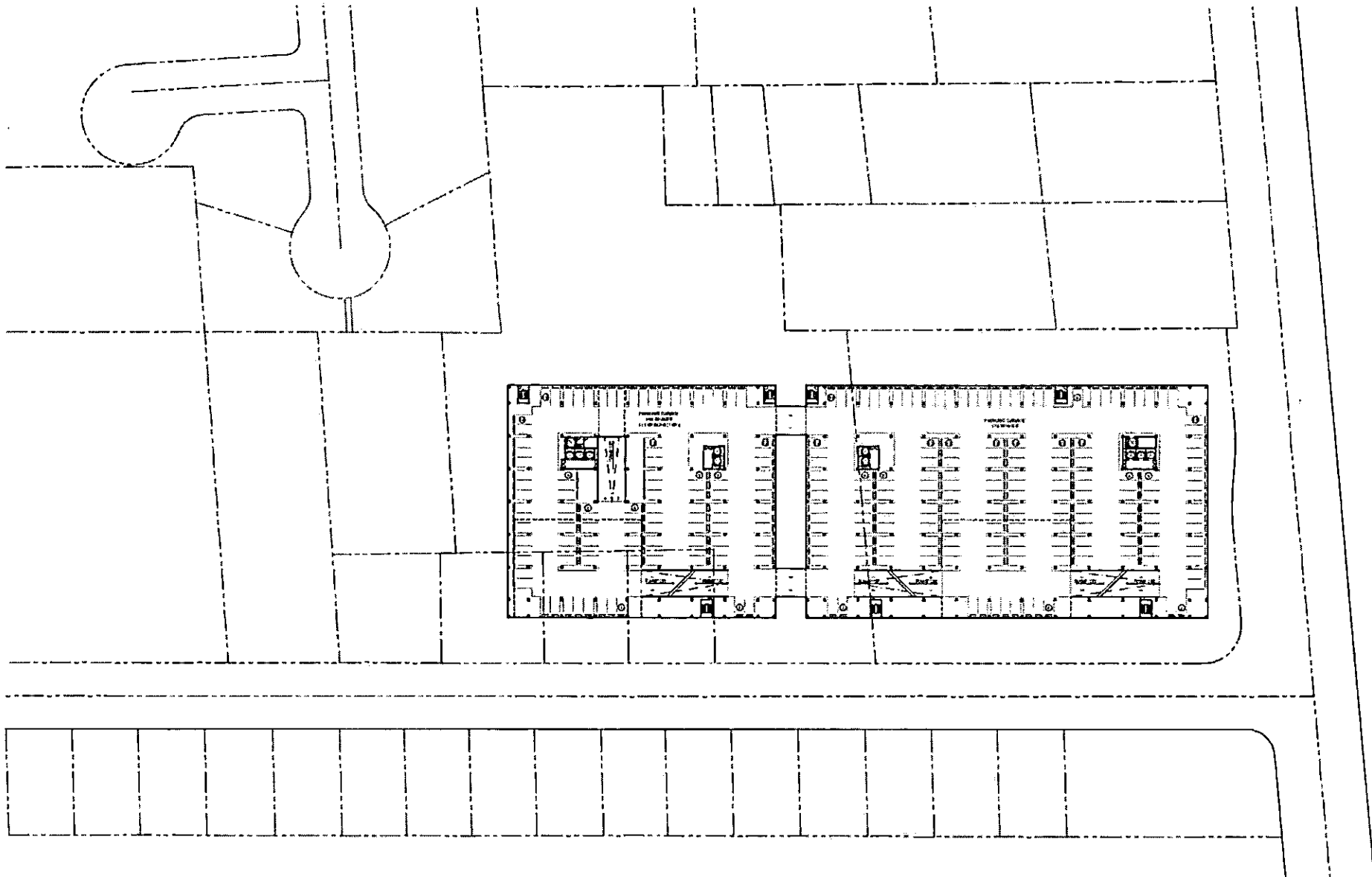
FEBRUARY 22, 2008

LAS VEGAS, NEVADA



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FEB 22 2008



ED VANCE AND ASSOCIATES
300 RAYBLAND DRIVE, SUITE 100
LAS VEGAS, NEVADA 89104
P. 702.466.5100 F. 702.466.5104
www.edvanceandassociates.com

FLOOR PLAN - SUBTERRANEAN LEVELS -1 THRU -4

SAHARA AVENUE & SIXTH STREET MIXED-USE **ZON-25776**

VAR-25778

FEBRUARY 22, 2008

LAS VEGAS, NEVADA

SUP-25775

SUP-25779

SDR-25773

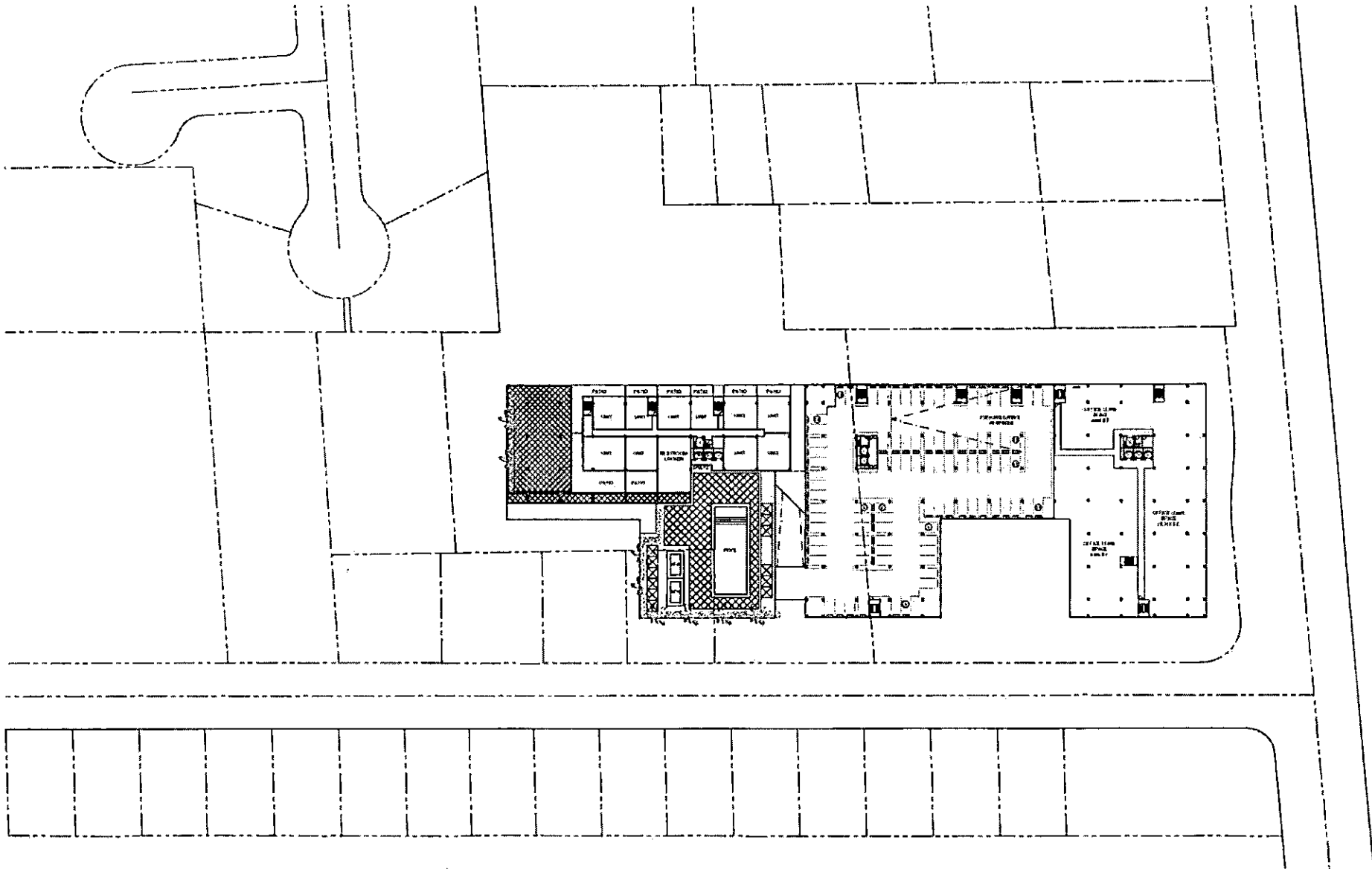
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03/13/08 PC



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ED YANCE AND ASSOCIATES
100 LAS VEGAS CENTER DRIVE SUITE 100
LAS VEGAS, NEVADA 89144
P. 702.446.1150 F. 702.446.1151
www.edyanceandassociates.com

FLOOR PLAN - TOWER LEVEL 2 (3-4 SIM)

SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776

SUP-25775

SDR-25773

03/13/08 PC

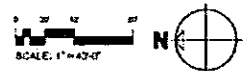
VAR-25778

SUP-25779

REVISED

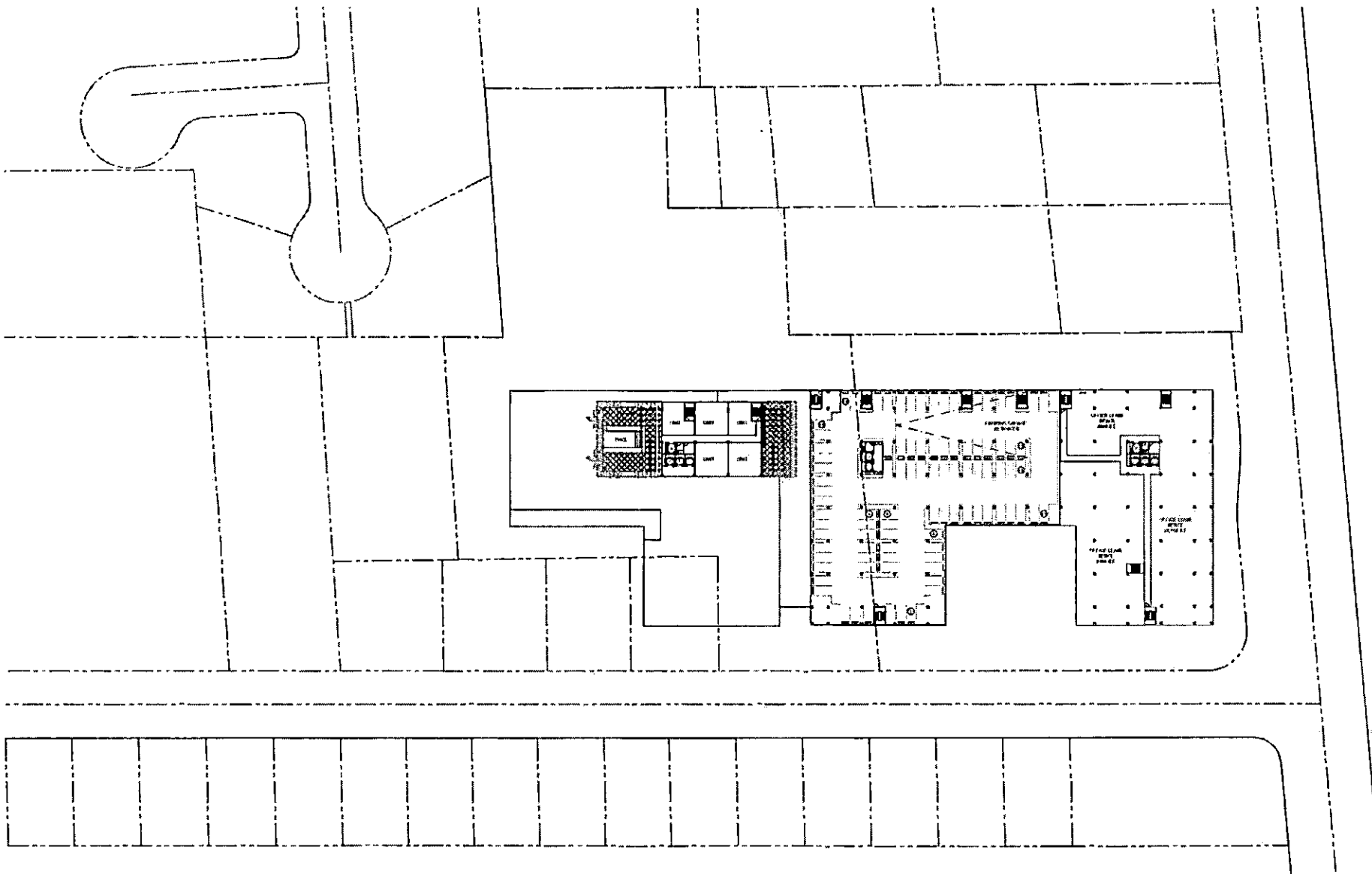
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ED VANCE AND ASSOCIATES
 800 LAS VEGAS CENTER DRIVE SUITE 200
 LAS VEGAS, NEVADA 89144
 P. TEL 702.461.1111 F. TEL 702.461.2111
 www.edvanceandassociates.com

FLOOR PLAN - LEVEL 5

SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776

SUP-25775

SDR-25773

03/13/08 PC

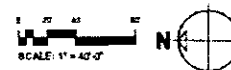
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SUP-25779

REVISED

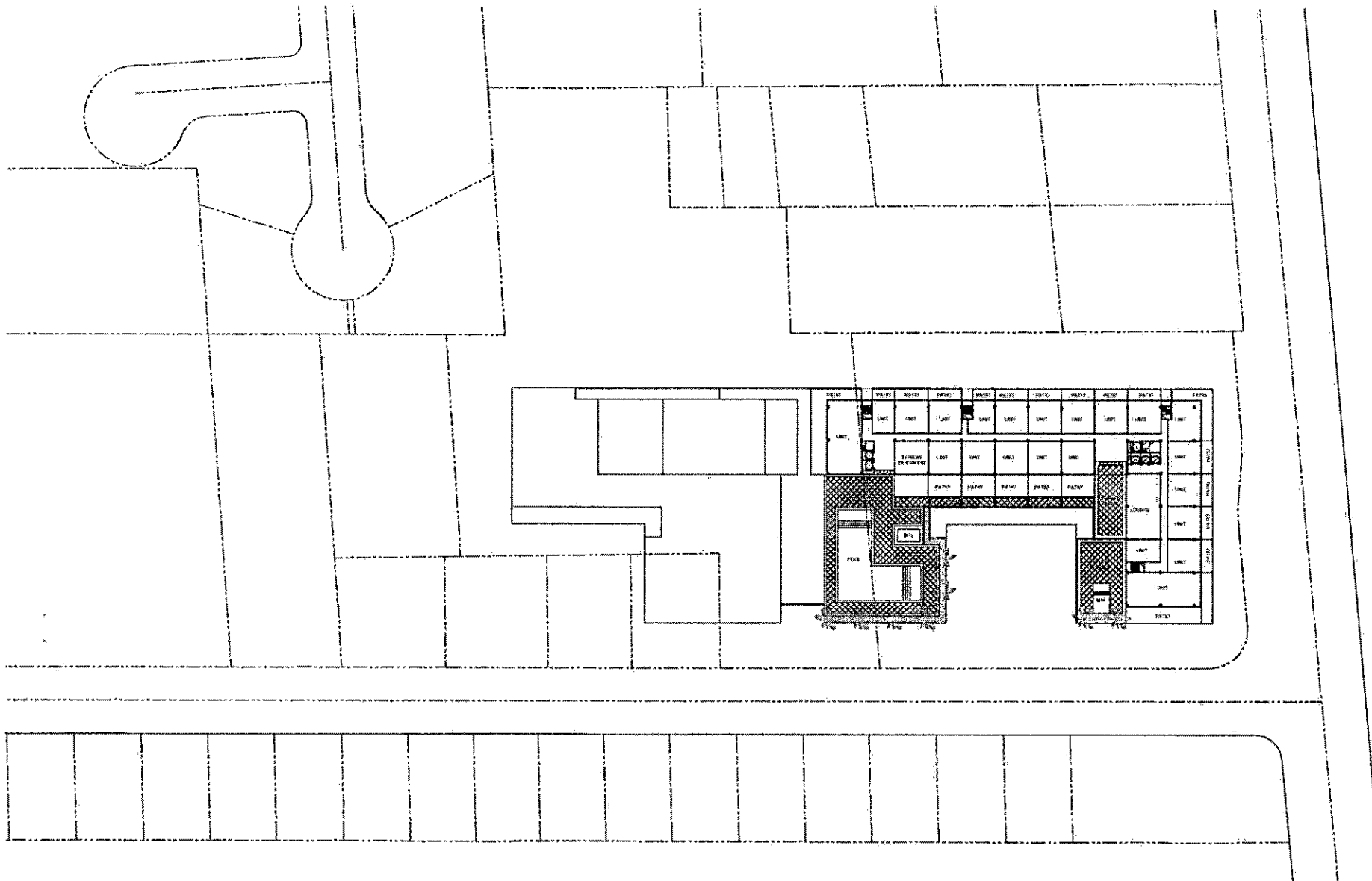
FEBRUARY 22, 2008

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ED VANCE AND ASSOCIATES
 890 ALVAREZ CENTER DRIVE WEST 100
 LAS VEGAS, NEVADA 89146
 P. 702.946.8197 F. 702.946.8146
 www.edvancearchitects.com

FLOOR PLAN - TOWER LEVEL 6 (Z-9 SIM)

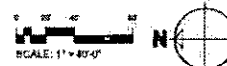
SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776
SUP-25775
SDR-25773
03/13/08 PC

VAR-25778
SUP-25779
REVISED

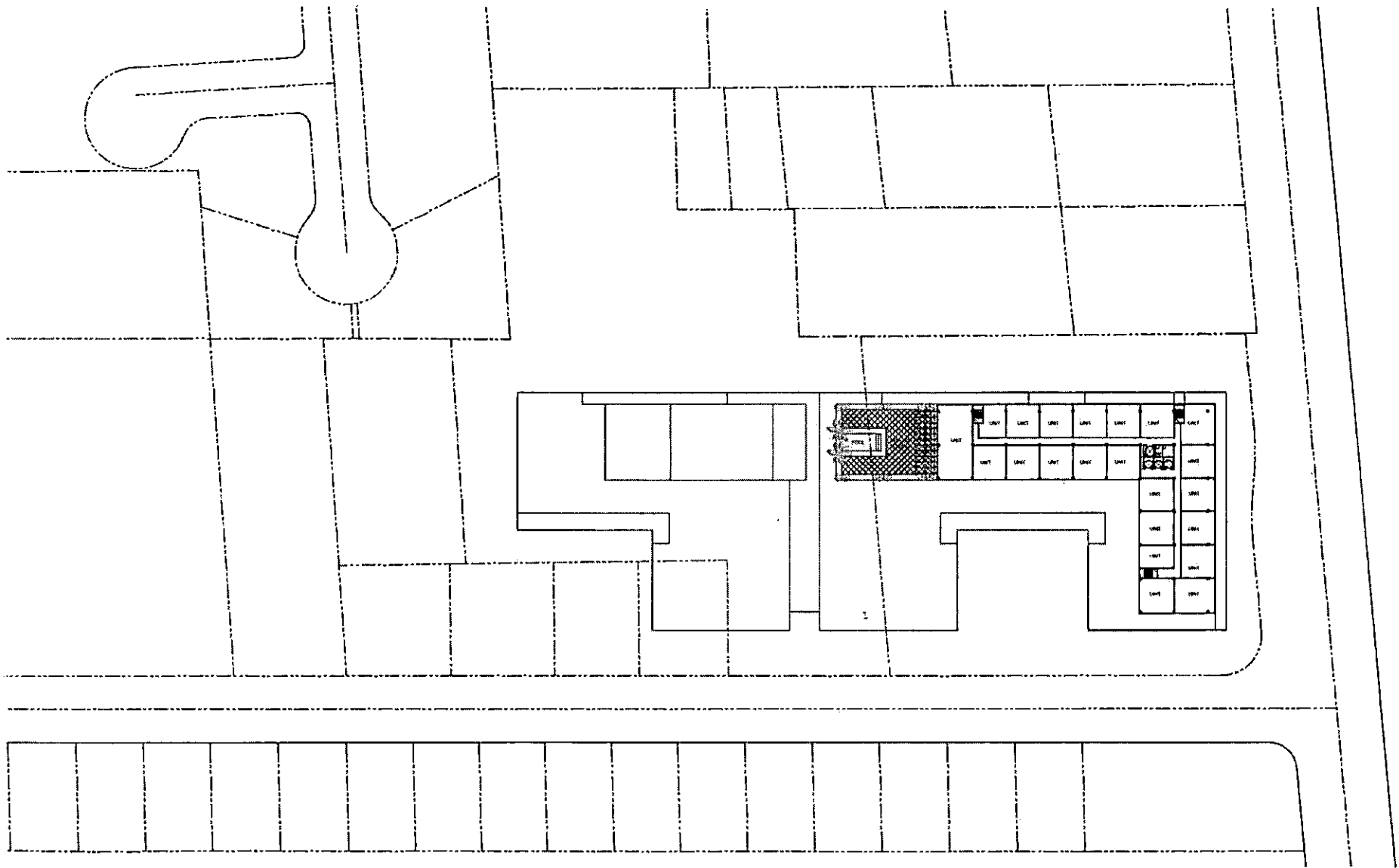
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ED VANCE AND ASSOCIATES
 100 S. MOUNTAIN VIEW, SUITE 200
 LAS VEGAS, NEVADA 89144
 P. 702.946.8190 F. 702.946.8190
 www.edvanceandassociates.com

FLOOR PLAN - TOWER LEVEL 10 (11-12 SIM.)

SAHARA AVENUE & SIXTH STREET MIXED-USE **ZON-25776** **VAR-25778**

SUP-25775 **SUP-25779**

SDR-25773 **REVISED**

03/13/08 PC

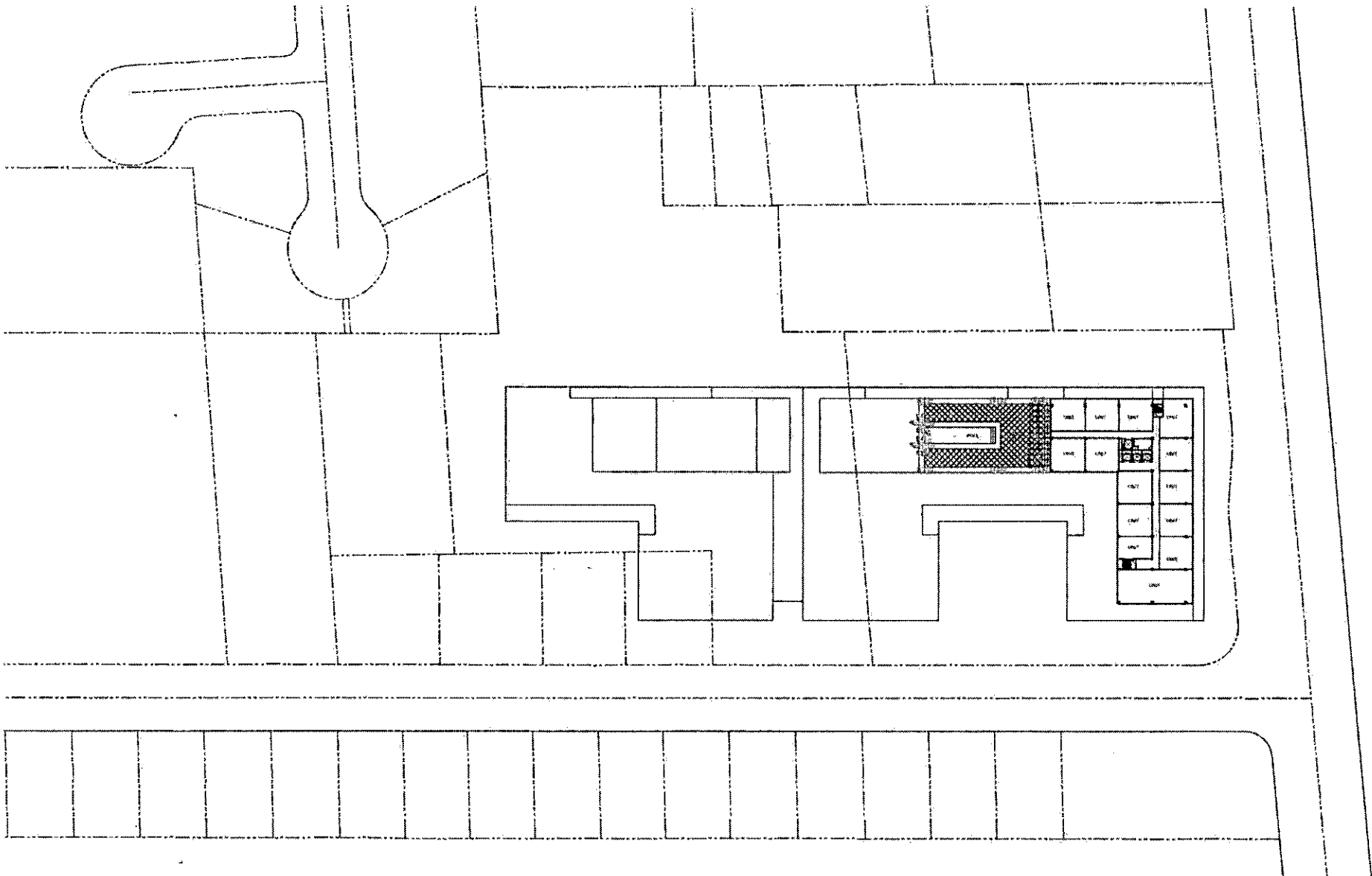
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LAS VEGAS, NEVADA



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FEB 22 2008



ED VANCE AND ASSOCIATES
3800 S. RAYMOND AVENUE, SUITE 100
LAS VEGAS, NEVADA 89146
P. 702.946.0130 F. 702.946.0130
www.edvanceassociates.com

FLOOR PLANS - TOWER LEVELS 13 (14-16 SIM.)

SAHARA AVENUE & SIXTH STREET MIXED-USE

ZON-25776

VAR-25778

FEBRUARY 22, 2008

LAS VEGAS, NEVADA



SUP-25775

SUP-25779

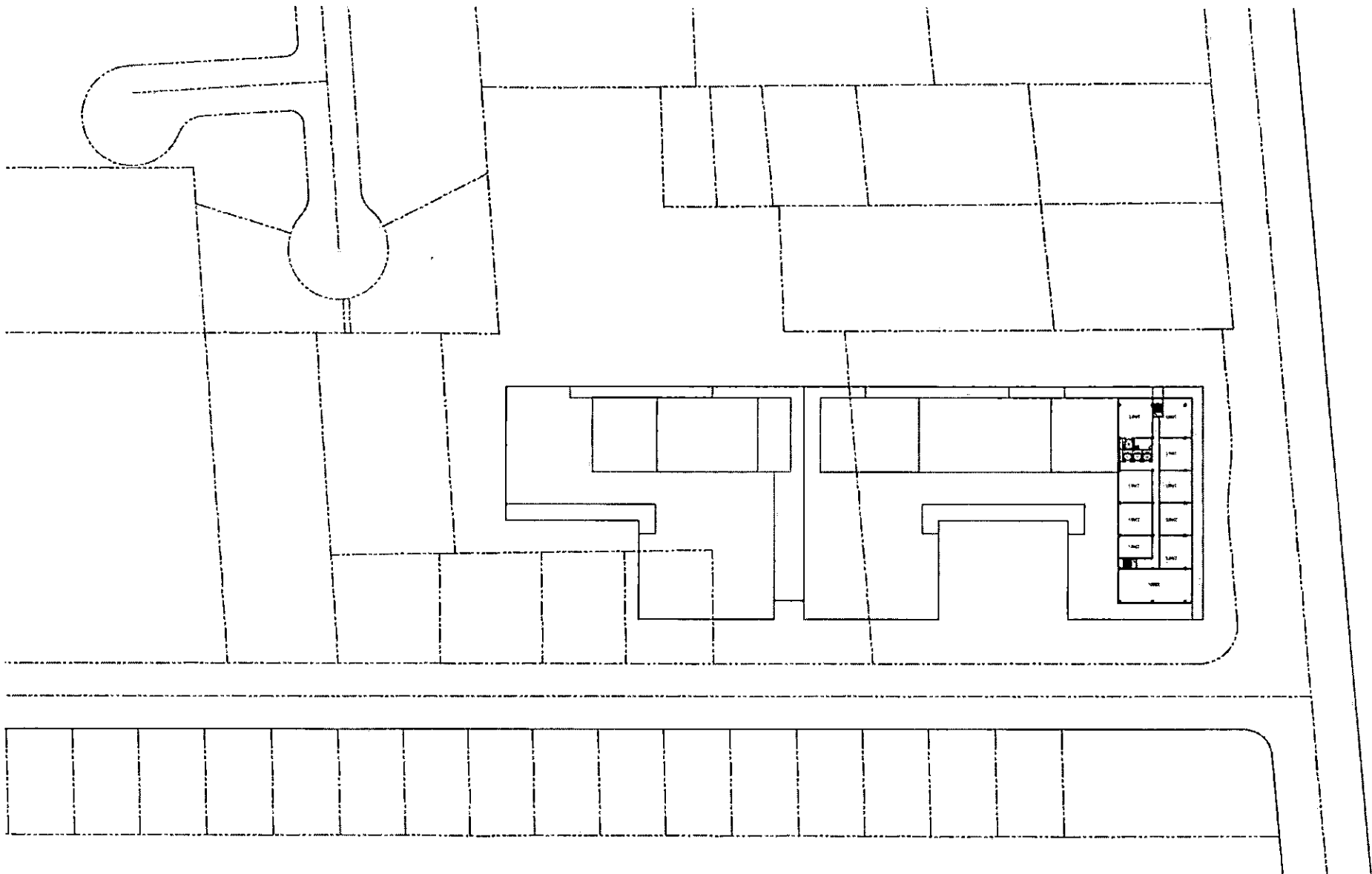
SDR-25773

REVISED

03/13/08 PC

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ED VANCE AND ASSOCIATES
 600 S. RAYMOND CENTER, SUITE 200
 LAS VEGAS, NEVADA 89104
 P. 702.944.8100 F. 702.944.8100
 www.edvancearchitects.com

FLOOR PLANS - TOWER LEVELS 17-38

SAHARA AVENUE & SIXTH STREET MIXED-USE **ZON-25776 VAR-25778**

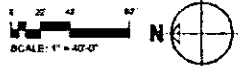
SUP-25775 SUP-25779

SDR-25773 REVISED

03/13/08 PC

FEBRUARY 22, 2008

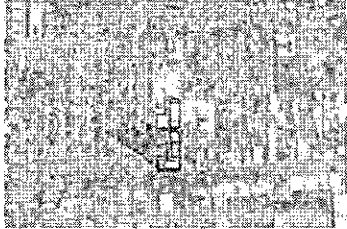
LAS VEGAS, NEVADA



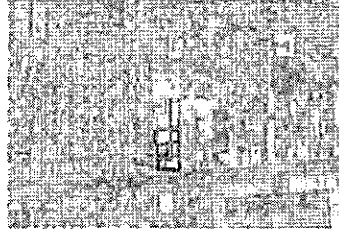
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FEB 23 2008

MARCH

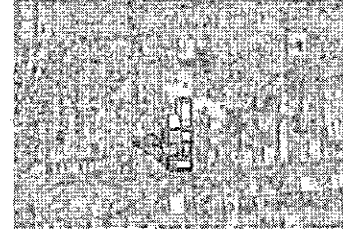


JUNE

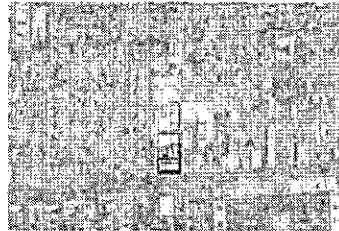
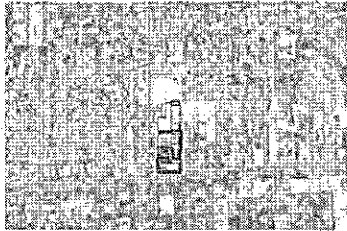
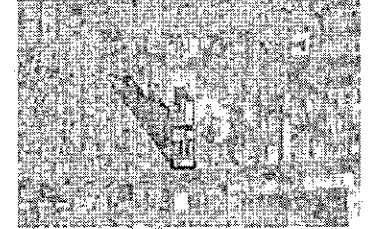


9:00 A.M.

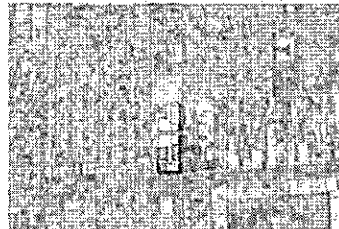
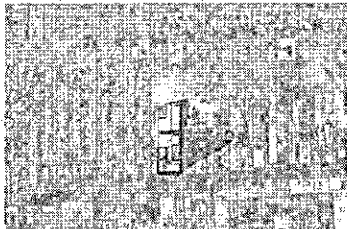
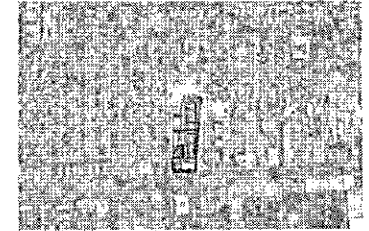
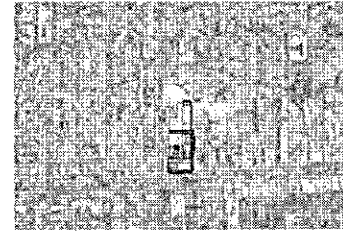
SEPTEMBER



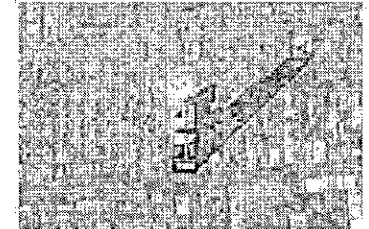
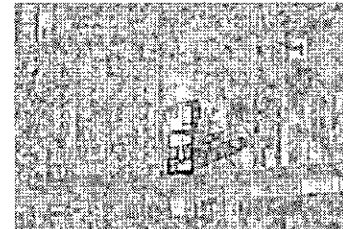
DECEMBER



NOON



3:00 P.M.



ED VANCE AND ASSOCIATES
10000 S. RAYMOND CENTER DRIVE SUITE 100
LAS VEGAS, NV 89148
P. 702.946.8195 F. 702.946.8196
www.edvanceassociates.com

SHADOW STUDY

SAHARA AVENUE & SIXTH STREET MIXED-USE

SDR-25773
02/14/08 PC

JANUARY 31, 2008

LAS VEGAS, NEVADA



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SDR 25773				
Exceed Properties, INC				
NEC of 6th St. & Sahara Ave.				
Proposed 7.05-acre Multi-use Development.				
Traffic produced by proposed development:				
New Uses	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	HIGH-RISE RES.CONDO/TWNHM [DWELL]	1105	4.18	4,619
AM Peak Hour			0.34	376
PM Peak Hour			0.38	420
(heaviest 60 minutes)				
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	180	42.94	7,729
AM Peak Hour			1.03	185
PM Peak Hour			3.75	675
(heaviest 60 minutes)				
Net Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	MULTI USE DEVELOPMENT [ACRE]	7.05		12,348
AM Peak Hour				561
PM Peak Hour				1,095
(heaviest 60 minutes)				
Existing traffic at nearby signalized intersections:				
Sahara Ave.				
Average Daily Traffic (ADT)	59,645			
PM Peak Hour	4,772			
(heaviest 60 minutes)				
6th St.				
Average Daily Traffic (ADT)	2,646			
PM Peak Hour	212			
(heaviest 60 minutes)				
Las Vegas Blvd.				
Average Daily Traffic (ADT)	32,275			
PM Peak Hour	2,582			
(heaviest 60 minutes)				
Maryland Pkwy.				

Average Daily Traffic (ADT)	39,716			
PM Peak Hour (heaviest 60 minutes)	3,177			
Traffic Capacity of nearby signals:				
	Capacity of nearby signalized intersections			
Sahara Ave.	51700			
6th St.	16200			
Las Vegas Blvd.	51700			
Maryland Pkwy.	51700			
This project will add approximately 12,348 trips per day on Sahara, 6th, Las Vegas, and Maryland. This will increase the expected volumes by about 21 percent on Sahara, about 467 percent on 6th, about 38 percent on Las Vegas, and by about 31 percent on Maryland. Sahara is currently over capacity, 6th is at about 16 percent capacity, Las Vegas is at about 62 percent capacity, and Maryland is at about 77 percent capacity.				
Based on Peak Hour use, this development will add roughly 1,095 additional cars into the area; which works out to about 18 every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



ZON-25776, VAR-25778, SUP-25775, SUP-25779 AND SDR-25773 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: FAITH COMMUNICATIONS CORPORATION
ADJACENT TO THE EAST SIDE OF SIXTH STREET, APPROXIMATELY 730 FEET NORTH OF SAHARA AVENUE AND 290 FEET EAST OF SIXTH STREET
JANUARY 10, 2008 PLANNING COMMISSION

12/11/07



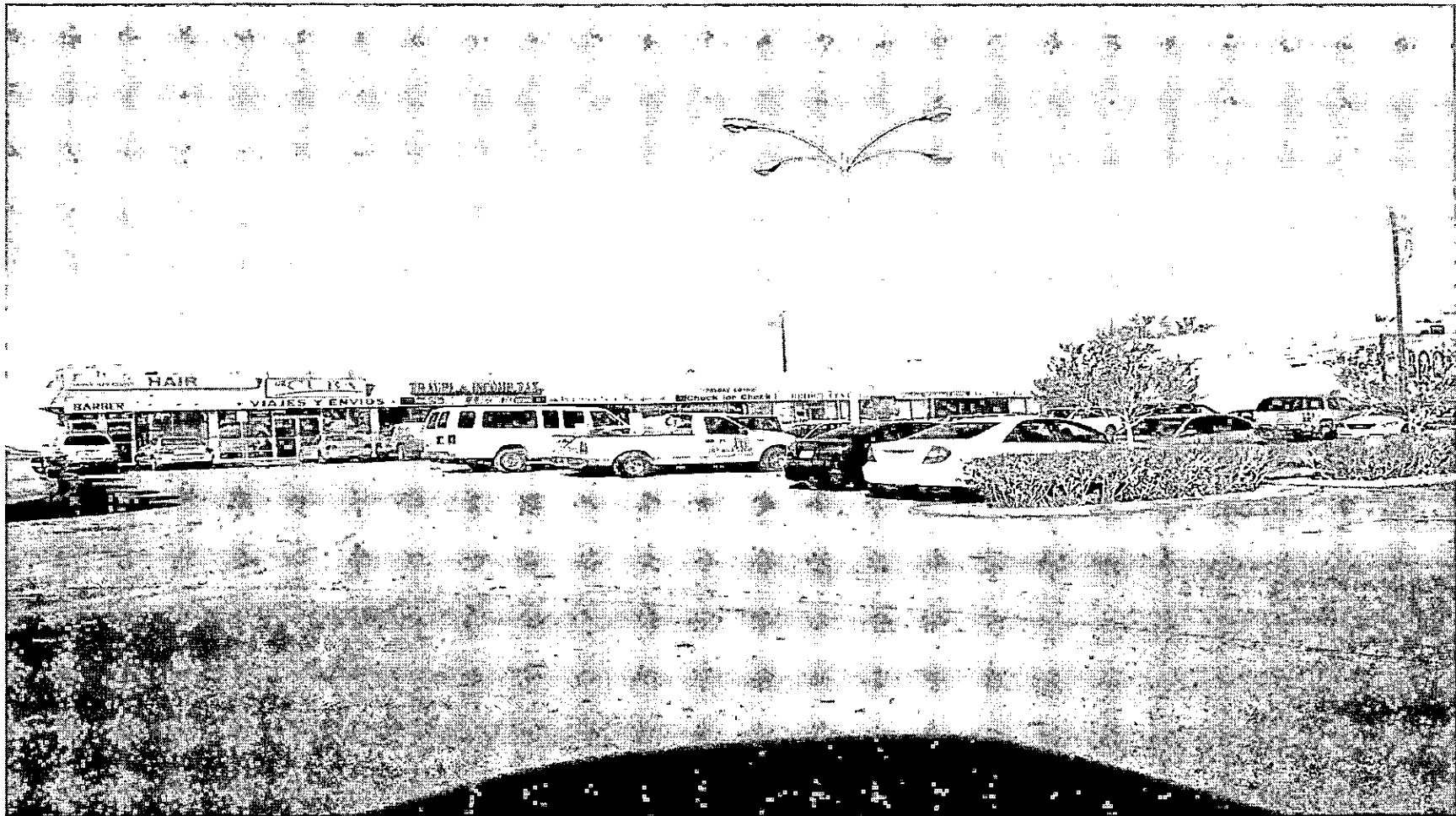
ZON-25776, VAR-25778, SUP-25775, SUP-25779 AND SDR-25773 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: FAITH COMMUNICATIONS CORPORATION
ADJACENT TO THE EAST SIDE OF SIXTH STREET, APPROXIMATELY 730 FEET NORTH OF SAHARA AVENUE AND 290 FEET EAST OF SIXTH STREET
JANUARY 10, 2008 PLANNING COMMISSION

12/11/07



ZON-25776, VAR-25778, SUP-25775, SUP-25779 AND SDR-25773 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: FAITH COMMUNICATIONS CORPORATION
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JANUARY 10, 2008 PLANNING COMMISSION

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ZON-25776, VAR-25778, SUP-25775, SUP-25779 AND SDR-25773 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: FAITH COMMUNICATIONS CORPORATION
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JANUARY 10, 2008 PLANNING COMMISSION

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ZON-25776, VAR-25778, SUP-25775, SUP-25779 AND SDR-25773 - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: FAITH COMMUNICATIONS CORPORATION
ADJACENT TO THE EAST SIDE OF SIXTH STREET, APPROXIMATELY 730 FEET NORTH OF SAHARA AVENUE AND 290 FEET EAST OF SIXTH STREET
JANUARY 10, 2008 PLANNING COMMISSION

12/11/07



February 25, 2008

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

Re: Revised Justification Letter Regarding Application(s) for
SDR-25773, SUP-25775, ZON-25776, VAR-25778, SUP-25779
For the Property located at NEC Sahara Avenue & 6th Street
APN #'s 162-03-801-011, 013, 014, 015, 120, 099; 162-03-811-000 (the
"Property")

To Whom It May Concern:

This letter is written on behalf of the applicant, Exceed Development LLC, and shall serve as the required justification letter for the associated applications for the parcels listed above, an approximate 7 net acre mixed-use project at the Property.

The Property is located on the north side of Sahara Avenue and the east side of 6th Street. A portion of the Property, APN #162-03-801-099, lies within the City's Redevelopment Area. The General Plan calls for the land-use to be "C" and "SC" or General Commercial and Service Commercial.

The specific SUP applications and requested waivers associated with this Site Development Review and Re-Zoning application are as follows:

- SUP requested for Mixed-Use in a C-I zone
- SUP requested for Height within Airport Overlay
- Variance requested for encroachment into the height/setback along a street classified as a collector or larger.
- Waiver of Development Standards requested for encroachment into the residential adjacency height/setback.

ZON-25776 VAR-25778
SUP-25775 SUP-25779
SDR-25773 REVISED
03/13/08 PC

900 South Pavilion Center Drive-Suite 160
Las Vegas, Nevada 89144
o 702.946.8195 | f 702.946.8196
www.edvanceassociates.com

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The attached Site Development Review, Special-Use Permit, Variance & Waiver applications seek approvals for:

- ~~4,405~~ 676 units of Residential Condominiums
- ~~479,860~~ 108,500 square feet of flex Commercial Lease Space of which ~~40,660~~ 36,200 square feet is retail and ~~469,200~~ 72,300 square feet is office.
 - 10,660 square feet of Retail directly fronts Sahara Avenue

The proposed development, as submitted, consists of ~~one~~-two buildings, divided by a driveway ramp, with ~~a~~-four (4) levels of underground parking garage. The remainder of the parking would be in an above-ground parking garages on the south end of the property. The parking would occur on Levels 2-~~7~~ 5 along with office lease space. The Ground Level would primarily be the retail/restaurant lease space and back of house functions ancillary to the condo function. An amenities deck, including the pool, spa and outdoor terrace, would be on Level 8 2 for the north building and on level 6 for the south building. Therefore, the first ~~eight~~ six (86) levels shall serve as the south building's base while the north building's base will consist solely of the 20' retail base. The condominiums will begin at Level 8 and continue up to Level ~~43~~ 38 to a maximum height of ~~500~~ 425'-0".

As illustrated on the attached site plan, the building coverage occupies approximately 46% of the site providing for a highly pedestrian-friendly plaza in front of the retail along Sahara Avenue and a ~~pair of~~ beautifully enhanced and landscaped entries-entry and porte cocheres off of 6th Street. Also incorporated into the design is an approximate ~~83~~ .52 acre park/green space located on the east side of the development, adjacent to and acting as a buffer to the neighboring residential properties. This would be available to both the residents of the development and to the neighborhood surrounding the development. The development mimics many of the development standards set forth in the City of Las Vegas Downtown Centennial Plan in order to provide a consistency with developments that are planned to west and help promote pedestrian activity along Sahara Avenue and 6th Street.

The proposed development seeks to be both a positive contribution to the City of Las Vegas and to the Beverly/Southridge neighborhoods. We have met with members of the adjacent neighborhood and incorporated several changes to mitigate their concerns. The project employs several of the strategies outlined within the Beverly/Southridge Neighborhood Plan. Specifically, addressing the following under the "Existing Land Use" portion:

Issue 2. Strategy 1: Residential Adjacency & Building Heights

The Plan calls for a request that any development whose building foundation is within 300' of property zoned for single family residential homes be required to adhere to the City's Residential Adjacency Standards.

ZON-25776 VAR-25778
SUP-25775 SUP-25779
SDR-25773 REVISED
03/13/08 PC



FEB 25 2008

In order to help with concerns from the neighboring residences, the tallest portions of the project are pushed as far south from the neighborhood to the north and as far east from the neighborhood across Sixth St.

Specifically, the residential adjacency standards stemming from the homes to the north are met for the entire project except the tower portion, which is located more than 500' from these homes from the north. Additionally, where the development is closest to these existing homes, at the north end of the property, the building has a more "mid-rise residential" feel with four (4) levels of residential units directly atop a 20' retail base consistent with similar developments recently approved and constructed adjacent to existing homes within the boundaries of the Plan.

Along Sixth Street, the Tower portion is located directly across from an existing commercially zoned and retail-based land-use; therefore the residential adjacency does not apply. Moving north, the building is located more than 100' at its closest point to these homes and up to about 180' at its greatest point. The height of the building at these points is 60' and is buffered by a 40' wide beautifully landscaped area. Any tower portion of the project that is directly in front of these homes are located more than 230' away.

All this being said, we are happy to say they we feel that the majority of the project conforms to this strategy.

Issue 3, Strategy 3: Poorly Maintained Private Streets

This development is in support of this strategy, incorporating CLV standards for it's portion of improvements and would further be in support of associating with the adjacent business owners using the private street in the beautification efforts.

Issue 4, Strategy 1: Sahara Re-development

The parcel at the corner of Sahara Ave. & Sixth St. is within the CLV Re-development area. This development is the true definition of mixed-use, incorporating retail/restaurant, office and residential components, exactly what would be necessary to keep with the urban goal. The project not only provides ample space to incorporate the uses being displaced, but provides additional space as well.

Issue 5, Strategy 1: Vacant Lots

A large portion of this project incorporates lots that are currently vacant, and an eye-sore within the community. We have been working with the neighborhood associations to make the necessary changes to make this project compatible with the neighborhood.

ZON-25776 VAR-25778
SUP-25775 SUP-25779
SDR-25773 REVISED
03/13/08 PC

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The project is also in support of the "Traffic Issues" portion of the Plan. Specifically:

Issue 1: Cut-thru Traffic

In meeting with the residential neighbors we have made changes to the development to mitigate and limit this projects impact on traffic cutting through the residential neighborhood. By limiting the facilities access points along Sixth Street to only visitors of the property, both residential guests and visitors to the retail and commercial uses, this limits the number of vehicles placed directly onto Sixth Street. All residents and employees within the development will access the property from the existing common commercial road off of Sahara Avenue and will only be allowed to exit either back down this drive or directly onto Sahara Avenue by means of a "one way," egress-only drive.

Recent changes to the submitted development plans also eliminate the need for the perimeter landscape buffers, which also helps with the compatibility of the development.

By virtue of the attached applications, the City of Las Vegas is presented with another opportunity to promote additional redevelopment and more intense land uses downtown. This project specifically will further restore vitality and economic opportunities and give overall direction to future public and private improvements throughout the (redevelopment) area. We are confident this project will enhance the momentum for further needed redevelopment along Sahara Avenue moving east from Las Vegas Boulevard. The City Council has frequently asserted its desire to have quality new residential development in the Downtown area, and this development plan fits the standard.

The approval of this project will allow the City to meet many of its design goals and objectives for land use, urban form, pedestrian environment, and image and character in and adjacent to Downtown Las Vegas.

We greatly appreciate your time and effort in the review of this development proposal. If you have any questions, or require further information, please do not hesitate to contact me at 702-946-8195.

Sincerely,



Chris Richardson, Ed Vance & Associates
on Behalf of Exceed Development, LLC.

ZON-25776 VAR-25778
SUP-25775 SUP-25779
SDR-25773 REVISED
03/13/08 PC

DEC
FEB 25 2008

January 8, 2008

Commissioners,

I am writing on behalf of the Beverly Green Neighborhood association regarding the following items listed on your January 10th agenda;

SDR-25773 (request for a waiver of normal requirement that a building of this height to be built adjacent to a residential home be 1500 feet from the nearest home; the request is to allow the building to be built 100 feet from the nearest home.)

SUP-25775 (request for a special use permit to build a 500-foot high building, where the ordinary limit is 175 feet)

ZON-25776 (request to rezone the land on 6th street for commercial use)

VAR-25778 (request for a variance from the normal requirement of a "stepback" from the edge of the property)

SUP-25779 (request for a special use permit for mixed-use development on land currently designated for residential use)

The proposal, located on 6th street north of Sahara, calls for a 500 foot tower and a 12 story portion of the building to be built directly adjacent to single family homes. The building would include approximately 1100 residential units and 180,000 square feet of commercial use.

Our neighborhood has consistently supported development projects that improve the area. However, this proposal is clearly incompatible with the surrounding neighborhoods. First, the change from R-1 to C-1 is in direct violation of the Beverly Green-Southridge Neighborhood Plan (BGSNP). The BGSNP, a document that went through numerous public meetings and review, was accepted unanimously by the Las Vegas City Council as the neighborhood view. It should be considered the formal voice of the neighborhood.

The height of 500 feet and of 12 stories directly adjacent to single family homes is contrary to the City's stated goals of preserving these neighborhoods as residential. It is also in opposition to the BGSNP. Finally, the height is in direct conflict with the City's own height restrictions. In fact, the waiver that developer has requested would lessen the distance requirement by 15 times!

The residents of these neighborhoods have made this a wonderful place to live. And they have done it through hard work, perseverance, and a belief that their voices mattered. I urge you to reject this project as incompatible with the adjacent neighborhoods.

Sincerely,



Ben Contine

January 10, 2008

Las Vegas City Planning Commission

Re: Proposed development on 6th Street north of Sahara

SDR-25773 (request for a waiver of normal requirement that a building of this height to be built adjacent to a residential home be 1500 feet from the nearest home; the request is to allow the building to be built 100 feet from the nearest home.)

SUP-25775 (request for a special use permit to build a 500-foot high building, where the ordinary limit is 175 feet)

ZON-25776 (request to rezone the land on 6th street for commercial use)

VAR-25778 (request for a variance from the normal requirement of a "stepback" from the edge of the property)

SUP-25779 (request for a special use permit for mixed-use development on land currently designated for residential use)

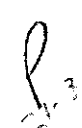
We own property on 6th Street at 2212 and 2200, directly across the street from the proposed building site located on the east side of 6th Street. After reviewing the requests for variances requested by the developer, We are opposed to all of them in their entirety.

We believe that a 40+ story building is inappropriately tall for that neighborhood. We oppose the removal of set back limitations. And we oppose the zoning change to commercial without knowing the use of the commercial space. We also question whether 6th Street can handle the increased traffic flow. The street is currently used as a throughway. Residential speed limits are ignored. This proposed building would only serve to increase problem for residents on 6th Street.

We are in favor of a modest development that would serve the residents of the surrounding area.

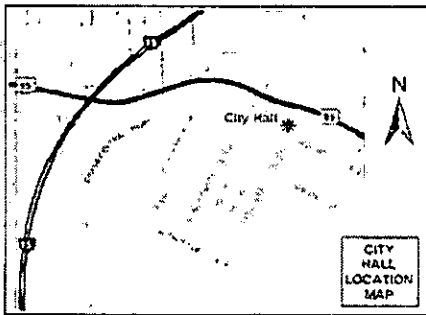
Frank Butterfield

Brian Morrell



City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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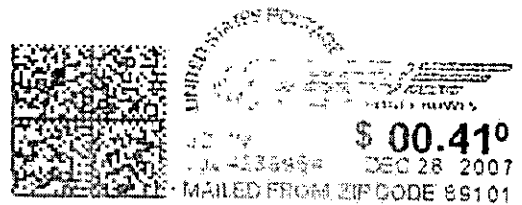
I SUPPORT
this Request

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I OPPOSE
this Request

SDR-25773

8914934707 0053



RECEIVED
JAN 14 2008

16203417052 Case: SDR-25773
FRANCESCHI SHERRILL A SURV TR
8385 W LA MADRE WY
LAS VEGAS NV 89149-4707

P₂

CHRIS GIUNCHIGLIANI
Commissioner



Board of County Commissioners

CLARK COUNTY GOVERNMENT CENTER
500 S GRAND CENTRAL PKY
BOX 551601
LAS VEGAS NV 89155-1601
(702) 455-3500 FAX: (702) 303-3241

January 9, 2008

City of Las Vegas
Planning Commission
400 Stewart Ave.
Las Vegas, NV 89101

Dear Planning Commissioners:

I am writing a letter in opposition to items 31, 32, 33, 34, and 35 on the January 10, 2008, agenda requested by Exceed Properties. They are requesting a rezoning to commercial, a waiver of setbacks, a special use permit for a 500 foot building, a special use permit for a mixed-use development, and a site review plan.

I participated as a resident and former assemblywoman for the area on a previous project that was proposed several years ago. The community worked with that developer in good faith. Now, apparently, the land was flipped and additional parcels were added to this project. While this is in the City, I am also the Commissioner for the area and my constituents have loudly voiced their concerns and opposition. As an individual, I am also opposed.

The project is too dense, too high, it intrudes on the residential area, it isn't compatible with the surrounding residential areas, and it will cause traffic problems on both 6th Street and Sahara Avenue. Further, this would be the tallest building on East Sahara for miles. In fact, it would be taller than Allure, which is on the west side of Sahara and close to a gaming overlay. Also, the fact that they can't make any of their setbacks tells me this is too small a footprint for what they are proposing. This project also conflicts with the adopted neighborhood plan that everyone worked on and presented to the City Council.

Finally, this would cause the loss of small businesses that have been serving the area for years. While we all want some development it should not negatively impact the residential character of an area. Since many developers aren't moving forward with projects due to the housing slow down, I suspect this may be one more opportunity to "flip" a parcel to the detriment of the area.

I apologize for not being able to be in attendance.

Sincerely,

Chris Giunchigliani
Commissioner District E

Submitted after final agenda

Date 1/10/08 31-
PC Item 35

P

From: Richard Reid
548 Canosa Avenue
Las Vegas, NV 89104

January 7, 2008

VIA FAX

To: Las Vegas City Clerk
City Hall
Las Vegas, NV

I have been informed that the Las Vegas City Planning Commission hearing on this Thursday evening, January 10th, 2008, will have on its' agenda the **high-rise commercial/residential tower**, proposed for construction on East Sixth Street.

I did not receive any official notice of the Planning Commission's intent to deal with this issue at their January 10th meeting. I understand that only 123 people were contacted by mail, seeking responses, either in support or opposition to this project. In polling my neighborhood (only two blocks from the proposed project) I have yet to find even one person, who received any notice.

I am extremely upset to have been omitted from any notification.

This project is a matter of extreme importance to my neighborhood !

Accordingly, I am faxing my response to voice profound opposition to this project.

Specifically, I am opposed to all requests put forth by the developer in the following agenda items of Planning Commission meeting:

- SDR-25773
- SUP-25775
- ZON-25776
- VAR-25778
- SUP-2577

Lastly, being physically handicapped, I wish to be on record, as requesting the opportunity to address the members of the Planning Committee, detailing my objections, at the appropriate time, during the January 10th meeting.

Sincerely,



Richard Reid

cc: Mayor Pro-Gem Gary Reese, Las Vegas City Clerk, Las Vegas Planning & Development

Submitted after final agenda	
Date	1/10/08
FC	Item 31-35

P

TICK SEGERBLOM
ASSEMBLYMAN
District No. 9



COMMITTEES:
Education
Elections, Procedures, Ethics,
and Constitutional Amendments
Judiciary

State of Nevada Assembly

Seventy-Fourth Session

DISTRICT OFFICE:
704 S. Ninth Street
Las Vegas, Nevada 89101
Office: (702) 388-9800
Fax No.: (702) 385-2909

LEGISLATIVE BUILDING:
401 S. Carson Street
Carson City, Nevada 89701-4747
Office: (775) 884-8549
Fax No.: (775) 884-6533
www.leg.state.nv.us

BY FAX 385-7268

January 7, 2008

Honorable Planning Commission Members
City of Las Vegas Planning Commission
Stewart Avenue
Las Vegas, Nevada

RE: SDR-25773
SUP-25775
ZON-25776
VAR-25778
SUP-25779

Dear Members:

Please oppose the items listed above. This project would seriously hurt the existing residential neighborhood and should not be allowed.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be "R" followed by a flourish.

TICK SEGERBLOM
ASSEMBLYMAN

Submitted after final agenda

Date 1/10/08 31-
PC Item 35

P

1-10-08

To Andy Reed and the Planning Commission,
As president of Southridge NA, and on
behalf of Penny Dale, V.P., we are asking
that you deny approval of items.

#31 - ZON 25776

32 - VAR 25778

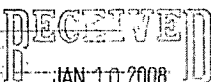
33 - SUP 25775

34 - SUP 25779

35 - SDR 25773

There has not been enough time to have
a proper dialog with the full spectrum of
the neighborhood associations and the
developers. (Not that we haven't tried.)
We feel that a project of this magnitude
deserves more attention to the people of the
neighborhoods.

I'm sending this letter along with an
E-mail I sent yesterday. I hope it's all
legible. I was planning to speak in
person but I have an on going leg injury
that has been giving me problems as of
late. I'm sure I will be well represented.
I'll get there one of these days.



11:35am @

Sincerely,

Michael Harratty

Michael Harratty
President, Southridge NA

Submitted after final agenda

Date 1/10/08

PC Item 35

MICHAEL HANRATTY

From: "MICHAEL HANRATTY" <m.hanratty@worldnet.att.net>
To: "Susan Carroll" <SusanCarroll@att.net>; "Scott Eisenhauer" <scott.eisenhauer@hotmail.com>;
 <centavodale@aol.com>; <t_pellegrini@hotmail.com>; <minkm@earthlink.net>;
 <simpson@lasvegasnevada.gov>; <gregorystphenbrown@gmail.com>;
 <jacobemr@gmail.com>; <darrylr@cox.net>; <calissmandjo@earthlink.net>;
 <mrbob7@yahoo.com>; <pink2@cox.net>; <vvpaworkshop@aol.com>; <pam50@cox.net>;
 <mpesing@aol.com>; <jwright@co.clark.nv.us>; <myersyoung@aol.com>; <vic@trindy-
 life.org>; <breeze657@aol.com>; <sued123@cox.net>; <davigroup@yahoo.com>;
 <pink2@earthlink.com>; <coovine@cox.net>; <estromborg@msn.com>;
 <bubba13.1999@yahoo.com>; <charl@justforfunstuff.com>; <jeff@trinity-life.org>;
 <jeffbower@digitalmedico-op.com>; <janemiyama@aol.com>; <myersyoung@netzero.com>;
 <shannoncult@cox.net>; <carthur@writingwithfamilies.com>; <quinchigian@aol.com>;
 <jmsgibson@yahoo.com>; <khikuz@yahoo.com>; <michael.lugering@unlv.edu>;
 <vcarrera@cox.net>; <p77076@vmopd.com>; <bobbyg@trinity-life.org>;
 <scott.swank@gmail.com>; <pk4@cox.net>; <tami1@mac.com>
Sent: Wednesday, January 09, 2008 7:51 PM
Subject: Re: Update on proposal to build high-rise on 6th Street

To the E-mail gang of Southridge N A and beyond.

It is becoming clearly evident as different E-mails are filtering in that there are various and mixed views on the proposed high-rise at Sahara Ave. and Sixth St. As president of Southridge N A, I have maintained neutrality on this issue and will support the majority when that has been established. That's where the problem lies. There has not been enough time to come to a conclusion. I contacted the liaison (Strategic Solutions) and told them I would help them to organize a meeting where both Southridge and Beverly Green neighborhood associations would be given ample notification to attend. They told me that due to the holidays it would be near impossible to get it all together. They said they'd get back to me. They never did. It seems to me that Strategic Solutions' strategy is to get this pushed through without any fanfare or opposition. There have been other developers and businesses that have bent over backwards to accommodate the neighborhood associations for lesser projects.

At this time I am going to recommend that they deny approval of this project until the full perimeter of both neighborhood associations have a fair and equal voice.

Sincerely,

Michael Hanratty
 702 359 8439

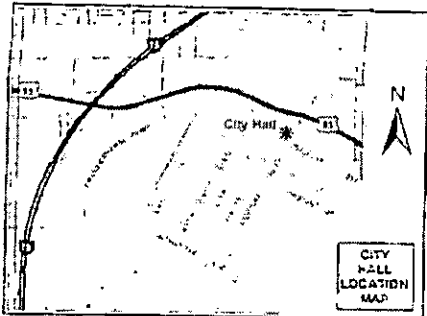
— Original Message —

From:
To:

Sent: Wednesday, January 09, 2008 4:57 PM
Subject: RE: Update on proposal to build high-rise on 6th Street

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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x this side of this card to (702) 385-7268.



I SUPPORT
this Request



I OPPOSE
this Request

16203315015

Case: SDR-25773

LIBBON ROBERT P

556 BONITA AVE

LAS VEGAS NV 89104-2869

SDR-25773

8910482659 0071

|||||

Submitted after final agenda

Date

1/10/08

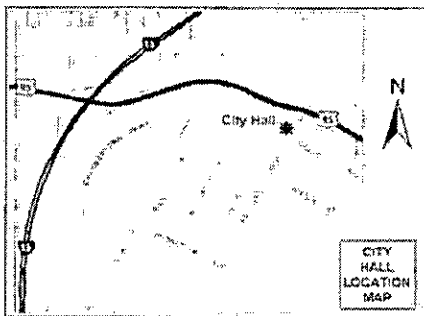
pc

Item 35

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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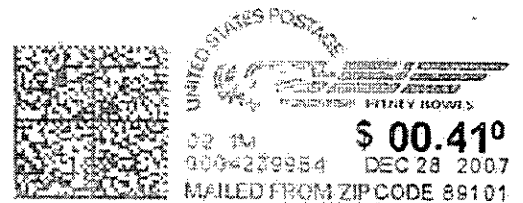
I SUPPORT
this Request

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I OPPOSE
this Request

SDR-25773

8910432605 0003



DEC 28
JAN 07 2008

16203714033 Case: SDR-25773
STIBOREK LOLA TRUST
604 BONITA AVE
LAS VEGAS NV 89104-2805

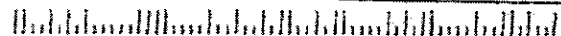
Submitted after final agenda

Date

1/15/08
PC

Item

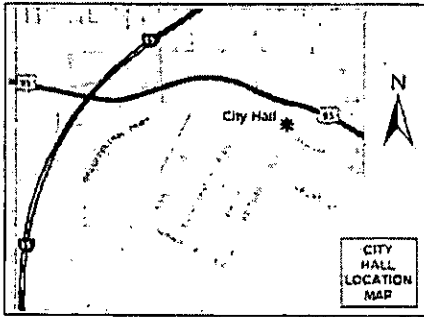
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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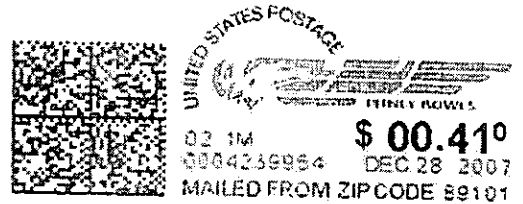
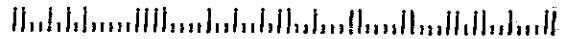
I SUPPORT
this Request

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I OPPOSE
this Request

SDR-25773

6910482831 0071



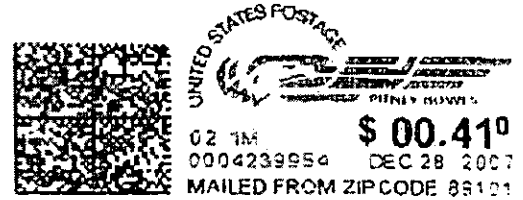
RECEIVED
JAN 07 2008

16203315037 Case: SDR-25773
HICKS GUY EVANS & HELEN LOUISE
1916 S 6TH ST
LAS VEGAS NV 89104-2831

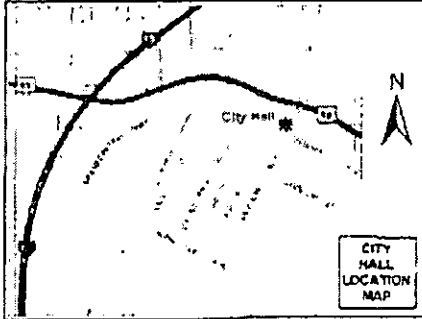
Submitted after final agenda

Date 1/10/08
PC Item 35

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986



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I SUPPORT
 this Request



I OPPOSE
 this Request

SDR-25773

Case: SDR-25773
 16203801043
 MINER RICHARD L & RHEA ETAL
 2118 WINTERWOOD BLVD
 LAS VEGAS NV 89142-1850

8914231850 C068



Submitted after final agenda

Date

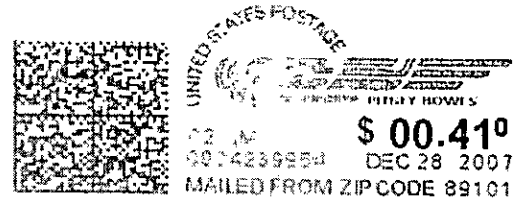
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Item

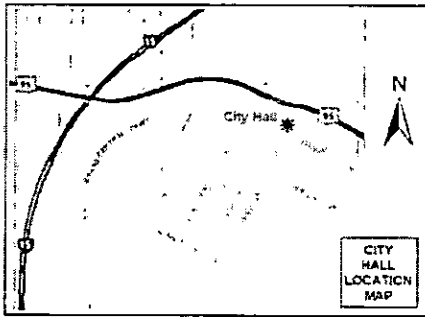
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I SUPPORT
this Request

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I OPPOSE
this Request

SDR-25773

16203715005

Case# SDR-25773

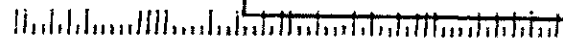
SKONIECZNY HENRY J
705 E ST LOUIS AVE
LAS VEGAS NV 89104-2822

Submitted after final agenda

Date

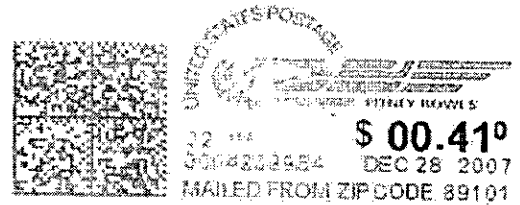
1/2/08
PC Item 35

891042822 0009

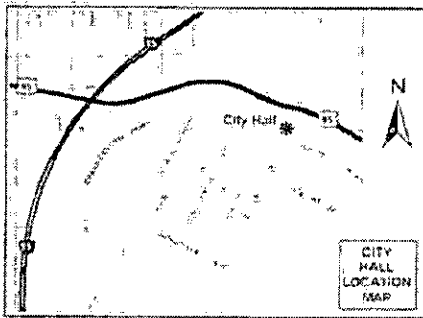


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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986



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I SUPPORT
this Request

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I OPPOSE
this Request

SDR-25773

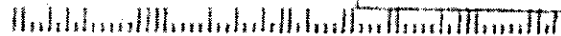
16203810023
HARPER WALTER O
820 ALHAMBRA DR
LAS VEGAS NV 89104-2966

Case: SDR-25773

Submitted after final agenda

Walter
PC 35

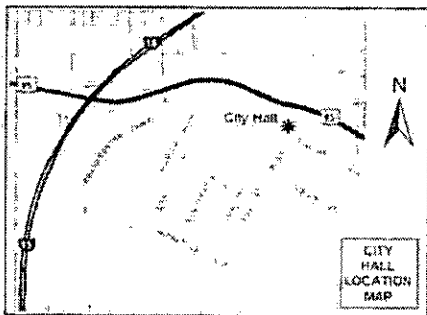
8910423556 0008



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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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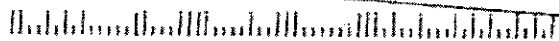
I SUPPORT
this Request

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I OPPOSE
this Request

SDR-25773

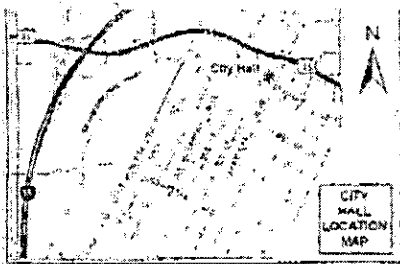
8911084019 0084



Case: SDR-25773
16203801010
SCHLEUSNER LARRY P & PATRICIA G
6675 WEATHER VIEW DR
LAS VEGAS NV 89110-4019

Submitted after final agenda
Date 1/10/08
Item 35

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☐

I SUPPORT
this Request

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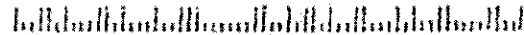
I OPPOSE
this Request

16203801137
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

Case: VAR-25776

~~VAR-25778~~

3794031290 B014



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☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

16203801137
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

Case: SDR-25773

~~SDR-25773~~

3794031290 B014



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☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

16203801137
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

Case: SUP-25775

~~SUP-25775~~

3794031290 B014



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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.

☒

I SUPPORT
this Request

☐

I OPPOSE
this Request

16203801137
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

Case: ZON-25776

~~ZON-25776~~

3794031290 B014



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☒

I SUPPORT
this Request

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I OPPOSE
this Request

16203801137
BODYFLYING US L L C
P O BOX 20290
KNOXVILLE TN 37940-1290

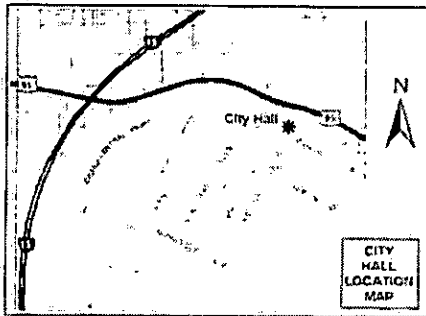
Case: SUP-25779

~~SUP-25779~~

Submitted after final agenda	
Date 1/10/08	Item 35

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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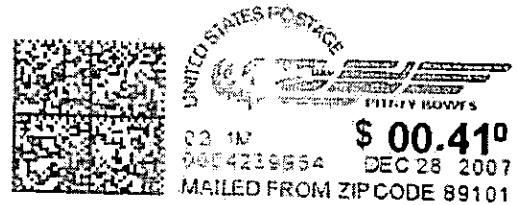
I SUPPORT
this Request



I OPPOSE
this Request

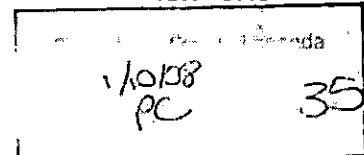
SDR-25773

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JAN 08 2008

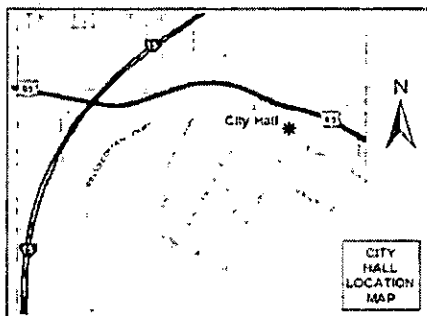
16210113019 Case: SDR-25773
WILSON F E & P V R LTD
26622 ESPALTER DR
MISSION VIEJO CA 92691-5110



A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.



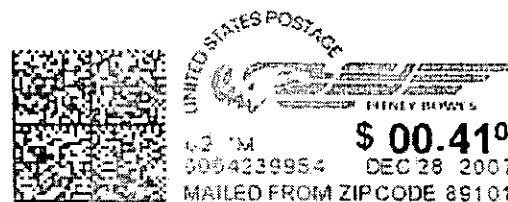
I SUPPORT
this Request



I OPPOSE
this Request

SDR-25773

8910482727 0071



RECEIVED
JAN 07 2008

16203420003 Case: SDR-25773
BEAN SUZANNE L
2012 BEVERLY WY
LAS VEGAS NV 89104-2727

Submitted after final agenda

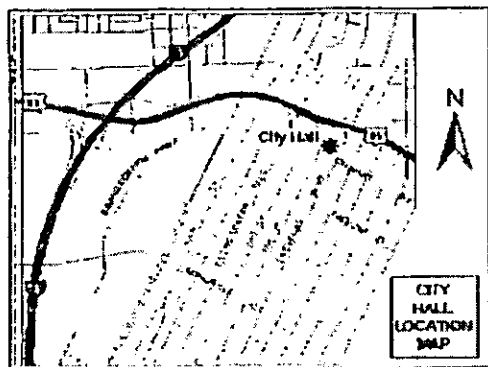
Date 1/10/08 Item 35

A

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing

Submitted after final agenda
 Date 1/3/08
 PC Item 35



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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.

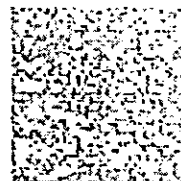


I SUPPORT
 this Request



I OPPOSE
 this Request

SDR-25773



POSTAGE
 \$ 00.41⁰
 16203811061
 DEC 28 2007
 MAIL FROM ZIP CODE 89101

16203811061
 EXCEED PROPERTIES INC
 964 SPAFFORD ST
 ANTIOCH IL 60002-1459

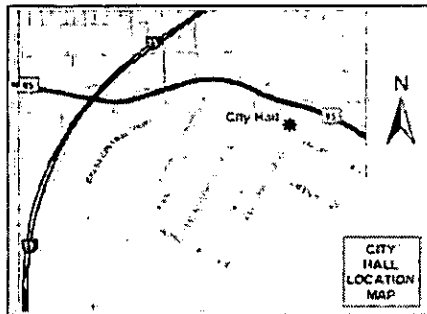
Case: SDR-25773

600021459 0001



City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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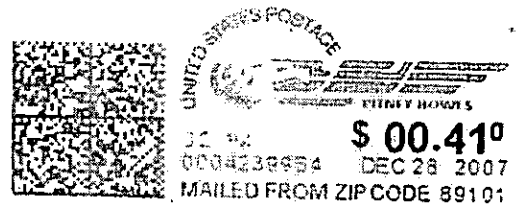
I SUPPORT
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I OPPOSE
this Request

SDR-25773

8910432763 0071



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16203421015
VICUNA MARIA L
2309 BEVERLY WY
LAS VEGAS NV 89104-2763

Case: SDR-25773

Submitted after final agenda

Date

1/10/08
PC

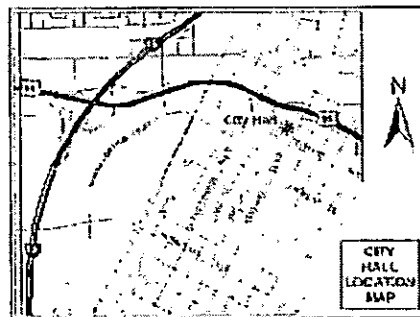
Item 35

A

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986



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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.



I SUPPORT
this Request



I OPPOSE
this Request

SDR-25773

Case: SDR-25773
 16203801104
 ZURAWSKI STANLEY M SR & N ETAL
 %MM S ZURAWSKI JR
 1920 BANNIES LN
 LAS VEGAS NV 89102-2419

8910232419 C020

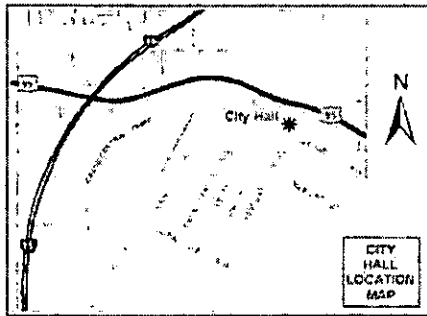


Submitted after final agenda
 Date 11/01/08
 PC Item 35.

A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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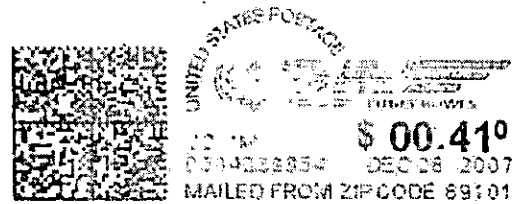
I SUPPORT
this Request



I OPPOSE
this Request

SDR-25773

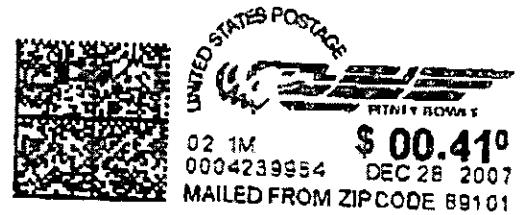
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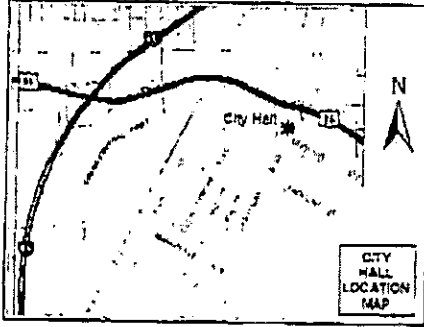
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DEC 31 2007

Case# SDR-25773
16210112015
CHEVRON GROUP L L C
%ADVANTAGE REAL EST GROUP
P O BOX 30698
LAS VEGAS NV 89173-0698

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986



Official Notice of Public Hearing



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I SUPPORT
this Request



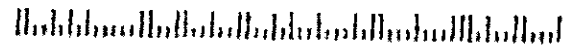
I OPPOSE
this Request

16203801064
 FRASER TRUST
 9119 GARDEN VIEW DR
 LAS VEGAS NV 89134-8827

Case: SDR-25773

SDR-25773

891348827 0012



Telephone Protest/ Support Log

Meeting Date: 1/10/08

Case Number: SDR 25773

Date: 1/4/08
Name: Annette Marcus
Address: 545 Canosa Ave.
Las Vegas, NV. 89104
Phone: (702) 732-2232
☒ PROTEST ☐ SUPPORT

Date: 1/7/08
Name: Richard Reed
Address: 548 Canosa Avenue
Las Vegas, NV 89104
Phone: (702) 697-0098
☒ PROTEST ☐ SUPPORT

Date: 1/10/08
Name: Ronald Kneen
Address: 547 Canosa Ave
Las Vegas NV 89104
Phone: (702) 735-0394
☒ PROTEST ☐ SUPPORT

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

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

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

Submitted after final agenda

Date 1/10/08
PC Item 35

3P

PHYLLIS M. SILVESTRI, PRP, CP
Professional Registered Parliamentarian (NAP)
CERTIFIED PARLIAMENTARIAN (AIP)
610 CANOSA AVENUE LAS VEGAS, NEVADA 89104
(702) 735-6501

The Las Vegas City Council

January 30, 2007

The Las Vegas City Council Planning Division
731 South 4th Street
Las Vegas, NV 89101

Dear Members, *Re: ZON-25776*

I recently received five cards from you requesting approval of zoning changes on South Sixth Street, between Sahara and St. Louis Avenues. I learned that these changes are necessary so that a certain contractor could build a forty-two (42) story building on South 6th, which would have 4 stories of commercial stores and thirty stories of residential condominiums. As a resident of this area, I was asked to state my "approval" or "disapproval" of such action.

I strongly "disapprove" and these are my reasons:

- This is a residential neighborhood and we'd like to keep it that way.
- The traffic would be unbearable, especially as there is a children's park on St. Louis between 6th Street and Maryland Parkway
- There are five churches between 6th and Maryland Parkway and each has classes for young children and it would be dangerous for them.
- We strongly resent an outside contractor coming into our residential neighborhood especially as there is a good deal of vacant land close by, such as Commercial Center where such a building could be built.
- The City has recently made St. Louis a lovely and pretty, single lane street for which we are all very appreciative.

I ask you to kindly deny such variances for the land involved between St. Louis and Sahara on 6th Street.

Sincerely,

Phyllis M. Silvestri

Phyllis M. Silvestri, a resident in this area for the past 57 years.

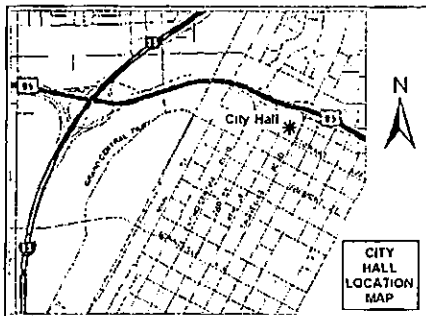
FEB 05 2008

Submitted after final agenda	
Date	2/14/08 27-
PC	31

8

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Vegas, Nevada 89101-2986

Official Notice of Public Hearing



STEVE GEBEKE
1036 BONITA AVE
LV, NV 89104

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 Planning & Development Department at the address listed above or this side of this card to (702) 385-7268.

☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

SDR-25773

Submitted after final agenda

Date

2/14/88

PC Item 31

9

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 13, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE - VAR-26385 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BRENT AND GARY LEAVITT - Request for a Variance TO ALLOW 37 PARKING SPACES WHERE 41 ARE REQUIRED FOR A PROPOSED COMMERCIAL DEVELOPMENT on 0.52 acres at 4077 West Charleston Boulevard (APN 162-06-502-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

C.C.: 04/16/08

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

(7)

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

0

0

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards and Telephone Protests
7. Submitted After Final Agenda – Abeyance request by Scope Development, LLC for Items 26-28

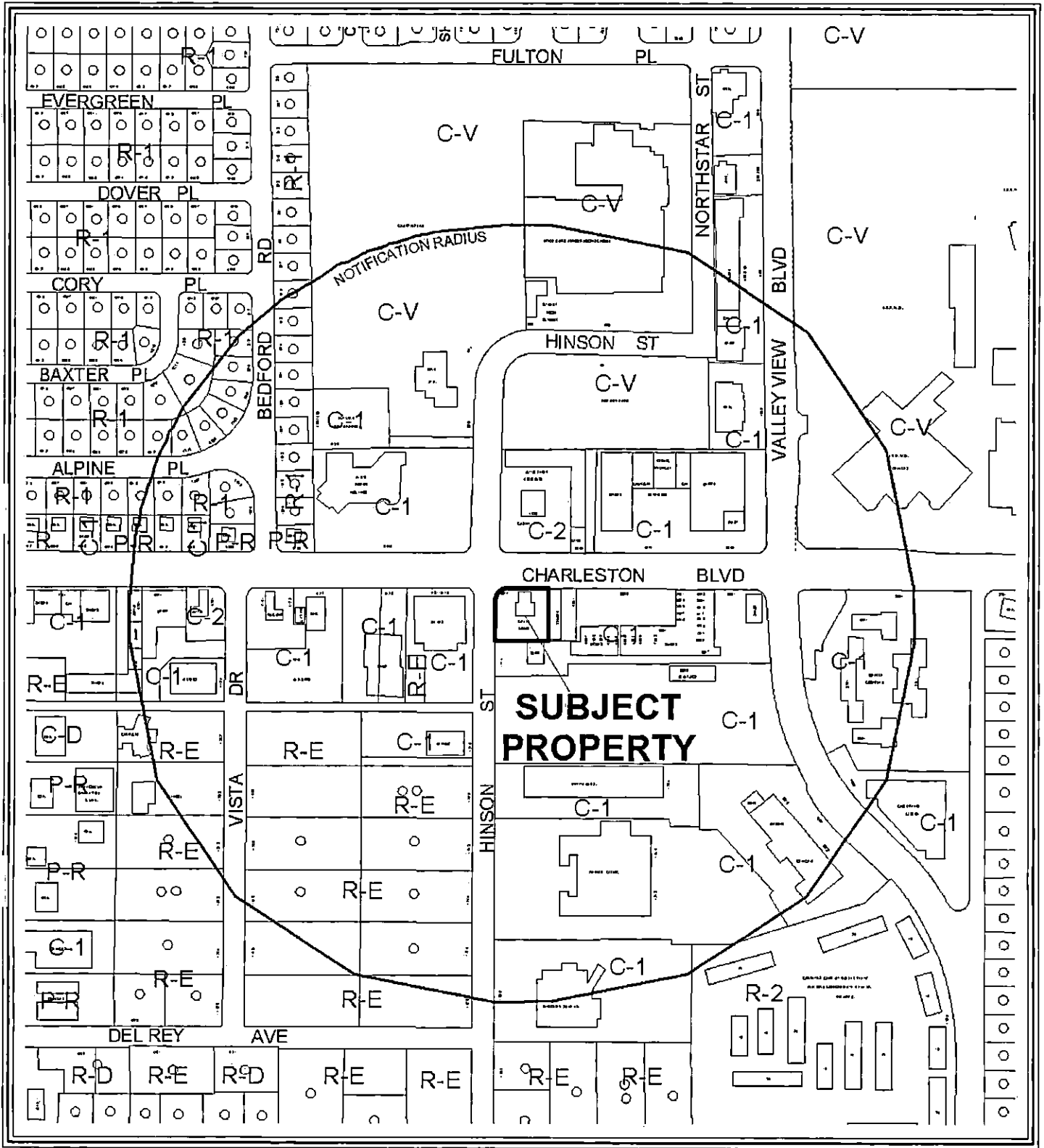
Motion made by GLENN TROWBRIDGE to Hold In Abeyance Items 6, 7, 26-28 and 38 to 3/27/2008 and Table Items 16 and 17

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

SAM DUNNAM, DAVID STEINMAN, BYRON GOYNES, RICHARD TRUESDELL, STEVEN EVANS, VICKI QUINN, GLENN TROWBRIDGE; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

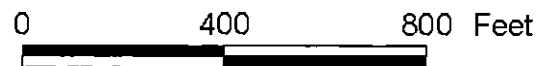
See Item 5 for related discussion.

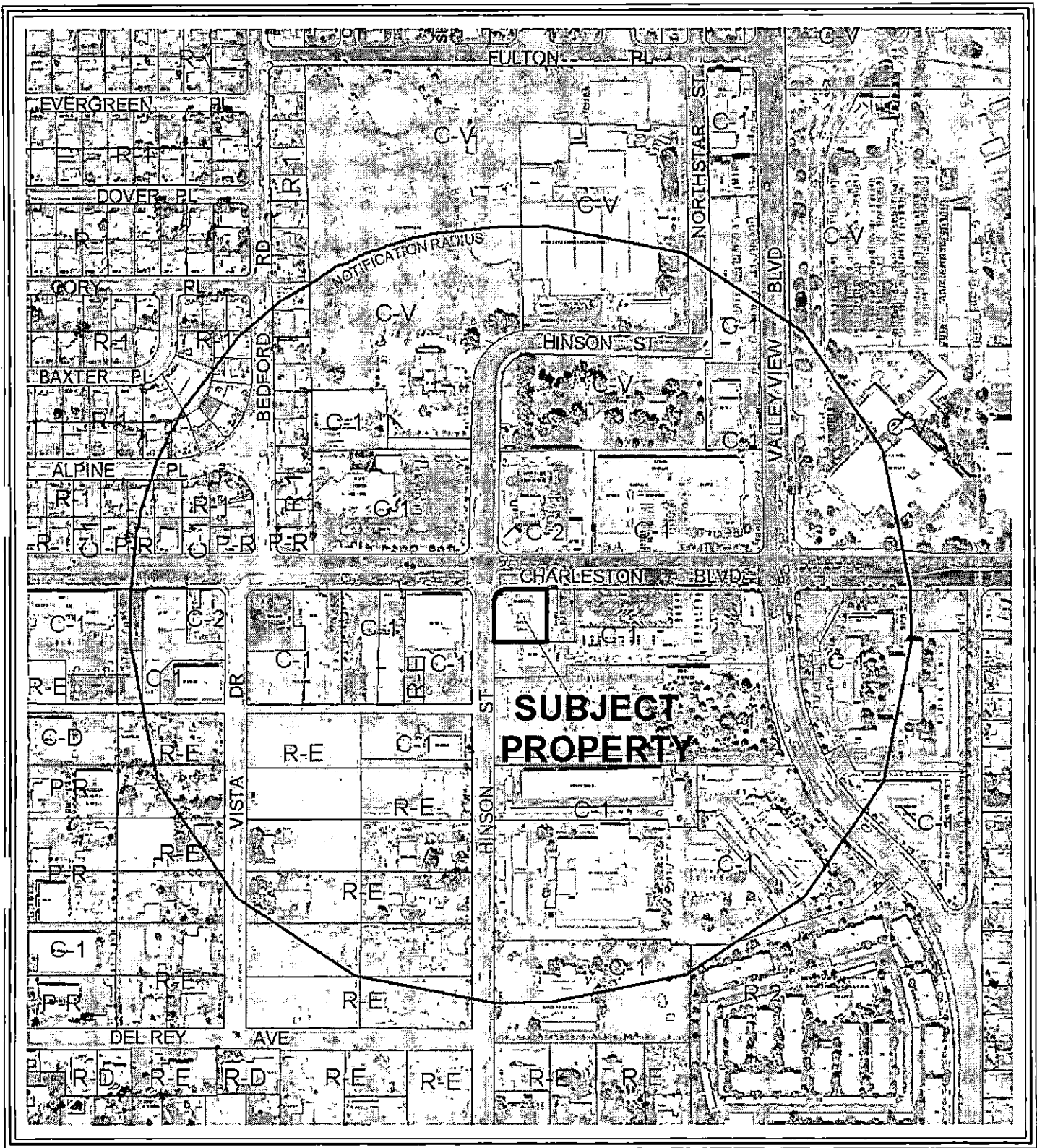


CASE: VAR-26385

RADIUS: 1000 FT

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





CASE: VAR-26385

RADIUS: 1000 FT

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

0 400 800 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 13, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - VAR-26385 - APPLICANT/OWNER: BRENT AND GARY LEAVITT

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-26383) and Site Development Plan Review (SDR-26386) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-26385 - Staff Report Page One
March 13, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Variance to allow 37 parking spaces where 41 parking spaces are the minimum required for a proposed two-story, 10,000 square-foot retail and office building on 0.52 acres at 4077 Charleston Boulevard. An existing building on the site will be demolished and replaced with a larger building. No topographical constraints exist on the site that precludes the project from adhering to Title 19.10 Parking requirements. Staff recommendation is denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
1982	V-29-82
<i>Related Building Permits/Business Licenses</i>	
05/04/00	KC Capital of Nevada Inc – Check Cashing (C21-00064) Active
05/05/00	Rainbow Loan Company – Auto Title Loan (F14-00031) Active
<i>Pre-Application Meeting</i>	
01/04/08	Advised applicant of procedure to submit applications for a Site Development Plan Review, a Special Use Permit and a Variance for the parking deficiency.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

<i>Field Check</i>	
01/28/08	Existing one-story building on parcel adjacent to the south side of Charleston Boulevard. Existing business operates in the building.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.52

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)
North	Commercial	SC(Service Commercial)	C-2 (Service Commercial)
South	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)
East	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)
West	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)

LHM

VAR-26385 - Staff Report Page Two
March 13, 2008 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175')	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Pawn Shop	3000 S.F.	1/250	12		12		
Retail	2000 S.F.	1/175	12		12		
Office	5000 S.F.	1/300	15	2	11	2	
TOTAL (including handicap)	10,000 S.F.		41		37		N
Percent Deviation (VAR only)					9.75%		

The applicable code section 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 Trees / 6 Space	9 Trees	9 Trees	Y
Buffer: Min. Trees	1 Trees /30 Linear Feet	20 Trees	24 Trees	Y
TOTAL		29 Trees	33 Trees	Y
Min. Zone Width	15 Feet on ROW / 8 Feet Side and Rear			Y
Wall Height	8 Feet		Not shown	Y

VAR-26385 - Staff Report Page Three
March 13, 2008 - Planning Commission Meeting

ANALYSIS

The applicant proposes to demolish the existing structure on the property and construct a two-story, 10,000 square foot building. A Pawn Shop is the use planned to occupy 3,000 square feet on the first floor of the proposed building. An unspecified retail use will occupy the remaining 2,000 square feet. On the second floor 5,000 square feet will provide space for office use and storage for the Pawn Shop.

The proposed Pawn Shop, General Retail and Office/Storage use are subject to the parking standards of Title 19.04 and Title 19.10. The project as designed will provide 37 parking spaces where 41 are the minimum required which represents a 9.75 percent deviation from the standard. No physical site constraints exist on the subject parcel that prevents the project from adequately addressing the required parking standards required of the uses proposed for this site.

FINDINGS (VAR or WVR)

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 designing a project that will result in a parking impaired commercial development. An alternative that reduces the floor area of the proposed structure would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

VAR-26385 - Staff Report Page Four
March 13, 2008 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

ASSEMBLY DISTRICT 9

SENATE DISTRICT 11

NOTICES MAILED 69

APPROVALS 0

PROTESTS 7

JAN 17 2008



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-26385** APN: 162-06-582-001
 Name of Property Owner: Brent & Gary Leavitt
 Name of Applicant: _____
 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: _____

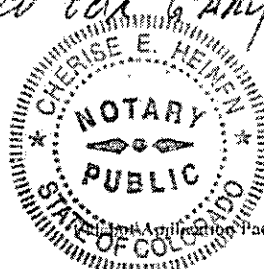
Signature of Property Owner: _____

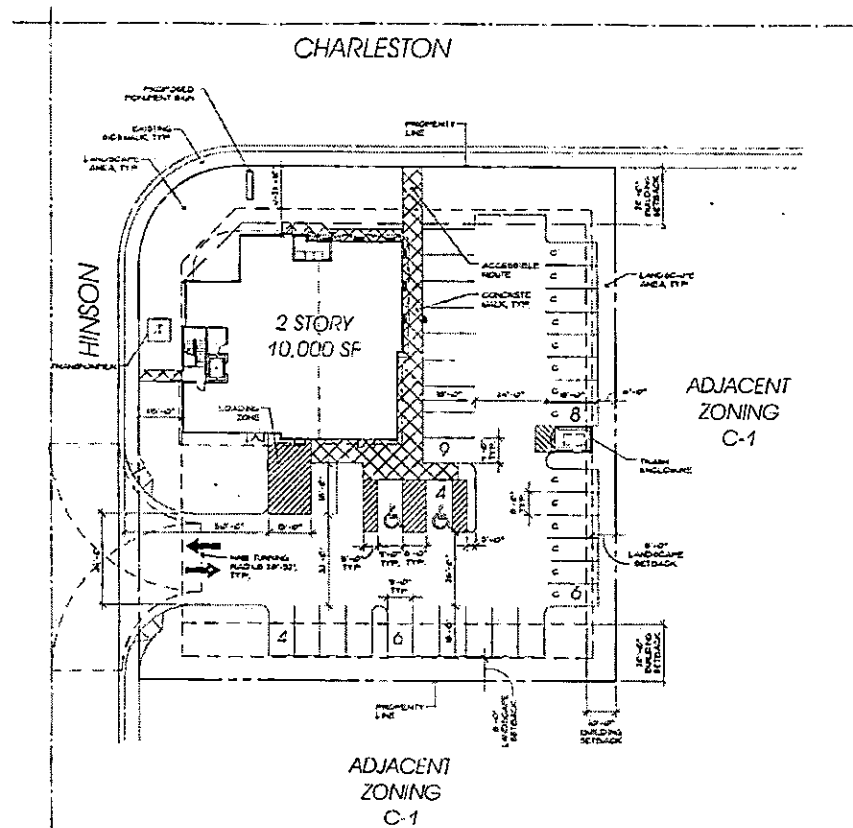
Print Name: Brent E. Leavitt

Subscribed and sworn before me

This 3rd day of January, 2008

Chris A. H.
 Notary Public in and for said County and State





Site Plan

Scale 1" = 20'-0"

Site Data

ASSOCIATED PARCEL NUMBER(S) 107-05-047-001
 CURRENT ZONING C-1
 PARCEL AREA
 NET GROSS 1.52 ACRES GROSS 22,051 SF

BUILDING - 1ST LEVEL - MAIN SHOP 11,000 SF
 BUILDING - 1ST LEVEL - REAR 12,000 SF
 BUILDING - 2ND LEVEL - OFFICE/STORAGE 15,000 SF
 TOTAL BUILDING 110,000 SF
 BUILDING SITE COVERAGE 44 PERCENT

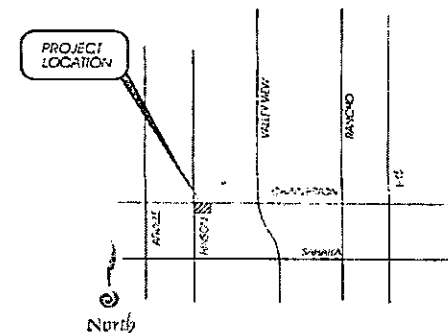
PARKING REQUIRED
 MAIN SHOP - 1ST LEVEL - 7,000 SF 1200 SF 12 SPACES
 GENERAL RETAIL - 1ST LEVEL - 22,000 SF 12170 SF 12 SPACES
 OFFICE/STORAGE - 2ND LEVEL - 15,000 SF 15,000 SF 12 SPACES
 TOTAL PARKING REQUIRED 41 SPACES

PROVIDED 41000 SF 37 SPACES
 14 COMPACT STALLS 23 REGULAR STALLS - 37 STALLS

Owner / Developer

Slope Development LLC
 5451 S Durango Dr
 LAS VEGAS, NEVADA 89121
 (702) 897-9700 x 202
 CONTACT: Adam Engle

Vicinity Map



North

This site plan is submitted for information and the Committee of the City of Las Vegas.

Charleston & Hinson Retail Center

VAR-26385
 REVISED
 02/28/08 PC

RECEIVED
 FEB 11 2008



17021 4th 477

Site Data

ASSESSING PARCEL NUMBER (APN) 102-00-002-001
 CURRENT ZONING C-1
 PARCEL AREA 4.1
 SITE CIRCLES 11.52 ACRES GROSS 22,601.5

Tree Legend				
SYMBOL	DESCRIPTION	SIZE	QUANTITY	NOTES
	PROPOSED LARGES LARGEST TREES	14" DIA.	4	AS SHOWN ON PLAN
	PROPOSED MEDIUM DATE TREES	10" DIA.	4	AS SHOWN ON PLAN
	PROPOSED SMALL MORNING GLORY	8" DIA.	4	AS SHOWN ON PLAN
	PROPOSED 1/2" DIA. TREES IN PARKING LOT ALONG	1/2" DIA.	5	AS SHOWN ON PLAN

Suggested Shrub List

DATA CATEGORY	TYPE	QUANTITY
VERBENA PLANTILLA	B	1000
VERBENA PLANTILLA	B	1000
VERBENA PLANTILLA	B	1000
VERBENA PLANTILLA	B	1000
VERBENA PLANTILLA	B	1000
VERBENA PLANTILLA	B	1000
VERBENA PLANTILLA	B	1000
VERBENA PLANTILLA	B	1000
VERBENA PLANTILLA	B	1000
VERBENA PLANTILLA	B	1000

Ground Cover

COCCYBUS BENTLEYI - 100' DIA. PLANTING AREA
 UNDER ALL TREES AND SHRUBS

Landscape Area

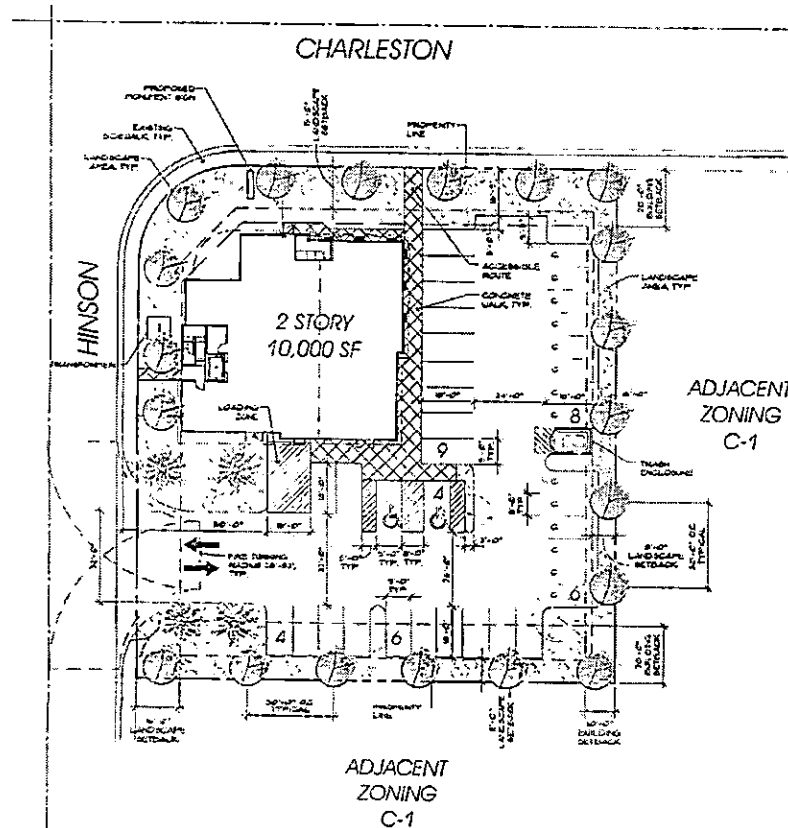
10.11 AC OF LANDSCAPE AREA PROPOSED

General Landscape Notes

TREES SHALL BE PLANTED IN ACCORDANCE WITH CITY OF LAS VEGAS
 STANDARDS AND SPECIFICATIONS FOR PLANTING AND
 MAINTENANCE AND OPERATION OF LANDSCAPING SHALL COMPLY TO CITY OF LAS VEGAS
 STANDARDS FOR PLANTING AND MAINTENANCE
 ALL PLANTS SHALL BE PLANTED WITH CITY OF LAS VEGAS LANDSCAPE STANDARDS
 ALL PLANTS SHALL BE PLANTED WITH CITY OF LAS VEGAS LANDSCAPE STANDARDS

Owner / Developer

Scope Development LLC
 5451 S. Durango Dr.
 LAS VEGAS, NEVADA 89113
 (702) 897-9200 x 402
 CONTACT: John Englin



Landscape Plan

SCALE: 1/8\"/>

North

1. This design is prepared in metric and
 2. All dimensions are in metric units

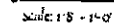
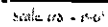
Charleston & Hinson Retail Center

VAR-26385
 REVISED
 02/28/08 PC

RECEIVED
 FEB 11 2008

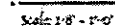
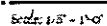
February 8, 2008

Indigo Architecture, Inc.
 1001 4th Street
 Las Vegas, NV 89101
 (702) 462-1234

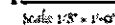


Indigo Architecture, Inc.

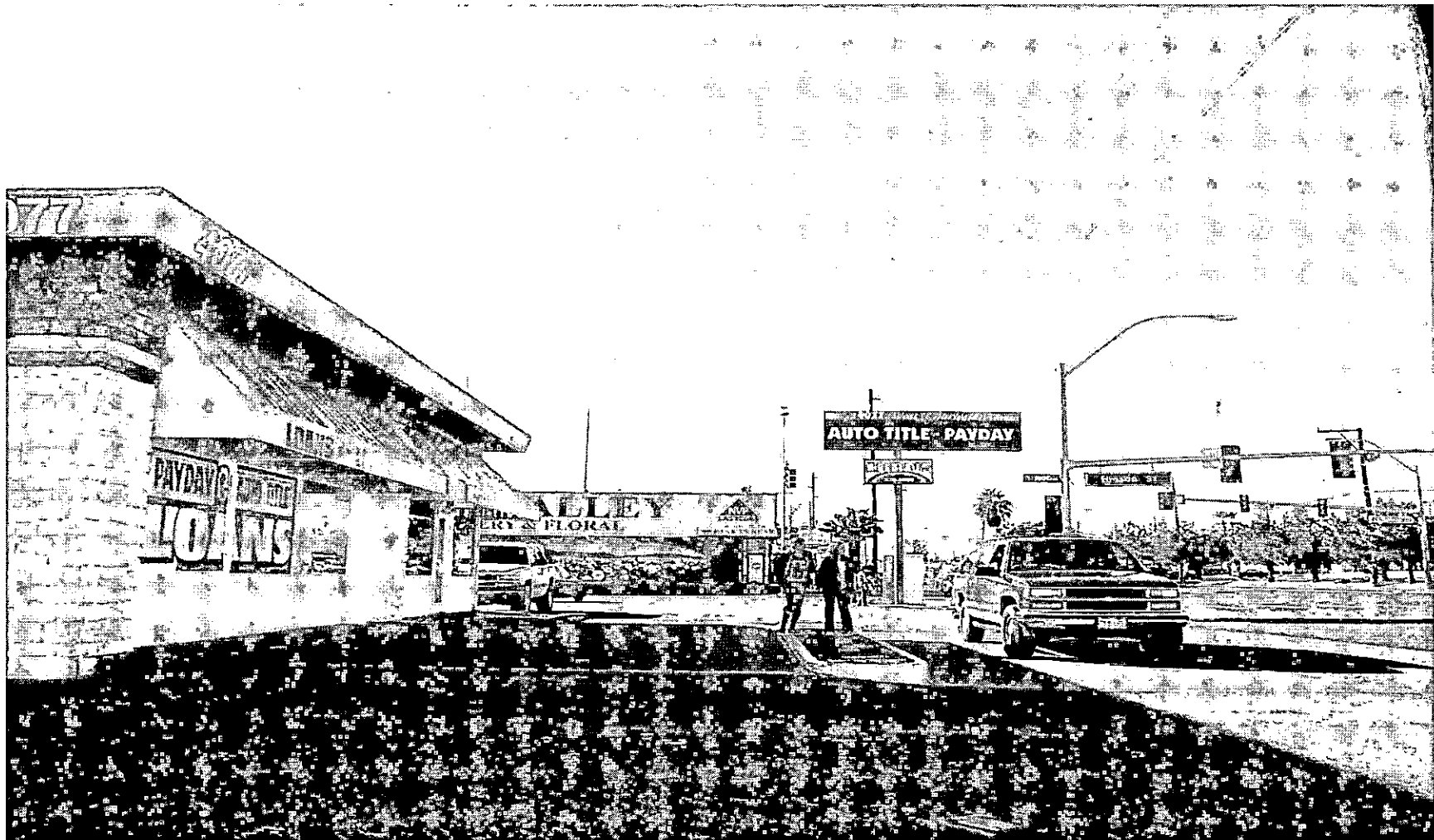
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- PT - 1 Frazer: CL 2772W Hooper
PT - 2 Frazer: CL 2714M Chat Up
PT - 3 Frazer: CL 2806N Unicity
PT - 4 Frazer: CL 2607N Wallabie

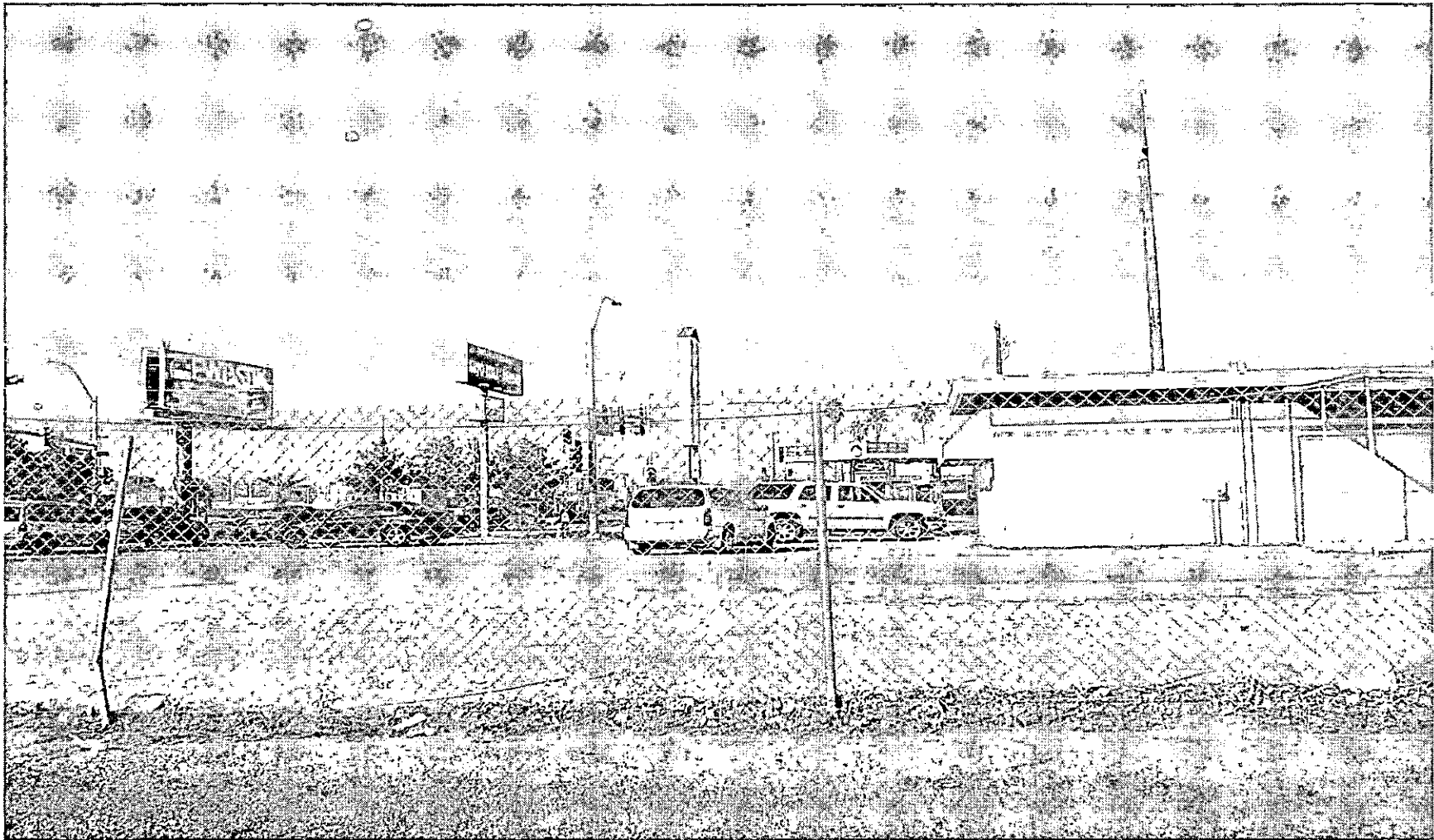


02/28/08 PC



VAR-26385 - APPLICANT/OWNER: BRENT AND GARY LEAVITT
4077 WEST CHARLESTON BOULEVARD
MARCH 13, 2008 PLANNING COMMISSION

02/01/08



VAR-26385 - APPLICANT/OWNER: BRENT AND GARY LEAVITT
4077 WEST CHARLESTON BOULEVARD
MARCH 13, 2008 PLANNING COMMISSION

02/01/08



VAR-26385 - APPLICANT/OWNER: BRENT AND GARY LEAVITT
4077 WEST CHARLESTON BOULEVARD
MARCH 13, 2008 PLANNING COMMISSION

02/01/08

Justification Letter

The proposed Special Use Permit ("SUP") concerns one parcel of land (.52 net acres) located at the southeast corner of Charleston Boulevard and Hinson (APN: 162-06-502-001). The property currently consists of one building, which is leased to an auto title loan company. Scope Development LLC (the "Applicant") is seeking an SUP allowing pawn use in place of the existing auto title loan use.

The application and supporting site plan, elevations and floor plan, submitted with the SUP Application contemplate the demolition of the existing structure and construction of a new 10,000 square foot two-story structure with a 5,000 square foot footprint. The bottom floor will house a 3,000 square foot pawn showroom and a separate 2,000 square foot retail suite unrelated to the pawn use (retail suite use has not been determined at this time). The top floor will consist solely of office/storage space for the pawn showroom below.

The Applicant believes that approval of the SUP is appropriate because locating such a use in a high-traffic, commercial location supports the City of Las Vegas development policies. The application also meets all of the requirements for SUP except for separation from specified financial institutions:

- There will be no outdoor display, sales or storage of merchandise;
- The subject parcel is not located in the prohibited Fremont Street or Las Vegas Boulevard zones; and
- The subject parcel is not within 200 feet of any residential parcel.

While this SUP application does not satisfy the 1000' separation from specified financial institutions, it should be noted that the auto title loan business currently occupying the site is also subject to the same distance requirements as the proposed pawn use. The specified financial institutions in question have operated in the vicinity of the existing auto title loan business on the property for some time without any known adverse effects to the surrounding area. As stated above, if this SUP is approved, the existing building will be demolished and the existing auto title loan use will be discontinued at this location in favor of the pawn use. This SUP simply contemplates exchanging one similar use that has operated in this location without incident with another more desirable use that is subject to the same approval guidelines and criteria.

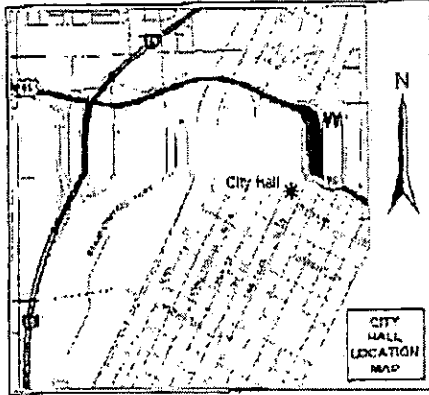
More importantly, the current building housing the auto title loan business is aging, unattractive and does not fit with the City's goals for redeveloping and improving the Charleston Boulevard corridor. Nor does the existing building fit current City of Las Vegas or Nevada Department of Transportation ("NDOT") design standards. Redevelopment of the site as proposed will greatly enhance the off site improvements to bring them in line with current NDOT standards (improving traffic flow and safety in the area) as well as enhance the surrounding area without any detrimental effects.

RECEIVED
FEB 11 2008

VAR-26385
REVISED
02/28/08 PC

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.



I SUPPORT
 this Request



I OPPOSE
 this Request

Please use available blank space on card for your comments.

VAR-26385 & SUP-26383



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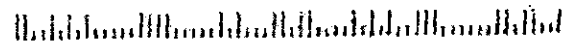
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Case: VAR-26386

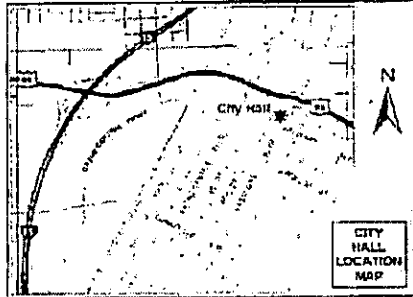
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 4101 W CHARLESTON BLVD
 LAS VEGAS NV 89102-1624

8910231624 0028



City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

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I SUPPORT
 this Request



I OPPOSE
 this Request

Please use available blank space on card for your comments.

VAR-26385 & SUP-26383

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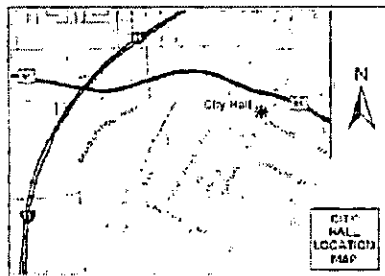
Case: VAR-26385

LIED FOUNDATION TRUST
 3907 W. CHARLESTON BLVD
 LAS VEGAS NV 89102-1620

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

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Return Service Requested Official Notice of Public Hearing



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I SUPPORT
 this Request



I OPPOSE
 this Request

Please use available blank space on card for your comments.

VAR-26385 & SUP-26383

13931411022

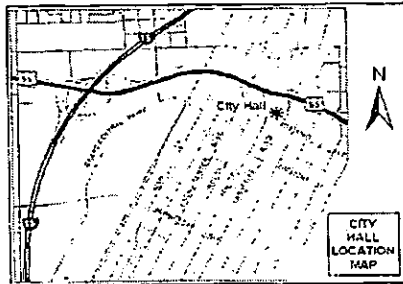
Case: VAR-26385

ENERSON THOMAS R & DONNA FAMIL TR
 2055 COTTON VALLEY ST
 HENDERSON NV 89052-7137

40-2P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested Official Notice of Public Hearing



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☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

Please use available blank space on card for your comments.

VAR-26385 & SUP-26383



13931411028

Case: VAR-26385

ANTON PAMELA SUE
5317 HARMONY AVE
LAS VEGAS NV 89107-0312

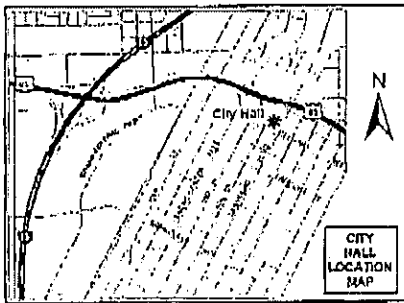
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Submitted after first agenda
Date
Item
43

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.



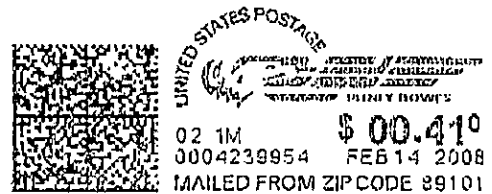
I SUPPORT
 this Request



I OPPOSE
 this Request

Please use available blank space on card for your comments.

VAR-26385 & SUP-26383



Case: VAR-26385
 16206510036
 MCGRATH THOMAS J & ELIZABETH J
 6617 ELTON AVE
 LAS VEGAS NV 89107-0000

6910782479 C092

|||||

Submitted after final agenda

Date

Item

40
 P

Telephone Protest/ support Log

Meeting Date: 02/28/08

Case Number: VAR-26385

Date: 02/25/08
Name: Robert A & Hertha Reitz
Address: 1331 Melville Dr
Las Vegas, Nv 89102
Phone: 702-878-5859
☒ PROTEST ☐ SUPPORT

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

Date: _____
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☐ PROTEST ☐ SUPPORT

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Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ SUPPORT

Submitted after final agenda

Date

item

40
P



SCOPE DEVELOPMENT

March 13, 2008

Linda Hartman-Maynard
City of Las Vegas Planning
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Re: 162-06-502-001

Linda, as we discussed, Scope Development is requesting to abey the Special Use Permit (and related applications) on the above-mentioned property from the March 13, 2008 planning commission meeting to the next regularly scheduled meeting. Please do not hesitate to give me a call if you have any questions or concerns.

Sincerely,


John A. English
Scope Development LLC

Submitted after final agenda

Date 3/13/08 Item 27

26-28

SDR- 26386
SUP 26383
VAR 26385

5451 South Durango Drive
Las Vegas, Nevada 89113

T 702.897.9200
F 702.893.0400

www.scopedevlopment.com

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 13, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion**SUBJECT:**

ABEYANCE - SUP-26383 - SPECIAL USE PERMIT RELATED TO VAR-26385 - PUBLIC HEARING - APPLICANT/OWNER: BRENT LEAVITT - Request for a Special Use Permit FOR A PROPOSED 3,000 SQUARE FOOT PAWN SHOP AND A WAIVER TO ALLOW A 100 FOOT DISTANCE SEPARATION FROM ANOTHER SPECIFIED FINANCIAL INSTITUTION WHERE 1000 FEET IS REQUIRED at 4077 West Charleston Boulevard (APN 162-06-502-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

C.C.: 04/16/08

PROTESTS RECEIVED BEFORE:**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

8

Planning Commission Mtg.

0

City Council Meeting

0

City Council Meeting

0

RECOMMENDATION:**DENIAL****BACKUP DOCUMENTATION:**

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards and Telephone Protest
7. Submitted after final agenda - Abeyance Letter and Telephone Protest

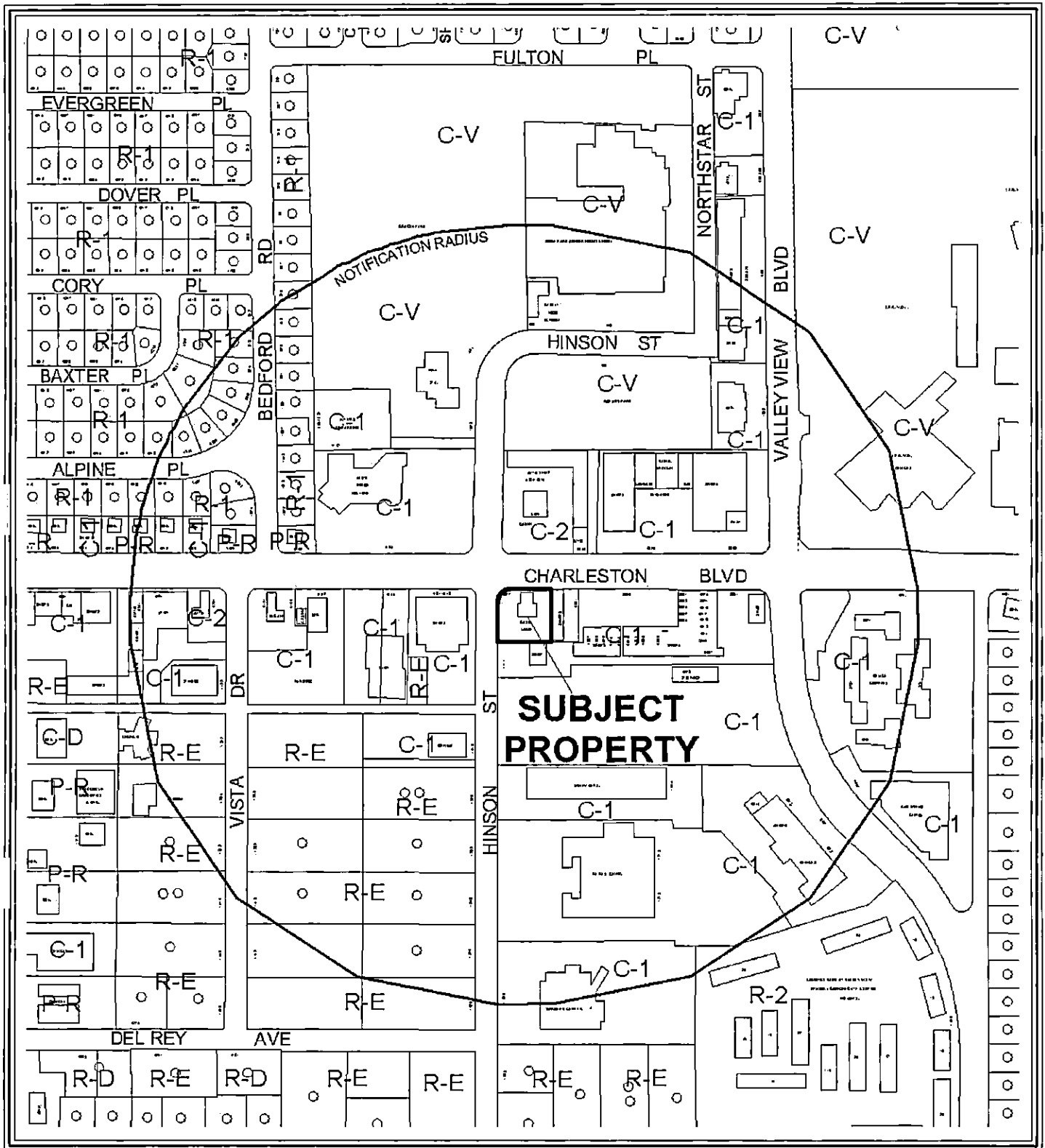
Motion made by GLENN TROWBRIDGE to Hold In Abeyance Items 6, 7, 26-28 and 38 to 3/27/2008 and Table Items 16 and 17

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

SAM DUNNAM, DAVID STEINMAN, BYRON GOYNES, RICHARD TRUESDELL, STEVEN EVANS, VICKI QUINN, GLENN TROWBRIDGE; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

See Item 5 for related discussion and Item 26 for related backup.



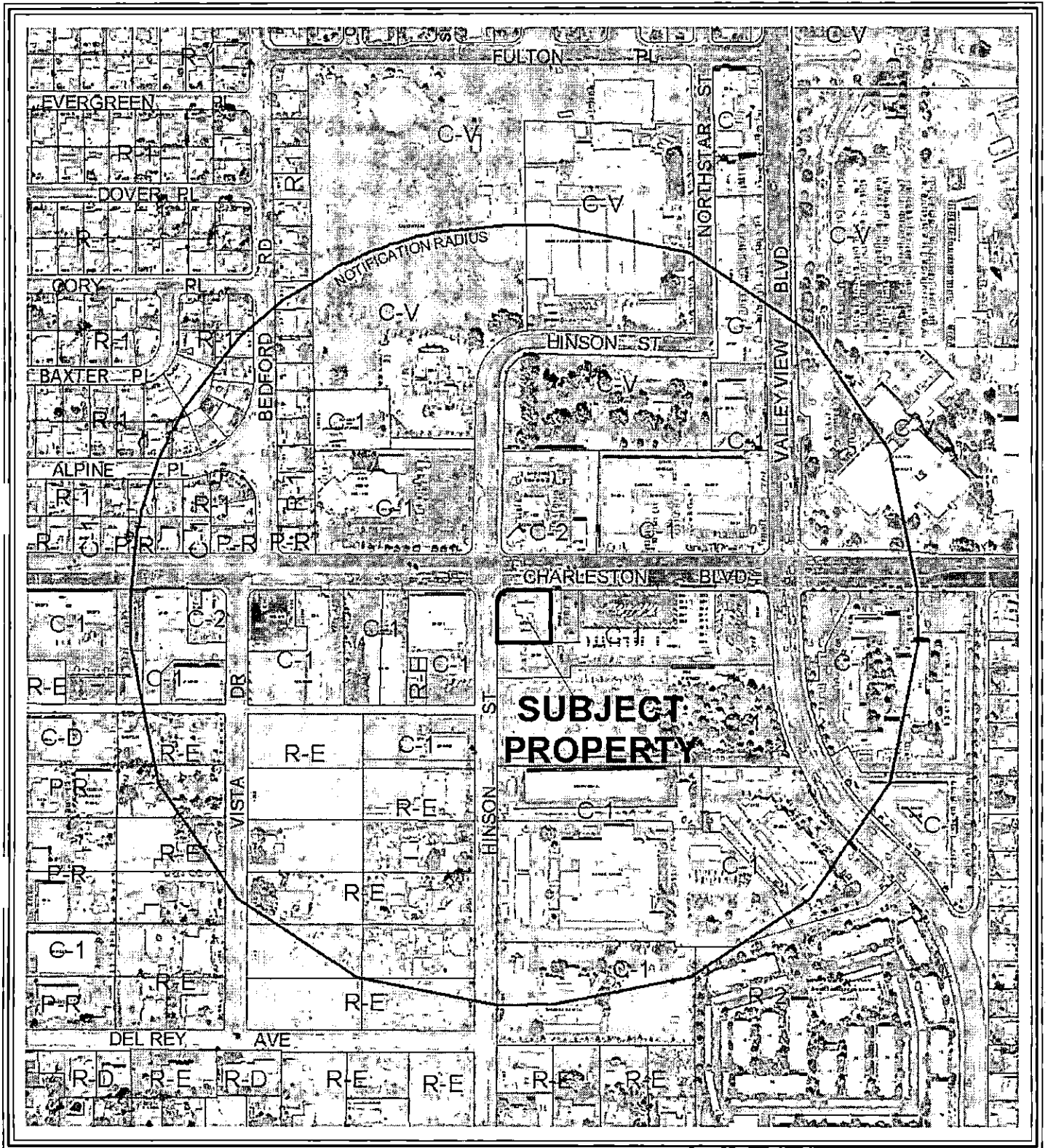
CASE: SUP-26383

RADIUS: 1000 FT

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

0 400 800 Feet





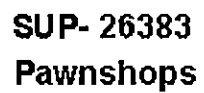
CASE: **SUP-26383**

RADIUS: 1000 FT

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

0 400 800 Feet





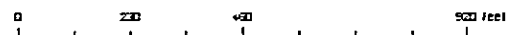
☒ Financial Institution, Specified ☒ Pawnshops
☐ Automobile Title Loan

☐ Subject Property

☐ Residential Property



200ft &
1000ft Buffer



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 13, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SUP-26383 - APPLICANT/OWNER: BRENT LEAVITT

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Pawn Shop use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-26386) and Variance (VAR-26385) 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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-26383 - Staff Report Page One
March 13, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit for a proposed Pawn Shop to be located on 0.52 acres at 4077 Charleston Boulevard. This request includes a Waiver of the 1,000-foot distance separation requirement from two existing Financial Institution, Specified located at 4030 Charleston Boulevard and 904 Valley View Boulevard. Currently the existing building is leased as an office for auto title loan and check cashing businesses.

It is the intent of the applicant to demolish the existing structure and construct a two-story, 10,000 square-foot building. The proposed Pawn Shop will occupy 3,000 square feet on the first floor of the proposed building. An unspecified retail use will occupy the remaining 2,000 square feet. On the second floor 5,000 square feet will provide space for office use and storage for the Pawn Shop.

Because of the proximity of two Financial Institutions within the required 1000 foot distance separation between these types of uses, staff recommends denial of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
1982	V-29-82
<i>Related Building Permits/Business Licenses</i>	
05/04/00	KC Capital of Nevada Inc – Check Cashing (C21-00064) Active
05/05/00	Rainbow Loan Company – Auto Title Loan (F14-00031) Active
<i>Pre-Application Meeting</i>	
01/04/08	Advised applicant of procedure to submit applications for a Site Development Plan Review, a Special Use Permit and a Variance for the parking deficiency.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

<i>Field Check</i>	
01/28/08	Existing one-story building on parcel adjacent to the south side of Charleston Boulevard. Existing business in building.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.52

SUP-26383 - Staff Report Page Two
March 13, 2008 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)
North	Commercial	SC(Service Commercial)	C-2 (General Commercial)
South	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)
East	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)
West	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175')	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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	
Pawn Shop	3000 S.F.	1/250	12		12		
Retail	2000 S.F.	1/175	12		12		
Office	5000 S.F.	1/300	15	2	11	2	
TOTAL (including handicap)	10,000 S.F.		41		37		N
Percent Deviation (VAR only)					9.75%		

SUP-26383 - Staff Report Page Three
March 13, 2008 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
To allow 100 and 770 feet of separation from established Financial Institutions, Specified.	1,000 foot from existing Financial Institutions, Specified.	Denial

ANALYSIS

- Zoning**

The existing zoning on the site is C-1 (Limited Commercial). This zoning is appropriate for the General Plan Land Use designation of SC (Service Commercial). The proposed Pawn Shop use is allowed under that designation with approval of a Special Use Permit.

- Use**

Pawn Shop is defined as follows:

A facility (other than a bank, saving and loan or mortgage banking company) used for the business of lending money on the security of pledged goods or for the business of the purchase of tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

The use, as proposed by the applicant, meets this definition as outlined in the Code, and is a permitted use in the C-1 (Limited Commercial) Zoning district with a Special Use Permit as sought by this application.

- Conditions**

Pursuant to Title 19.04 the following minimum Special Use Permit requirements must be met for a Pawn Shop:

1. The use shall comply with the applicable requirements of the Las Vegas Municipal Code Chapter 6.60.
2. No outdoor display, sales or storage of any merchandise shall be permitted
3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
4. No pawn shop use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than 1000 feet from any other pawn shop or specified financial institution use. For purposes of this Regulation 4, 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 property lines of fee interest parcels and not leasehold parcels.

SUP-26383 - Staff Report Page Four
March 13, 2008 - Planning Commission Meeting

The proposed use as a Pawn Shop does not meet the minimum requirements listed in Title 19.04. Located within the 1,000 foot radius from the proposed Pawn Shop are two Financial Institutions, Specified at a distance of 100 feet and 770 feet respectively. The applicant has requested a waiver from the distance separation of 1,000 feet, which is not compatible with adjacent commercial uses. Therefore, staff recommends denial.

FINDINGS

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

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

The Pawn Shop is to be located in a proposed two story, 10,000 square-foot building. The subject parcel is 100 feet and 770 feet from existing Financial Institutions. Therefore, the proposed use does not meet the requirements for a Special Use Permit as set forth in Title 19.04. As a result of the failure to meet separation requirements from other Financial Institutions, Specified, staff cannot recommend approval for this Special Use Permit.

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

The site is physically constrained due to the location of the existing Financial Institutions, within the 1,000-foot separation requirement from the proposed Pawn Shop.

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 primary access to the site is served via Charleston Boulevard, designated as a (100-foot) Primary Arterial roadway on the Master Plan of Streets and Highways, which will adequately serve the proposed Pawn Shop 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.”**

The Special Use Permit for a Pawn Shop requires separation from an established Financial Institution. As the subject site fails to meet this separation requirement, the public welfare protections required in Title 19 would be compromised.

SUP-26383 - Staff Report Page Five
March 13, 2008 - Planning Commission Meeting

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

The proposed location for a Pawn Shop requires separation from an established Financial Institution. As the subject site fails to meet this condition as set forth by Title 19.04.050, it is not in total compliance.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

ASSEMBLY DISTRICT 9

SENATE DISTRICT 11

NOTICES MAILED 69

APPROVALS 0

PROTESTS 7

JAN 11 2008



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **SUP-26383** N: 162-06-502-001

Name of Property Owner: BRENT E. LEAVITT

Name of Applicant: _____

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: _____

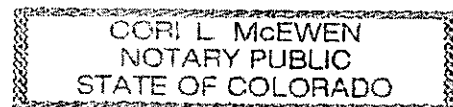
Print Name: BRENT E. LEAVITT

Subscribed and sworn before me

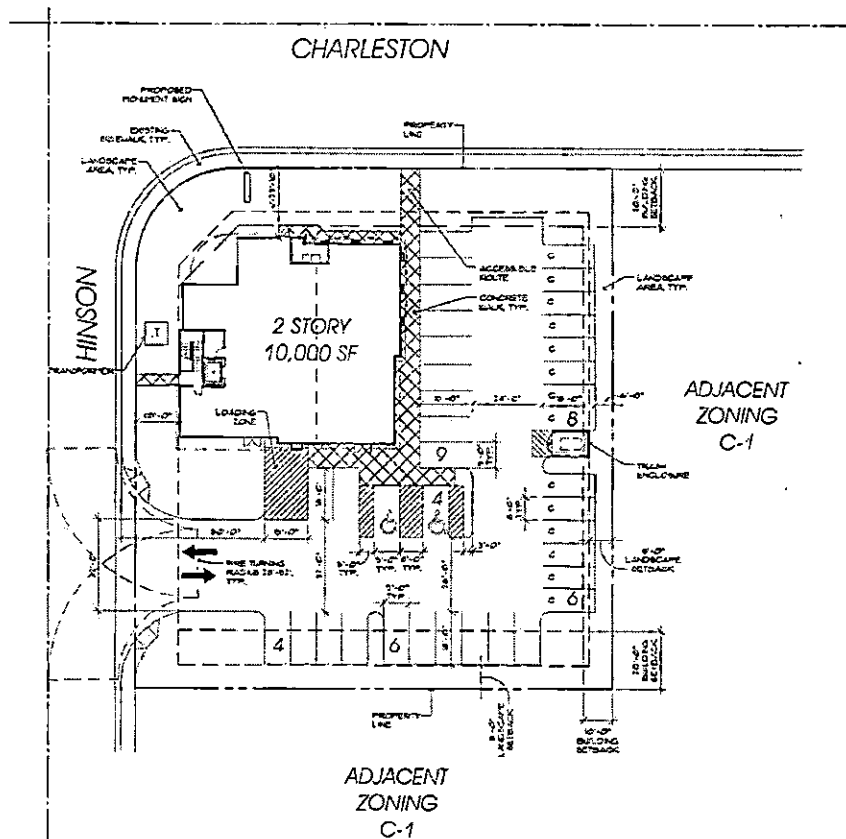
This 29 day of Nov., 2007

Charles L. McEwen

Notary Public in and for said County and State



MY COMMISSION EXPIRES 10/13/2010



Site Plan

Scale 1" = 20'-0"

Site Data

ASSESSORS PARCEL NUMBER (APN) 101-02-502-001
CURRENT ZONING C-1
PARCEL AREA
SITE GROSS 1.32 ACRES GROSS 27,657 S.F.

BUILDING - 1ST LEVEL - PAWN SHOP 11,000 S.F.
BUILDING - 1ST LEVEL - RETAIL 112,000 S.F.
BUILDING - 2ND LEVEL - OFFICE/STORAGE 165,000 S.F.
TOTAL BUILDING 288,000 S.F.
BUILDING SITE COVERAGE 4.1 PERCENT

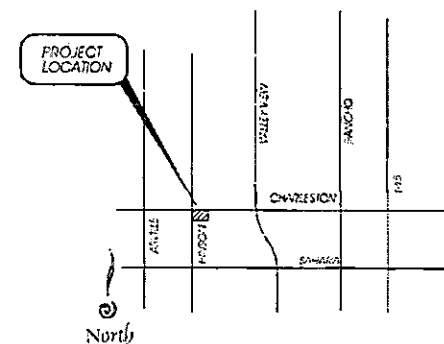
PARKING REQUIRED
PAWN SHOP - 1ST LEVEL - 3,000 S.F. 1200 S.F. 12 SPACES
RETAIL - 1ST LEVEL - 2,000 S.F. 1175 S.F. 12 SPACES
OFFICE/STORAGE - 2ND LEVEL - 3,000 S.F. 1000 S.F. 12 SPACES
TOTAL PARKING REQUIRED 41 SPACES

PROVIDED 41,000 S.F. 57 SPACES
14 COMPACT STALLS 23 REGULAR STALLS - 37 SPACES

Owner / Developer

Scape Development LLC
5451 S. Durango Dr.
LAS VEGAS, NEVADA 89113
702/697-9200 x 402
CONTACT: John English

Vicinity Map



North



Note: This Design is Conceptual in Nature and No Guarantee of Accuracy is Implied.

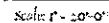
SUP-26383
REVISED
02/28/08 PC

RECEIVED
FEB 17 2008

170 11 49-2775

Indigo Architecture, Inc.

ASSESSORS PARCEL NUMBER (APN) 162-06-502-001
CURRENT ZONING C-1
PARCEL AREA
SITE GROSS 11.52 ACRES GROSS 22,651 S.F.



Scope Development LLC
5451 S. Durango Dr.
LAS VEGAS, NEVADA 89113
(702) 897.9200 x 402
CONTACT: John English

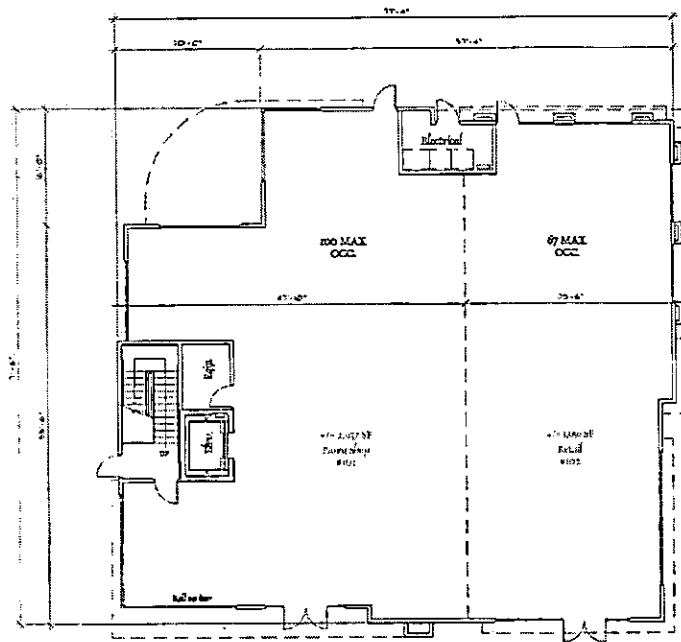
Note: This Design is Conceptual in Nature and
No Construction of its accuracy is implied.

February 8, 2008

RECEIVED
FEB 11 2008

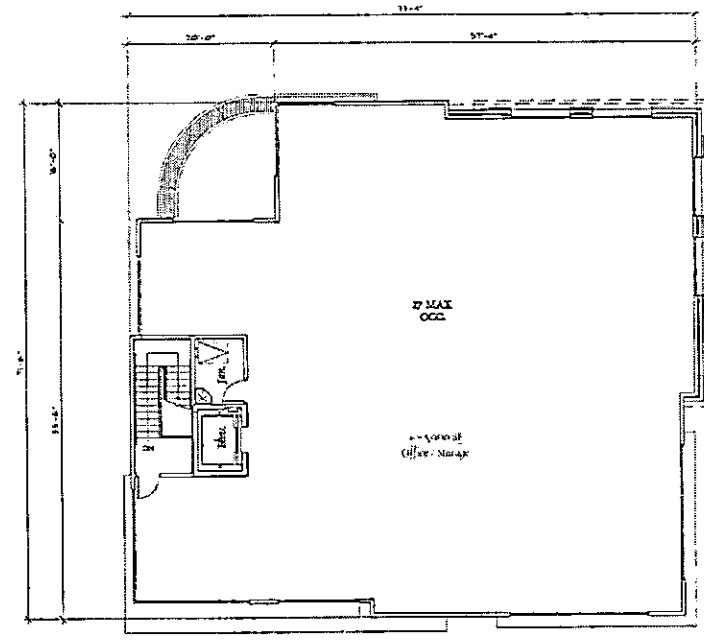


Indigo Architecture, Inc.



First Level Plan

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



Second Level Plan

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

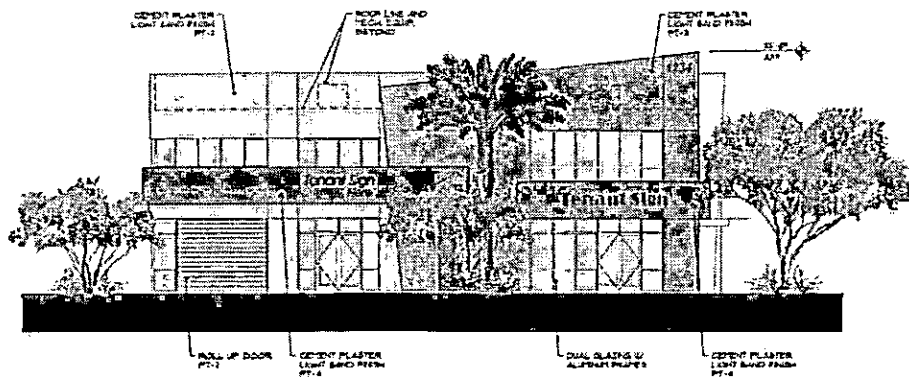
Note: This Design is Conceptual in Nature and No Guarantee of its Accuracy is Implied

Charleston & Hinson Retail Center

SUP-26383
REVISED
02/28/08 PC

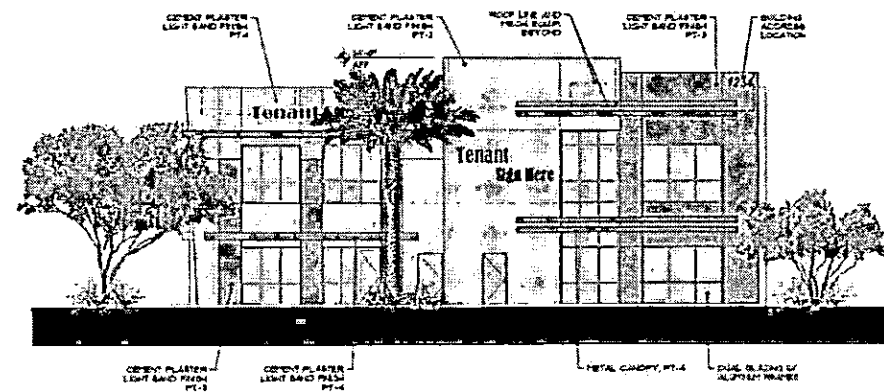
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FEB 11 2008

Indigo Architecture, Inc.
002149-1771



South Elevation

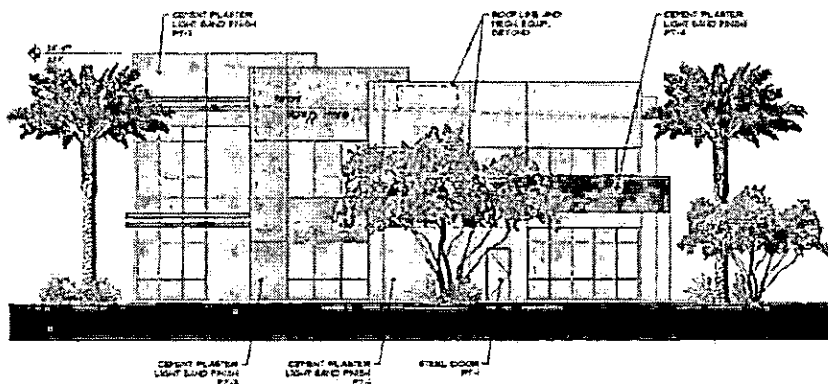
Scale: 1/8" = 1'-0"



North Elevation (Charleston Blvd.)

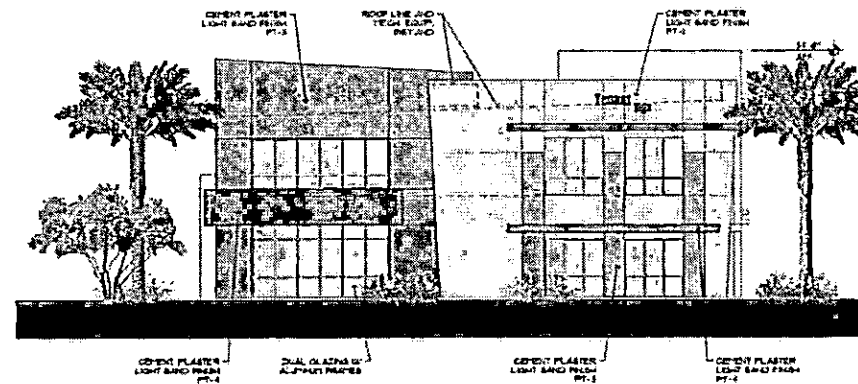
Scale: 1/8" = 1'-0"

- PT - 1 Frazee: CL 2772W Hooper
- PT - 2 Frazee: CL 2714M Chat Up
- PT - 3 Frazee: CL 2806N Unity
- PT - 4 Frazee: CL 2607N Wallbridge



West Elevation (Hinson Rd.)

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



East Elevation

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

Charleston & Hinson Retail Center

Notes: This Design is Copyrighted by Indigo and
No Other use of its drawings is permitted.

January 15, 2008

JAN 17 2008

SUP-26383
02/28/08 PC

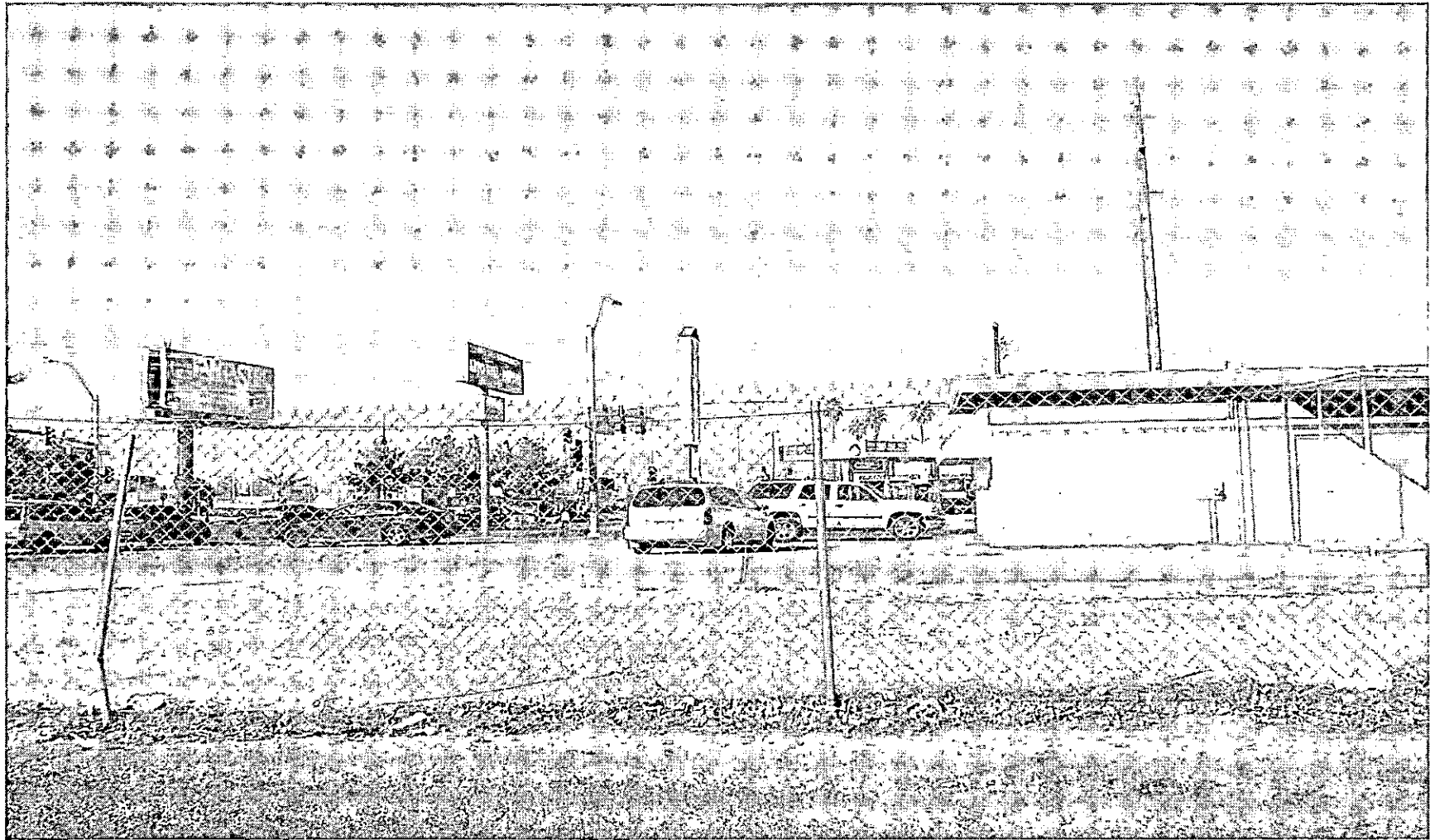


INDIGO ARCHITECTURE, INC.



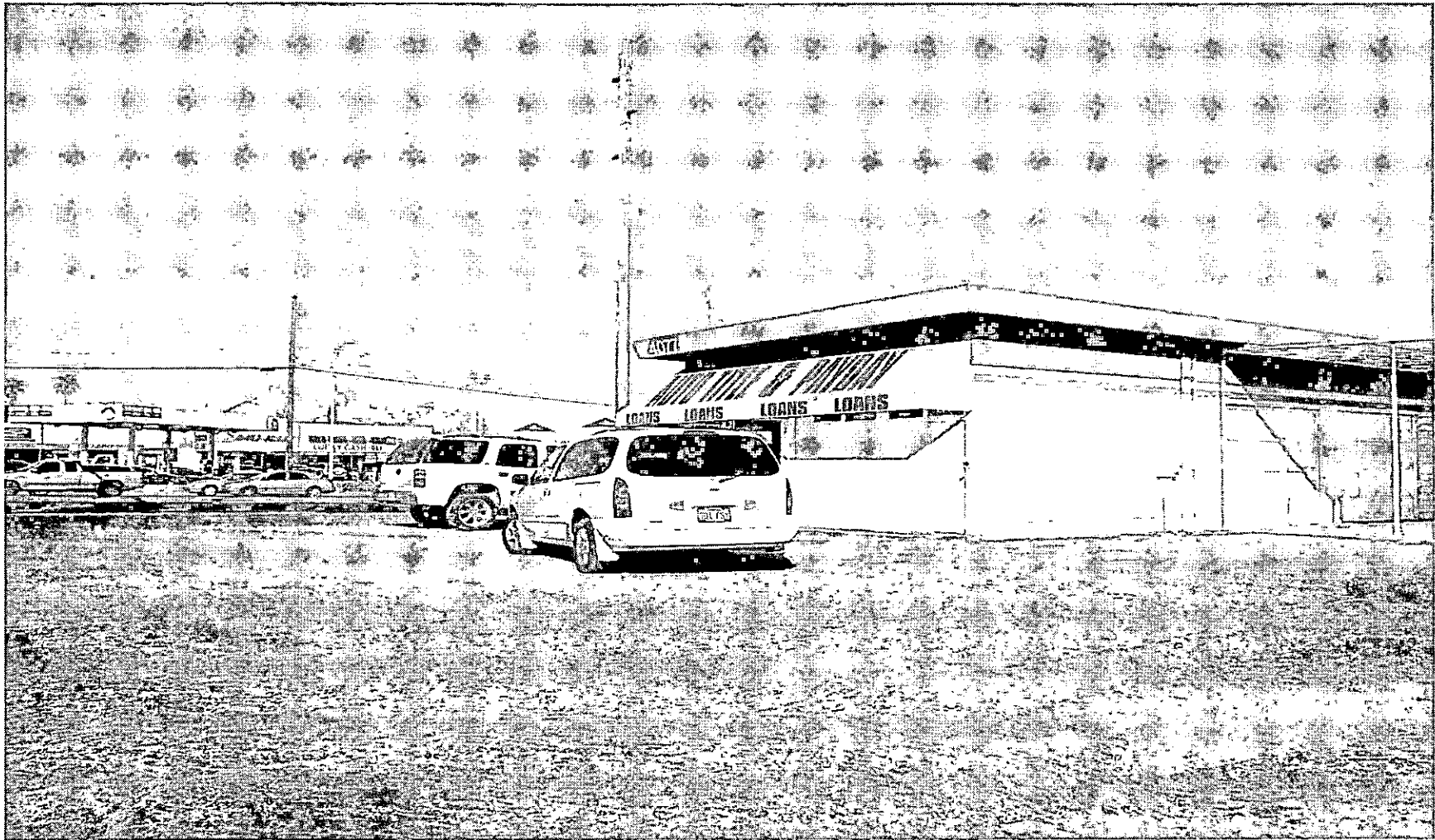
SUP-26383 - APPLICANT/OWNER: BRENT LEAVITT
4077 WEST CHARLESTON BOULEVARD
MARCH 13, 2008 PLANNING COMMISSION

02/01/08



SUP-26383 - APPLICANT/OWNER: BRENT LEAVITT
4077 WEST CHARLESTON BOULEVARD
MARCH 13, 2008 PLANNING COMMISSION

02/01/08



SUP-26383 - APPLICANT/OWNER: BRENT LEAVITT
4077 WEST CHARLESTON BOULEVARD
MARCH 13, 2008 PLANNING COMMISSION

02/01/08

Justification Letter

The proposed Special Use Permit ("SUP") concerns one parcel of land (.52 net acres) located at the southeast corner of Charleston Boulevard and Hinson (APN: 162-06-502-001). The property currently consists of one building, which is leased to an auto title loan company. Scope Development LLC (the "Applicant") is seeking an SUP allowing pawn use in place of the existing auto title loan use.

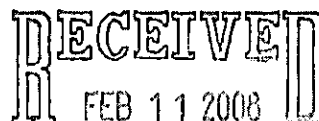
The application and supporting site plan, elevations and floor plan, submitted with the SUP Application contemplate the demolition of the existing structure and construction of a new 10,000 square foot two-story structure with a 5,000 square foot footprint. The bottom floor will house a 3,000 square foot pawn showroom and a separate 2,000 square foot retail suite unrelated to the pawn use (retail suite use has not been determined at this time). The top floor will consist solely of office/storage space for the pawn showroom below.

The Applicant believes that approval of the SUP is appropriate because locating such a use in a high-traffic, commercial location supports the City of Las Vegas development policies. The application also meets all of the requirements for SUP except for separation from specified financial institutions:

- There will be no outdoor display, sales or storage of merchandise;
- The subject parcel is not located in the prohibited Fremont Street or Las Vegas Boulevard zones; and
- The subject parcel is not within 200 feet of any residential parcel.

While this SUP application does not satisfy the 1000' separation from specified financial institutions, it should be noted that the auto title loan business currently occupying the site is also subject to the same distance requirements as the proposed pawn use. The specified financial institutions in question have operated in the vicinity of the existing auto title loan business on the property for some time without any known adverse effects to the surrounding area. As stated above, if this SUP is approved, the existing building will be demolished and the existing auto title loan use will be discontinued at this location in favor of the pawn use. This SUP simply contemplates exchanging one similar use that has operated in this location without incident with another more desirable use that is subject to the same approval guidelines and criteria.

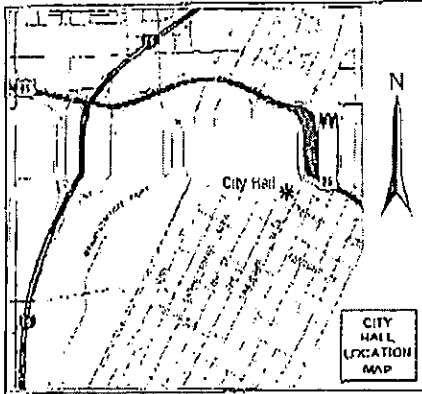
More importantly, the current building housing the auto title loan business is aging, unattractive and does not fit with the City's goals for redeveloping and improving the Charleston Boulevard corridor. Nor does the existing building fit current City of Las Vegas or Nevada Department of Transportation ("NDOT") design standards. Redevelopment of the site as proposed will greatly enhance the off site improvements to bring them in line with current NDOT standards (improving traffic flow and safety in the area) as well as enhance the surrounding area without any detrimental effects.



SUP-26383
REVISED
02/28/08 PC

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

Return Service Requested Official Notice of Public Hearing



.. 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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.



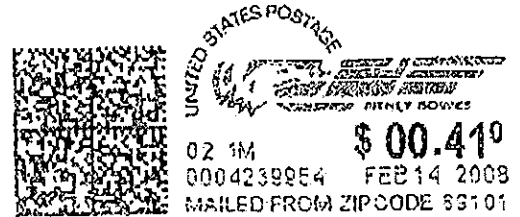
I SUPPORT
 this Request



I OPPOSE
 this Request

Please use available blank space on card for your comments.

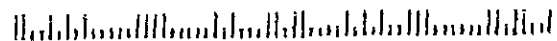
VAR-26385 & SUP-26383



16206510025
 MODESTI GREGORY C
 4101 W CHARLESTON BLVD
 LAS VEGAS NV 89102-1624

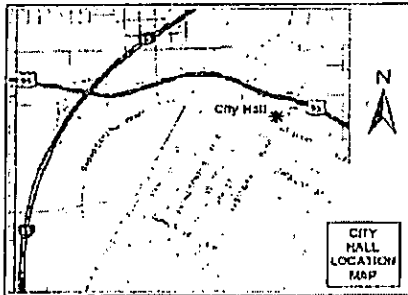
Case: VAR-26385

6910281624 0028



City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested Official Notice of Public Hearing



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I SUPPORT
this Request



I OPPOSE
this Request

Please use available blank space on card for your comments.

VAR-26385 & SUP-26383

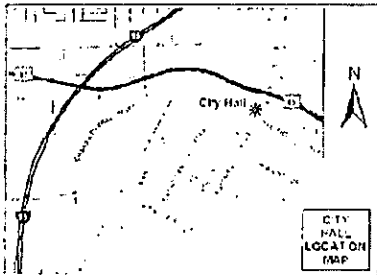
16206502004

Case: VAR-26385

LIED FOUNDATION TRUST
3907 W CHARLESTON BLVD
LAS VEGAS NV 89102-1620

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested Official Notice of Public Hearing



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I SUPPORT
this Request



I OPPOSE
this Request

Please use available blank space on card for your comments.

VAR-26385 & SUP-26383

13931411022

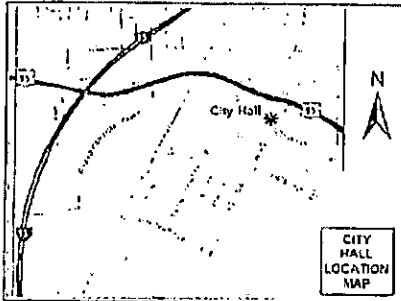
Case: VAR-26385

HENDERSON THOMAS R & DONNA FAM TR
2055 COTTON VALLEY ST
HENDERSON NV 89052-7137

41-2P

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

Return Service Requested Official Notice of Public Hearing



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I SUPPORT
 this Request



I OPPOSE
 this Request

Please use available blank space on card for your comments.

VAR-26385 & SUP-26383

13931411053

Case VAR-26385

PEDROZA JANET ELAINE & VICENTE V
 1000 BEDFORD RD
 LAS VEGAS NV 89107-4420

6510734420 0072

|||||

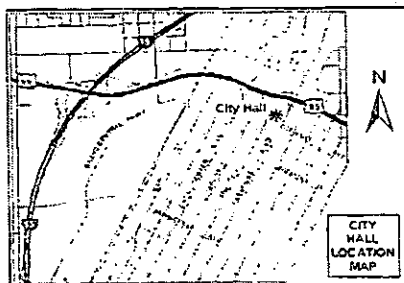
Submitted after final agenda

Date

Item 4

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

Please use available blank space on card for your comments.
VAR-26385 & SUP-26383



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13931411028 Case: VAR-26385
ANTON PAMELA SUE
5317 HARMONY AVE
LAS VEGAS NV 89107-0312

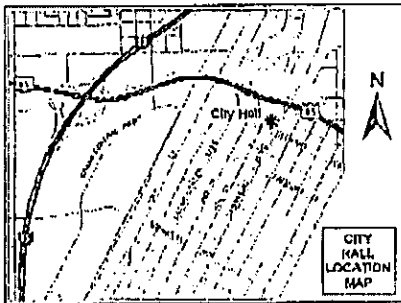
891070312 0079



Submitted after final agenda
Date
Item 41

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.



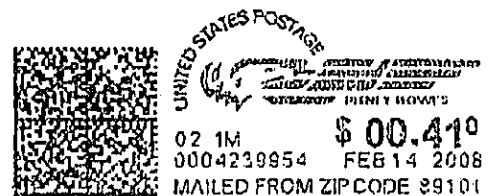
I SUPPORT
 this Request



I OPPOSE
 this Request

Please use available blank space on card for your comments.

VAR-26385 & SUP-26383



Case: VAR-26385
 16206510036
 MCGRATH THOMAS J & ELIZABETH J
 6617 ELTON AVE
 LAS VEGAS NV 89107-0000

6610782478 0062



Submitted after final agenda	
Date	Item 4b

Telephone Protest/ Support Log

Meeting Date: 02/28/08

Case Number: SUP-26383

Date: 02/25/08
Name: Robert A & Hertha Reitz
Address: 1331 Melville Dr
Las Vegas Nv 89102
Phone: 702 - 878 - 5859
☒ PROTEST ☐ SUPPORT

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

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

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

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

Submitted after final agenda

Date

Item

41
P



SCOPE
DEVELOPMENT

March 13, 2008

Linda Hartman-Maynard
City of Las Vegas Planning
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Re: 162-06-502-001

Linda, as we discussed, Scope Development is requesting to abey the Special Use Permit (and related applications) on the above-mentioned property from the March 13, 2008 planning commission meeting to the next regularly scheduled meeting. Please do not hesitate to give me a call if you have any questions or concerns.

Sincerely,


John A. English
Scope Development LLC

Submitted after final agenda

Date 3/13/08 Item 27

26-28

SDR- 26386
SUR 26383
VAR 26385

5451 South Durango Drive
Las Vegas, Nevada 89113

T 702.897.9200
F 702.893.0400

www.scopedevlopment.com

Telephone Protest/Support Log

Meeting Date: 3/13/08

Case Number: Sup 26383

Date: 3/13/08
Name: Dana Russell
Address: 3606 ~~W~~ Westleigh
Las Vegas 89102
Phone: (702) 838 3179
☒ PROTEST ☐ SUPPORT

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

Date: _____
Name: _____
Address: _____
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☐ PROTEST ☐ SUPPORT

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

Submitted after final agenda

Date 3/12/08 Item 27

P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 13, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE - SDR-26386 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-26385 AND SUP-26383 - PUBLIC HEARING - APPLICANT/OWNER: BRENT AND GARY LEAVITT - Request for a Site Development Plan Review FOR A PROPOSED 10,000 SQUARE FOOT RETAIL/OFFICE DEVELOPMENT on 0.52 acres at 4077 West Charleston Boulevard (APN 162-06-502-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

C.C.: 04/16/08

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

0

0

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Submitted After Final Agenda - Telephone/Protest

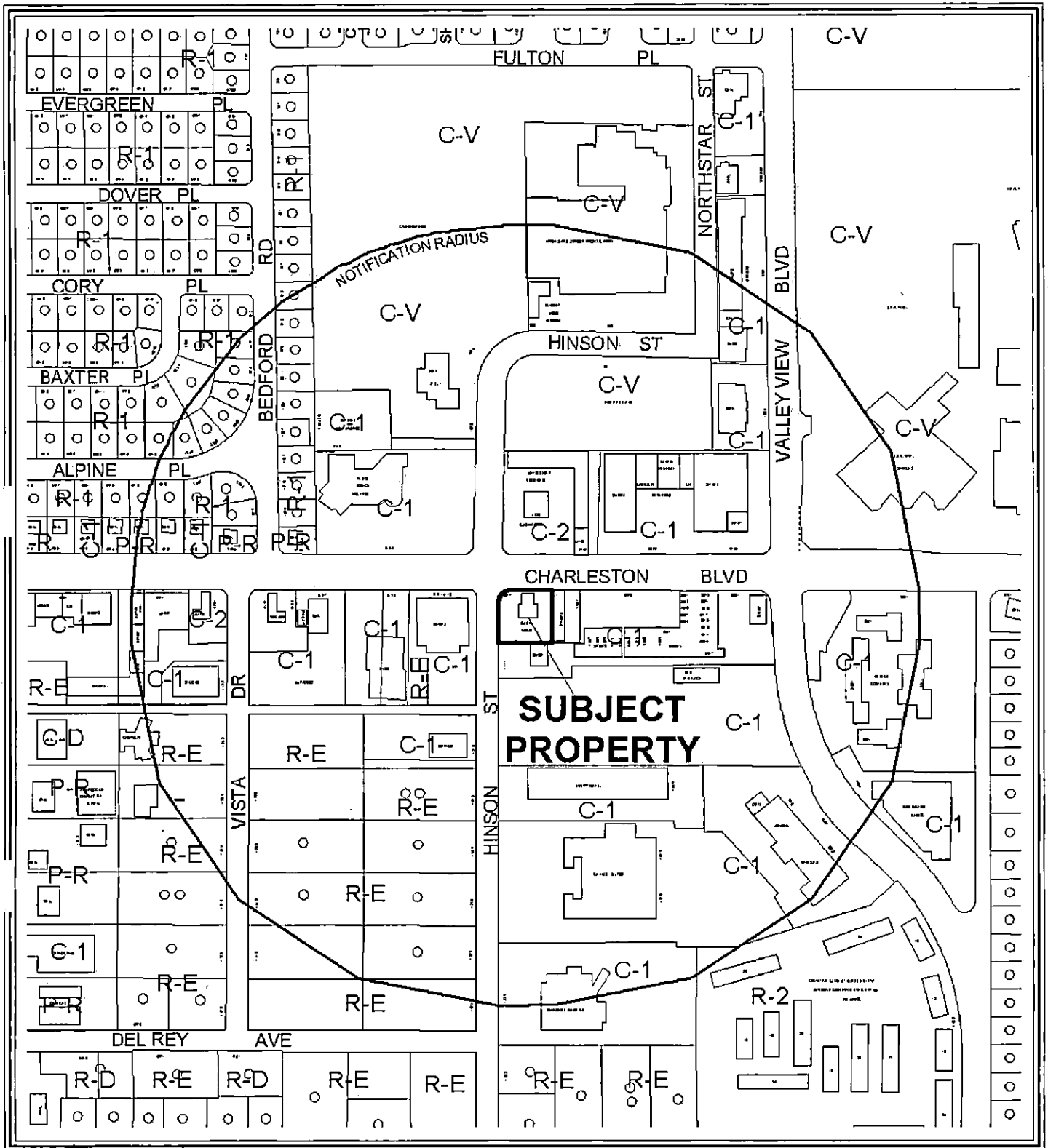
Motion made by GLENN TROWBRIDGE to Hold In Abeyance Items 6, 7, 26-28 and 38 to 3/27/2008 and Table Items 16 and 17

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

SAM DUNNAM, DAVID STEINMAN, BYRON GOYNES, RICHARD TRUESDELL, STEVEN EVANS, VICKI QUINN, GLENN TROWBRIDGE; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

See Item 5 for related discussion and Item 26 for related backup.

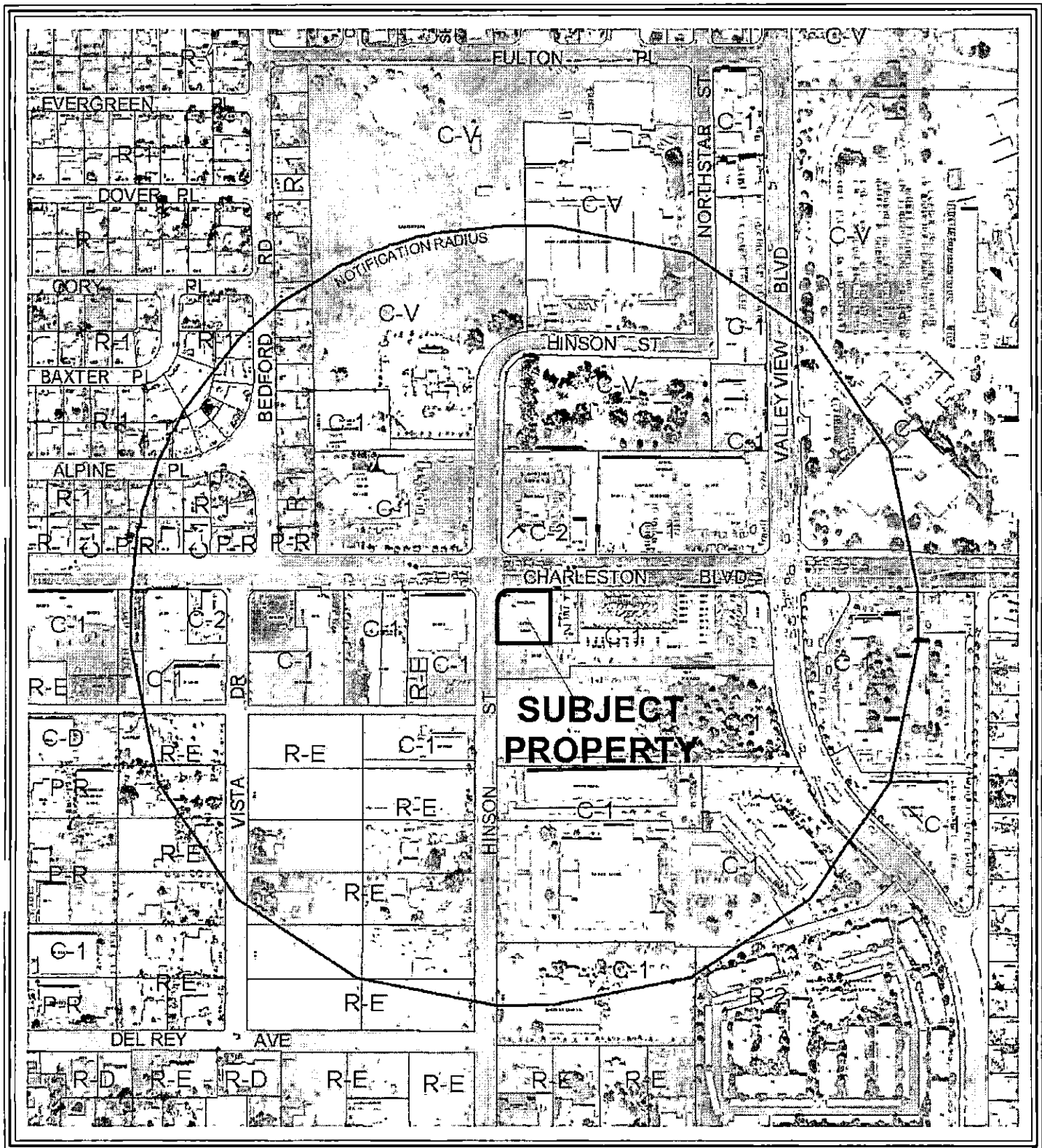


CASE: SDR-26386

RADIUS: 1000 FT

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





CASE: SDR-26386

RADIUS: 1000 FT

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

0 400 800 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MARCH 13, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - SDR-26386 - APPLICANT/OWNER: BRENT AND GARY LEAVITT**

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

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-26383) and Variance (VAR-26385) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan date stamped 02/22/08, and building elevations date stamped 01/11/08, except as amended by conditions herein.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

SDR-26386 - Conditions Page Two
March 13, 2008 - Planning Commission Meeting

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

Public Works

12. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southeast corner of Charleston Boulevard and Hinson Street and grant a traffic signal chord easement on the southeast corner of Charleston Boulevard and Hinson Street prior to the issuance of any permits for this site.
13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards and construct incomplete half street improvements, if any, concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
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. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this site.
16. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives.

SDR-26386 - Conditions Page Three
March 13, 2008 - Planning Commission Meeting

17. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements, if any, in the Charleston Boulevard public right-of-way adjacent to this site.
18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways recommended by the Flood Control Section.
19. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Oakey Meadows Storm Drain: ITS Communication Infrastructure, Phase IB project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

SDR-26386 - Staff Report Page One
March 13, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Site Development Plan Review for a new commercial building, to be located on 0.52 acres at 4077 Charleston Boulevard. The applicant proposes to demolish the existing structure and construct a two-story, 10,000 square foot building. A Pawn Shop will occupy 3,000 square feet of the first floor of the proposed building. An unspecified retail use will occupy the remaining 2,000 square feet. On the second floor, 5,000 square feet will provide space for office use and storage for the Pawn Shop. The existing building is currently being leased as an office with active licenses for auto title loan and check cashing businesses.

A revised site plan was submitted 02/11/2008, when NDOT advised the applicant they would prefer the Charleston Boulevard driveway to be eliminated. All ingress and egress to the site will occur off of Hinson Street. Removal of the access drive on to Charleston Boulevard caused a loss of three parking spaces within the proposed parking lot. A Variance (VAR-26385) to allow 37 parking spaces where 41 are required will be heard with this case.

This proposed development is generally in keeping with the requirements of the C-1 (Limited Commercial) zoning district; however, the site requires a Variance (VAR-26385) to allow four less parking spaces than required, thus, staff recommends denial of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
1982	V-29-82
<i>Related Building Permits/Business Licenses</i>	
05/04/00	KC Capital of Nevada Inc – Check Cashing (C21-00064) Active
05/05/00	Rainbow Loan Company – Auto Title Loan (F14-00031) Active
<i>Pre-Application Meeting</i>	
01/04/08	Advised applicant of procedure to submit applications for a Site Development Plan Review, a Special Use Permit and a Variance for the parking deficiency.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	
<i>Field Check</i>	
01/28/08	Existing one-story building on parcel adjacent to the south side of Charleston Boulevard. Active business in building.

SDR-26386 - Staff Report Page Two
March 13, 2008 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	.52

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)
North	Commercial	SC(Service Commercial)	C-2 (General Commercial)
South	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)
East	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)
West	Commercial	SC(Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175')	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Pawn Shop	3000 S.F.	1/250	12		12		
Retail	2000 S.F.	1/175	12		12		
Office	5000 S.F.	1/300	15	2	11	2	
TOTAL (including handicap)	10,000 S.F.		41		37		N
Percent Deviation (VAR only)					9.75%		

LHM

SDR-26386 - Staff Report Page Three
March 13, 2008 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Applicable code section here 19.08

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100 Feet	130 Feet	Y
Min. Setbacks			Y
• Front	20 Feet	23.8 Feet	Y
• Side	10 Feet	60 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	80 Feet	
Max. Lot Coverage	50%	44%	Y
Max. Building Height	N/A	34 Feet	N/A
Trash Enclosure	Screened and Gated	Screened	Y
Mech. Equipment	Screened	Screened	Y
Residential Adjacency	N/A	N/A	N/A

The applicable code section Title 19.12

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Trees / 6 Space	9 Trees	9 Trees	Y
Buffer:				
Min. Trees	1 Trees /30 Linear Feet	20 Trees	24 Trees	Y
TOTAL		29 Trees	33 Trees	Y
Min. Zone Width	15 Feet on ROW / 8 Feet Side and Rear		15 Feet on ROW and 8 Feet Side/Rear	Y
Wall Height	8 Feet		Not shown	Y

ANALYSIS

• **Zoning/Use**

The proposed building will house retail uses, an office and storage. The site is located on Charleston Boulevard, a 100 foot wide primary arterial as listed by the Master Streets and Highway Plan. Commercial uses are typical along this main street. The SC (Service Commercial) General Plan category with the affiliated C-1 (Limited Commercial) zoning district allows retail uses. The proposed use as a Pawn Shop is restricted by proximity to other financial uses within the 1,000 foot separation distance as required by Title 19.04.

SDR-26386 - Staff Report Page Four
March 13, 2008 - Planning Commission Meeting

- **Site Plan**

The applicant proposes to demolish the existing structure on the property and construct a two-story, 10,000 square foot building. A Pawn Shop is the use planned to occupy 3,000 square feet on the first floor of the proposed building. An unspecified retail use will occupy the remaining 2,000 square feet. On the second floor, 5,000 square feet will provide space for office use and storage for the Pawn Shop.

The site plan shows a two-story building with an approximate total gross floor area of 10,000 square-feet. The proposed building will be located on the northwest corner of the site. According to the building footprint shown the lot coverage is approximately 44% where 50% is allowed. Ingress and egress to the site is from Hinson Street.

Parking is depicted adjacent to the east and south sides of the building and along the south and east property lines. Parking was calculated for a Pawn Shop use at one space per 250 square feet of gross floor area; a general retail use at one space per 175 square feet of gross floor area; and office/storage space at one space per 300 square feet of gross floor area. The proposed Pawn Shop, General Retail and Office/Storage uses are subject to the parking standards of Title 19.04 and Title 19.10. The project as designed will provide 37 parking spaces, with two spaces meeting ADA accessibility standards, where 41 are the total minimum required which represents a 9.75 percent deviation from the standard. A loading space is shown on the south west portion of the building. A companion Variance (VAR-26385) to allow 37 parking spaces where 41 are required will be also be heard with this proposal.

- **Landscape Plan**

The submitted landscape plan indicates a mixture of drought tolerant plant material that will enhance the building, provide shade in the parking area and add significantly to the Charleston Boulevard streetscape at this location. Chilean Mesquites will be used on the perimeter along with drought tolerant shrubs and groundcovers. The provided landscape plan shows an adequate amount of tree coverage within the parking lot islands. The flowering Chitalpa will provide adequate shade cover at maturity and will also add color to the site throughout the warm months. Monel pines are used in areas to provide greenery throughout the year.

- **Elevations**

The selected materials shown on the elevations are appropriate for the proposed buildings. A cement plaster with a light sand finish will comprise the exterior of the proposed building. Visual interest to accentuate the building consists of four complementary shades of paint used on the exterior and large windows on all sides of the building enhanced with metal canopies above the windows. Mechanical equipment is shown on the flat roof and is screened by parapets. The roof lines of varying heights also add visual interest to the modern look of the proposed structure.

SDR-26386 - Staff Report Page Five
March 13, 2008 - Planning Commission Meeting

FINDINGS

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

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

The proposed retail/office building is compatible with the surrounding commercial buildings and development in this area along the Charleston Boulevard Corridor.

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

The proposed retail/office use is an expected use for the SC (Service Commercial) General Plan Designation and is in context with the surrounding commercial development. Although, the project requires a Variance to allow a reduction in the number of on-site parking spaces as required by Title 19.04. Additionally, the proposed use as a Pawn Shop does not meet the 1,000 foot separation requirement from other Financial Institutions, Specified.

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

The site fronts onto Charleston Boulevard but site access (ingress and egress) for this development is from Hinson Street, a 60 foot wide collector street, adjacent to the west side of the site. This access point will not negatively impact adjacent roadways or neighborhood traffic.

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

The proposed building and landscape materials are appropriate for the area and the City. Additionally, the landscape proposed for this development will be an attractive addition to this portion of the Charleston Boulevard streetscape.

- 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 applicant proposes structures with varied roof line heights to the two story building. Expanses of windows and shade producing canopies provide visual interest to the exterior of the building.

SDR-26386 - Staff Report Page Six
March 13, 2008 - Planning Commission Meeting

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

The proposed plan will not impact public health, safety or welfare since the development will be subject to the International Building Code and City inspections during construction of the building as well routine business license inspections for the tenant commercial spaces.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

ASSEMBLY DISTRICT 9

SENATE DISTRICT 11

NOTICES MAILED 69

APPROVALS 0

PROTESTS 6



PLANNING & DEVELOPMENT DEPARTMENT

JAN 11 2008

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-26386** APN: 162 06 - 502 - 001Name of Property Owner: BRENT & GARY LEAVITTName of Applicant: SCOPE DEVELOPMENT

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: _____

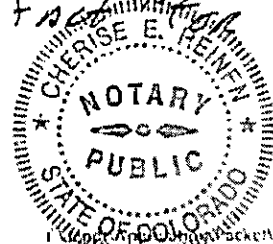
Signature of Property Owner: _____

Print Name: BRENT E. LEAVITT

Subscribed and sworn before me

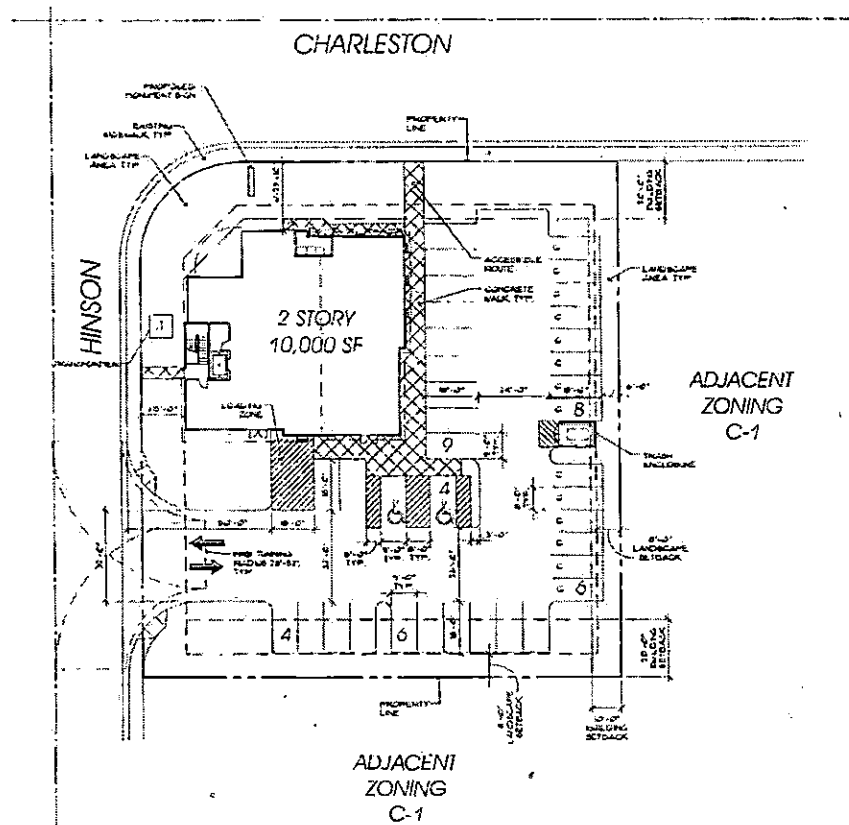
This 3rd day of January, 2008

Notary Public in and for said County and State



Revised 11-14-06

My Commission Expires
2-19-08



Site Plan

Scale: 1" = 10'-0"

North

Site Data

ASSESSING PARCEL NUMBER (APN) 102-00-007-001
CURRENT ZONING C-1
PARCEL AREA 1.7 ACRES (0.0000)
SITE GRASS 20.00%

BUILDING - 1ST LEVEL - MAIN SHOP 17,000 SF
BUILDING - 1ST LEVEL - RETAIL 17,000 SF
BUILDING - 2ND LEVEL - OFFICE STORAGE 17,000 SF
TOTAL BUILDING 51,000 SF
BUILDING SITE COVERAGE 41.18%

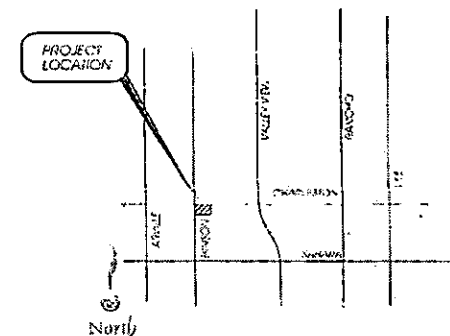
PARKING (REQUIRE)
MAIN SHOP - 1ST LEVEL - 1,000 SF 1,000 SF 12 SPACES
GENERAL RETAIL - 1ST LEVEL - 2,000 SF 1,000 SF 12 SPACES
OFFICE STORAGE - 2ND LEVEL - 1,000 SF 1,000 SF 12 SPACES
TOTAL PARKING REQUIRED 24 SPACES

PROVIDED 4,000 SF 17 SPACES
14 COMPARABLE SPACES 25 REQUIRED SPACES 17 SPACES

Owner / Developer

Scope Development LLC
5451 S. Durango Dr.
LAS VEGAS, NEVADA 89113
(702) 897-7700 x-202
CONTACT: John Engler

Vicinity Map



Charleston & Hinson Retail Center

SDR-26386
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02/28/08 PC

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FEB 17 2008



Site Data

ASSESSOR'S PARCEL NUMBER (APN) 162-00-502-001
 CURRENT ZONING C-1
 PARCEL AREA 11.52 ACRES GROSS 23,451 SF
 SITE GROSS

Tree Legend		SPACING	QUANTITY	NOTES
1	PROPOSED CHARLESTON (MORONGUELLA) CHARLESTON	10' DIA.	10	AS SHOWN ON PLAN
2	PROPOSED SPANISH OLIVE	10' DIA.	4	AS SHOWN ON PLAN
3	PROPOSED PINK BLOSSOM (MORONGUELLA) PINK	10' DIA.	4	AS SHOWN ON PLAN
4	PROPOSED 20' DIA. TREES IN PARKING LOT ALIGNED	20' DIA.	1	AS SHOWN ON PLAN
5	PROPOSED 20' DIA. TREES IN PARKING LOT ALIGNED	20' DIA.	3	AS SHOWN ON PLAN

PROPOSED 20' DIA. TREES PLACED AT 30' ON 30' GRID WITH FOUR BUSHES PLACED PER TREE ALSO PROVIDE A 1' BUSH TREE PLANT IN PARKING SPACES IN LANDSCAPE PLANTING

Suggested Shrub List

RECOMMENDED SHRUBS	TYPE	NOTES
VERONICA PINK GARDEN	9 GALLONS	
VERONICA PINK GARDEN	9 GALLONS	
VERONICA PINK GARDEN	9 GALLONS	
VERONICA PINK GARDEN	9 GALLONS	
VERONICA PINK GARDEN	9 GALLONS	
VERONICA PINK GARDEN	9 GALLONS	
VERONICA PINK GARDEN	9 GALLONS	
VERONICA PINK GARDEN	9 GALLONS	
VERONICA PINK GARDEN	9 GALLONS	
VERONICA PINK GARDEN	9 GALLONS	

Ground Cover

GROUND COVER TO BE PLANTED IN ALL OPEN SPACES UNDER ALL TREES AND SHRUBS

Landscape Area

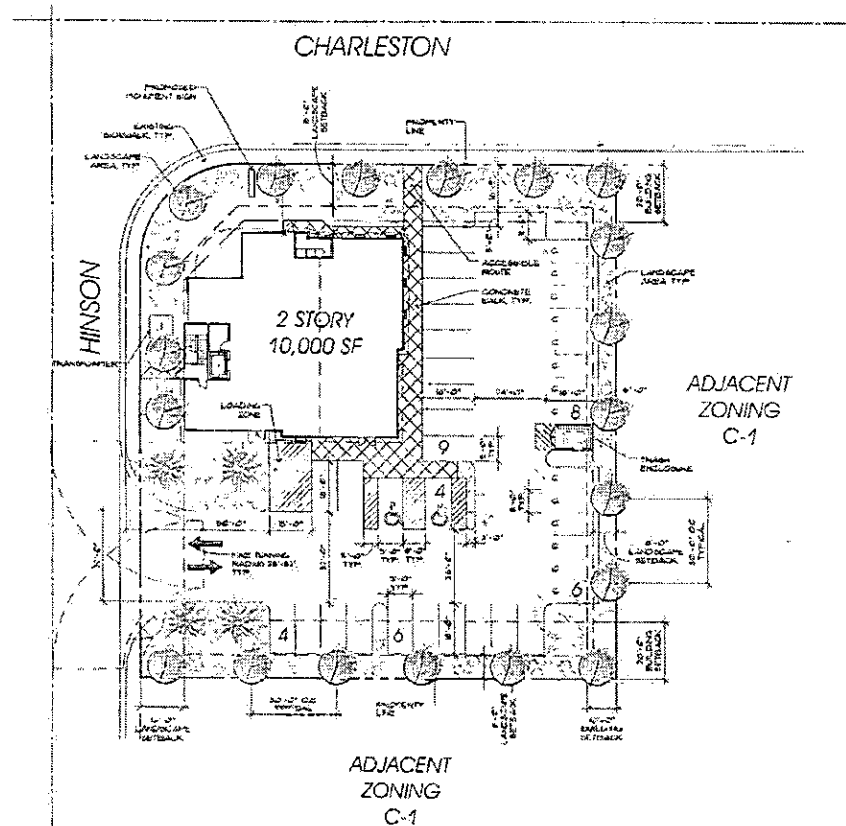
100% OF LANDSCAPE AREA PROPOSED

General Landscape Notes

THESE SHALL BE PLANTED IN ACCORDANCE WITH CITY OF LAS VEGAS STANDARDS AND TITLE 16, CHAPTER 16.1. PLANTING AND MAINTENANCE OF LANDSCAPE SHALL COMPLY TO CITY OF LAS VEGAS STANDARDS TITLE 16, CHAPTER 16.1. THE CITY OF LAS VEGAS STANDARDS SHALL BE USED FOR CITY OF LAS VEGAS STANDARDS. PLANTING SHALL COMPLY TO CITY OF LAS VEGAS STANDARDS.

Owner / Developer

Scope Development LLC
 5451 S. Durango Dr.
 LAS VEGAS, NEVADA 89113
 702.892.9200 x 402
 CONTACT: John English



Landscape Plan

Scale: 1" = 10'-0"

North

This design is conceptual only and not final. It is subject to change without notice.

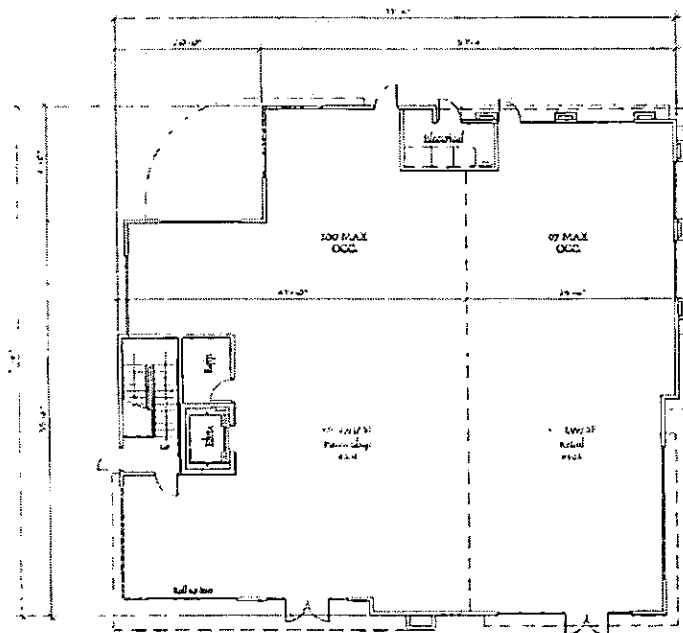
Charleston & Hinson Retail Center

February 2008

SDR-26386
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 02/28/08 PC

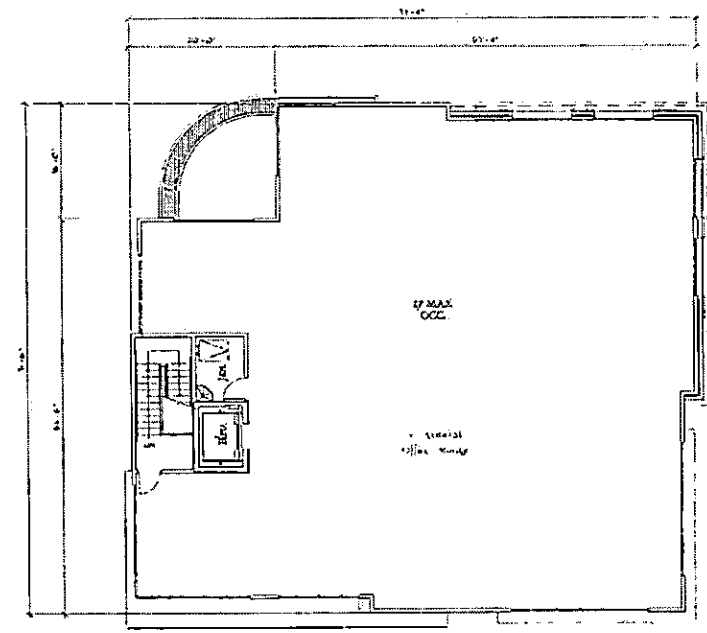
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Indigo Architecture, Inc.
 (702) 497-1772



First Level Plan

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



Second Level Plan

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

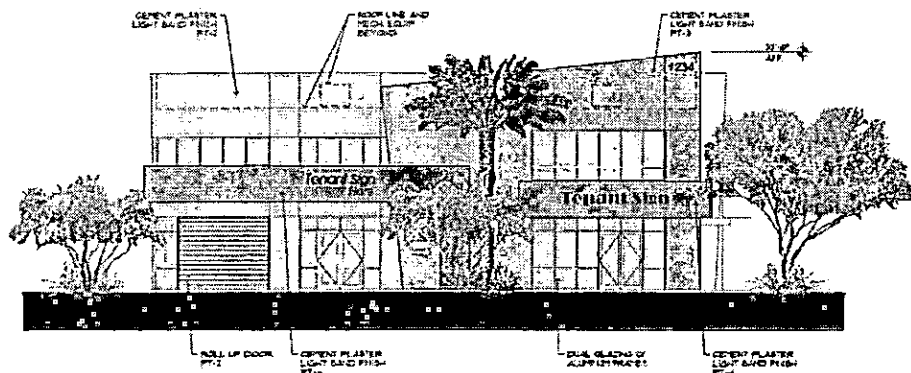
Charleston & Hinson Retail Center

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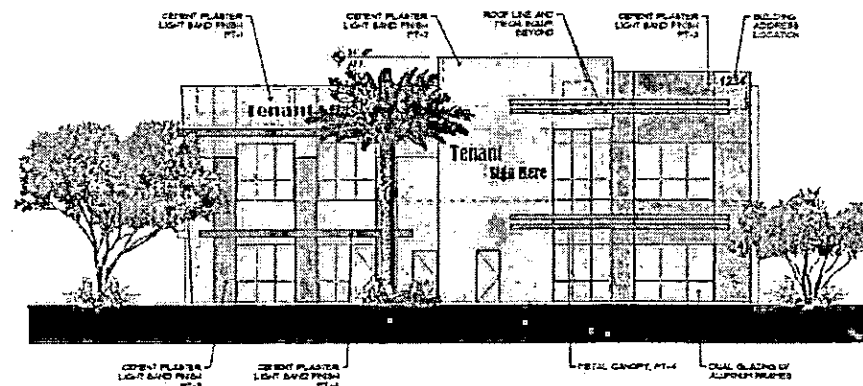


Indigo Architecture, Inc.



South Elevation

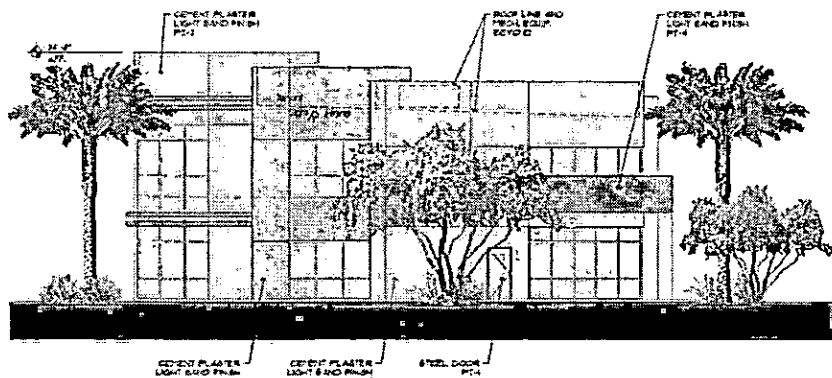
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North Elevation (Charleston Blvd.)

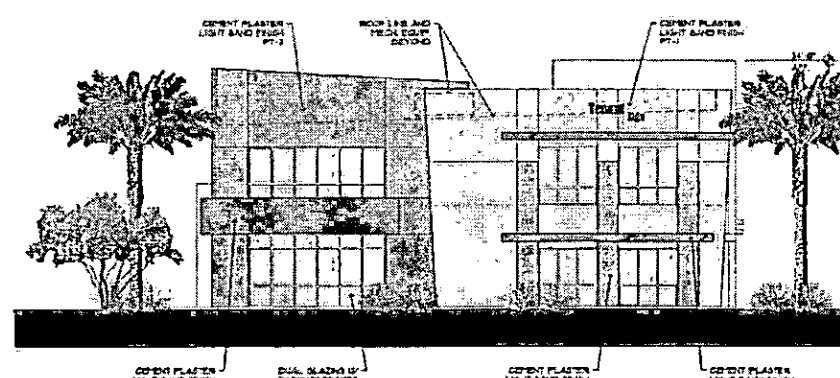
Scale: 1/8" = 1'-0"

- PT - 1 Frazee: CL 2772W Hooper
- PT - 2 Frazee: CL 2714M Chat Up
- PT - 3 Frazee: CL 1806N Unicity
- PT - 4 Frazee: CL 1607N Wallabie



West Elevation (Hinson Rd.)

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



East Elevation

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

Note: This Design is Copyrighted by Nelson Ayrault & Associates, Inc. All Rights Reserved.

Charleston & Hinson Retail Center

January 15, 2008

JAN 11 2008

SDR-26386

02/28/08 PC

003-49-177

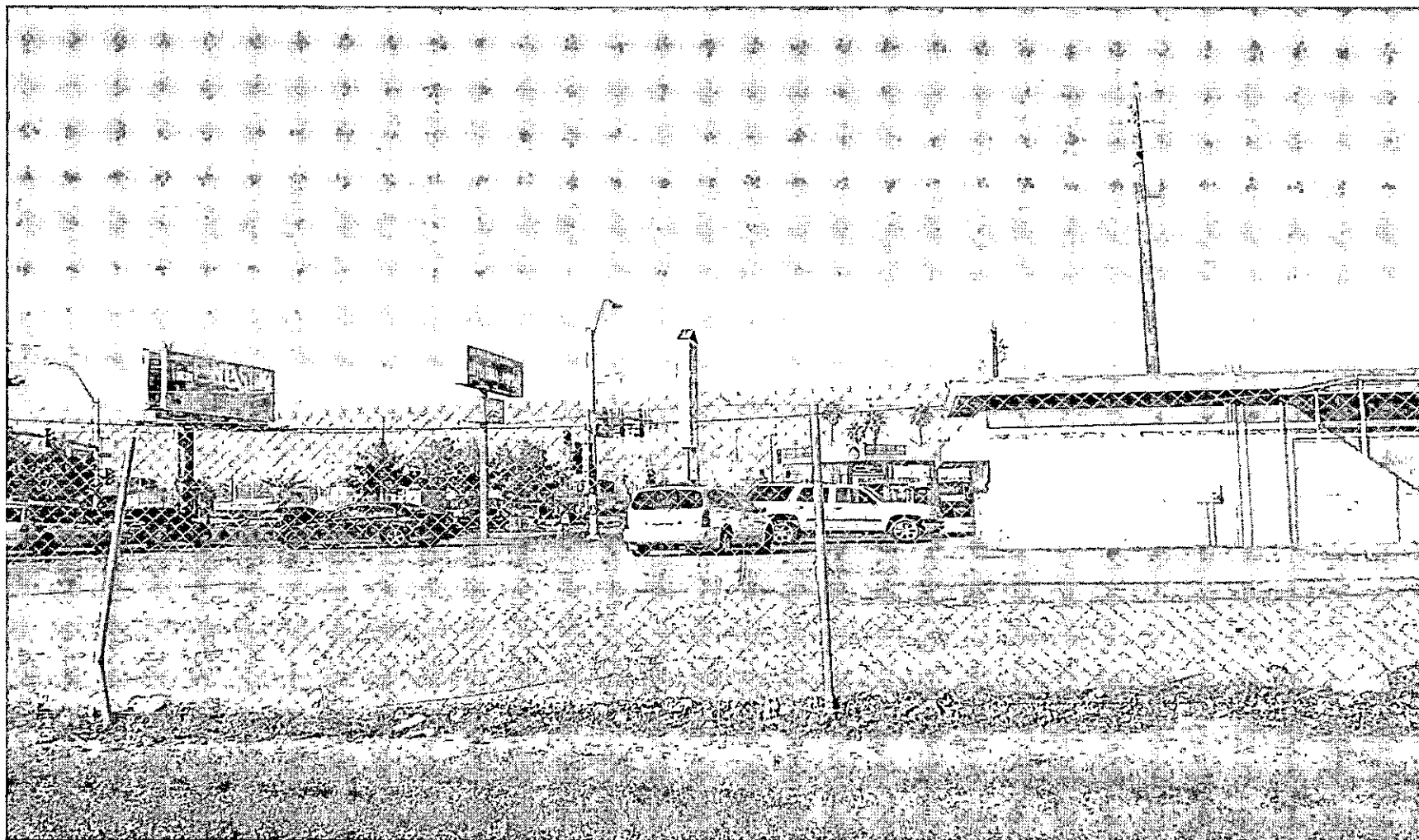
SDR 26386				
Scope Development, LLC				
4077 W. Charleston Blvd.				
Proposed 10 thousand square foot commercial development.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	10	42.94	429
AM Peak Hour			1.03	10
PM Peak Hour			3.75	38
(heaviest 60 minutes)				
Previous Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	1.0	42.94	44
AM Peak Hour			1.03	1
PM Peak Hour			3.75	4
(heaviest 60 minutes)				
Net Increase	DESCRIPTION			TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	9.0		385
AM Peak Hour				9
PM Peak Hour				34
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Charleston Blvd.				
Average Daily Traffic (ADT)	52,631			
PM Peak Hour	4,211			
(heaviest 60 minutes)				
Hinson St.				
Average Daily Traffic (ADT)	1,484			
PM Peak Hour	119			
(heaviest 60 minutes)				

Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Charleston Blvd.	51,800			
Hinson St.	16,300			
This project will add approximately 385 trips per day on Charleston Blvd. and Hinson St. This will increase expected volumes by about 1 percent on Charleston and by about 26 percent on Hinson. Charleston is currently over capacity and Hinson is at about 9 percent of capacity.				
Based on Peak Hour use, this development will add roughly 34 additional cars into the area; which works out to about 1 every 2 minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



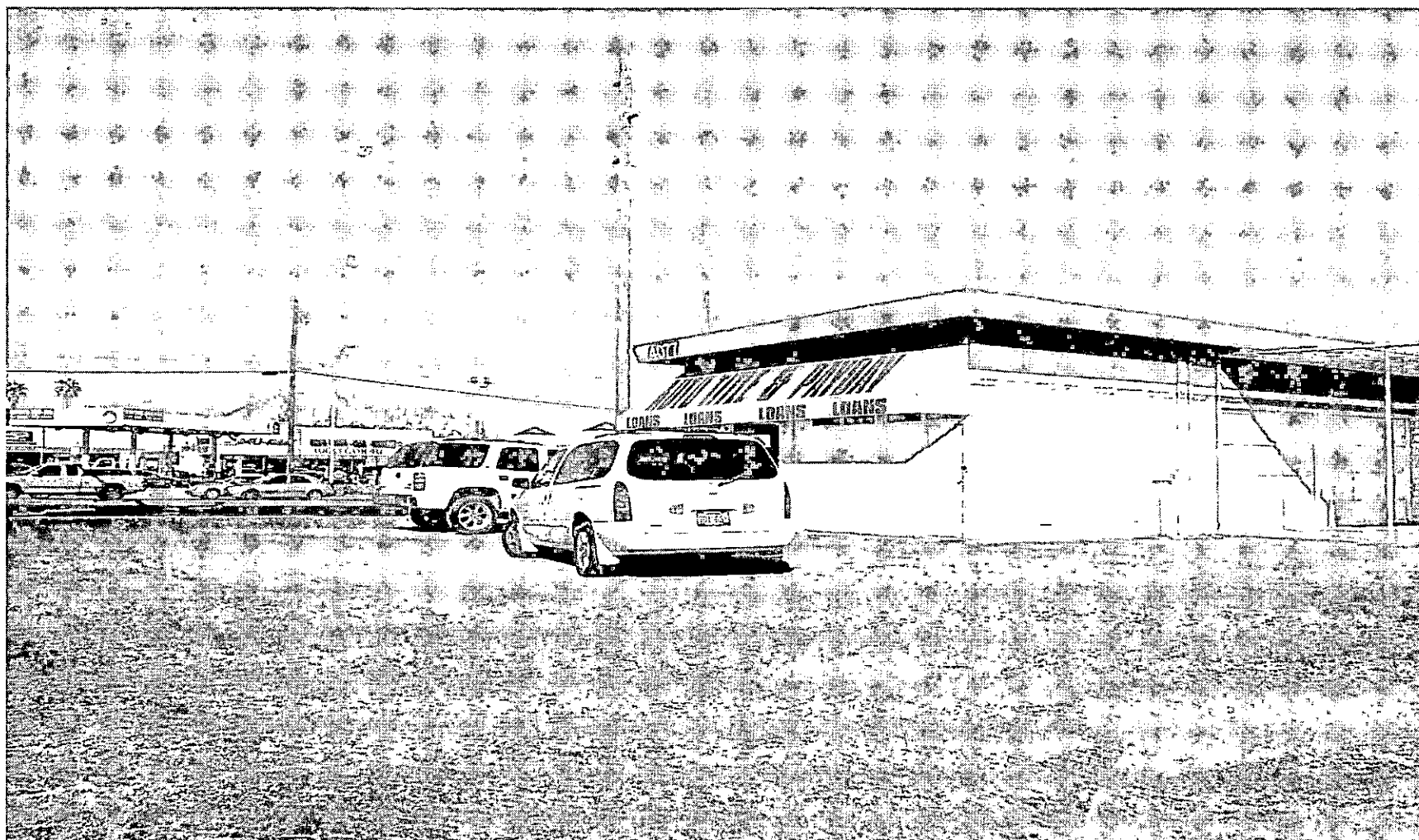
SDR-26386 - APPLICANT/OWNER: BRENT AND GARY LEAVITT
4077 WEST CHARLESTON BOULEVARD
MARCH 13, 2008 PLANNING COMMISSION

02/01/08



SDR-26386 - APPLICANT/OWNER: BRENT AND GARY LEAVITT
4077 WEST CHARLESTON BOULEVARD
MARCH 13, 2008 PLANNING COMMISSION

02/01/08



SDR-26386 - APPLICANT/OWNER: BRENT AND GARY LEAVITT
4077 WEST CHARLESTON BOULEVARD
MARCH 13, 2008 PLANNING COMMISSION

02/01/08

Justification Letter

The proposed Special Use Permit ("SUP") concerns one parcel of land (.52 net acres) located at the southeast corner of Charleston Boulevard and Hinson (APN: 162-06-502-001). The property currently consists of one building, which is leased to an auto title loan company. Scope Development LLC (the "Applicant") is seeking an SUP allowing pawn use in place of the existing auto title loan use.

The application and supporting site plan, elevations and floor plan, submitted with the SUP Application contemplate the demolition of the existing structure and construction of a new 10,000 square foot two-story structure with a 5,000 square foot footprint. The bottom floor will house a 3,000 square foot pawn showroom and a separate 2,000 square foot retail suite unrelated to the pawn use (retail suite use has not been determined at this time). The top floor will consist solely of office/storage space for the pawn showroom below.

The Applicant believes that approval of the SUP is appropriate because locating such a use in a high-traffic, commercial location supports the City of Las Vegas development policies. The application also meets all of the requirements for SUP except for separation from specified financial institutions:

- There will be no outdoor display, sales or storage of merchandise;
- The subject parcel is not located in the prohibited Fremont Street or Las Vegas Boulevard zones; and
- The subject parcel is not within 200 feet of any residential parcel.

While this SUP application does not satisfy the 1000' separation from specified financial institutions, it should be noted that the auto title loan business currently occupying the site is also subject to the same distance requirements as the proposed pawn use. The specified financial institutions in question have operated in the vicinity of the existing auto title loan business on the property for some time without any known adverse effects to the surrounding area. As stated above, if this SUP is approved, the existing building will be demolished and the existing auto title loan use will be discontinued at this location in favor of the pawn use. This SUP simply contemplates exchanging one similar use that has operated in this location without incident with another more desirable use that is subject to the same approval guidelines and criteria.

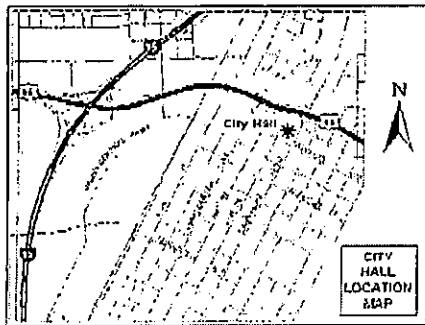
More importantly, the current building housing the auto title loan business is aging, unattractive and does not fit with the City's goals for redeveloping and improving the Charleston Boulevard corridor. Nor does the existing building fit current City of Las Vegas or Nevada Department of Transportation ("NDOT") design standards. Redevelopment of the site as proposed will greatly enhance the off site improvements to bring them in line with current NDOT standards (improving traffic flow and safety in the area) as well as enhance the surrounding area without any detrimental effects.

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02/28/08 PC

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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 Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.



I SUPPORT
this Request



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this Request

Please use available blank space on card for your comments.

SDR-26386



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Case: SDR-26388
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4101 W CHARLESTON BLVD
LAS VEGAS NV 89102-1624

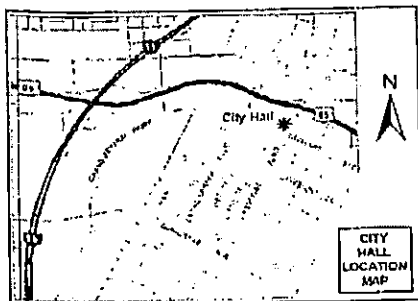
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42P

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

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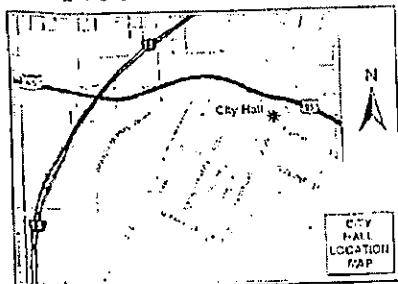
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SDR-26386

City of Las Vegas
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 731 S. Fourth Street
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SDR-26386

Case: SDR-26386

16206502004
 LIED FOUNDATION TRUST
 3907 W CHARLESTON BLVD
 LAS VEGAS NV 89102-1620

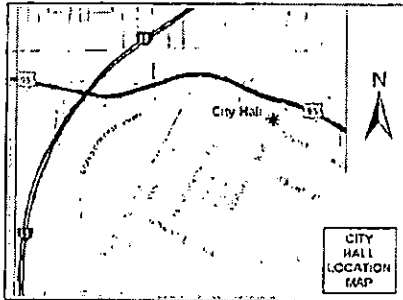
Case SDR-26386

13931411022
 ENERSON THOMAS R & DONNA FAM TR
 2055 COTTON VALLEY ST
 HENDERSON NV 89052-7137

42-2P

City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

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SDR-26386

Case: SDR-26386
 13931411053
 PEDROZA JANET ELAINE & VICENTE V
 1000 BEDFORD RD
 LAS VEGAS NV 89107-4420

8910784420 0072

|||||

Submitted after final agenda

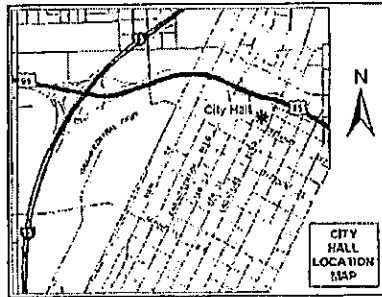
Date

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City of Las Vegas
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☐

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 6317 HARMONY AVE
 LAS VEGAS NV 89107-0312

Case: SDR-26386

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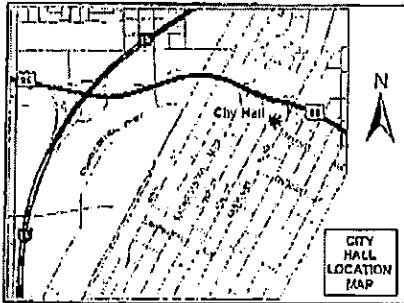
Submitted after final agenda

Date

Item 42
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City of Las Vegas
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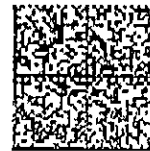
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 MCGRATH THOMAS J & ELIZABETH J
 6617 ELTON AVE
 LAS VEGAS NV 89107-0000

6910732479 0092



Submitted after final agenda

Date

Item 42
 P

Telephone Protest/Support Log

Meeting Date: 3/13/08

Case Number: SDR 26386

Date: 3/13/08
Name: Dana Russell
Address: 3606 Westleigh
Las Vegas 89102
Phone: (702) 838-3179
☒ PROTEST ☐ SUPPORT

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

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

Submitted after final agenda

Date 3/12/08 Item 28

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 13, 2008****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

ABEYANCE - RENOTIFICATION - SUP-25131 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SEUNG HWAN HAN AND EUN JOO HAN - Request for a Special Use Permit FOR A PROPOSED 40-FOOT HIGH, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 1550 West Oakey Boulevard (APN 162-04-605-008), M (Industrial) Zone, Ward 3 (Reese). NOTE: THIS APPLICATION IS FOR A 55-FOOT HIGH SIGN

IF APPROVED, C.C.: 04/16/2008**IF DENIED, P.C.: FINAL ACTION (Unless appealed within 10 days)****PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****5****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:****APPROVAL****BACKUP DOCUMENTATION:**

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards
7. Submitted After Final Agenda – Protest Postcard

Motion made by RICHARD TRUESDELL to Approve subject to conditions and amending Condition 2 as follows:

2. Conformance to all minimum requirements under LVMC Title 19.04.010 for the Off-Premise Sign use, and the site plan dated 02/05/08.

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

SAM DUNNAM, DAVID STEINMAN, RICHARD TRUESDELL, STEVEN EVANS, VICKI QUINN, GLENN TROWBRIDGE; (Against-None); (Abstain-BYRON GOYNES); (Did Not Vote-None); (Excused-None)

PLANNING COMMISSION MEETING OF: MARCH 13, 2008

NOTE: CHAIR GOYNES disclosed that he has a contractual agreement with the applicant on another project and would abstain.

Minutes:

VICE CHAIR TROWBRIDGE declared the Public Hearing open.

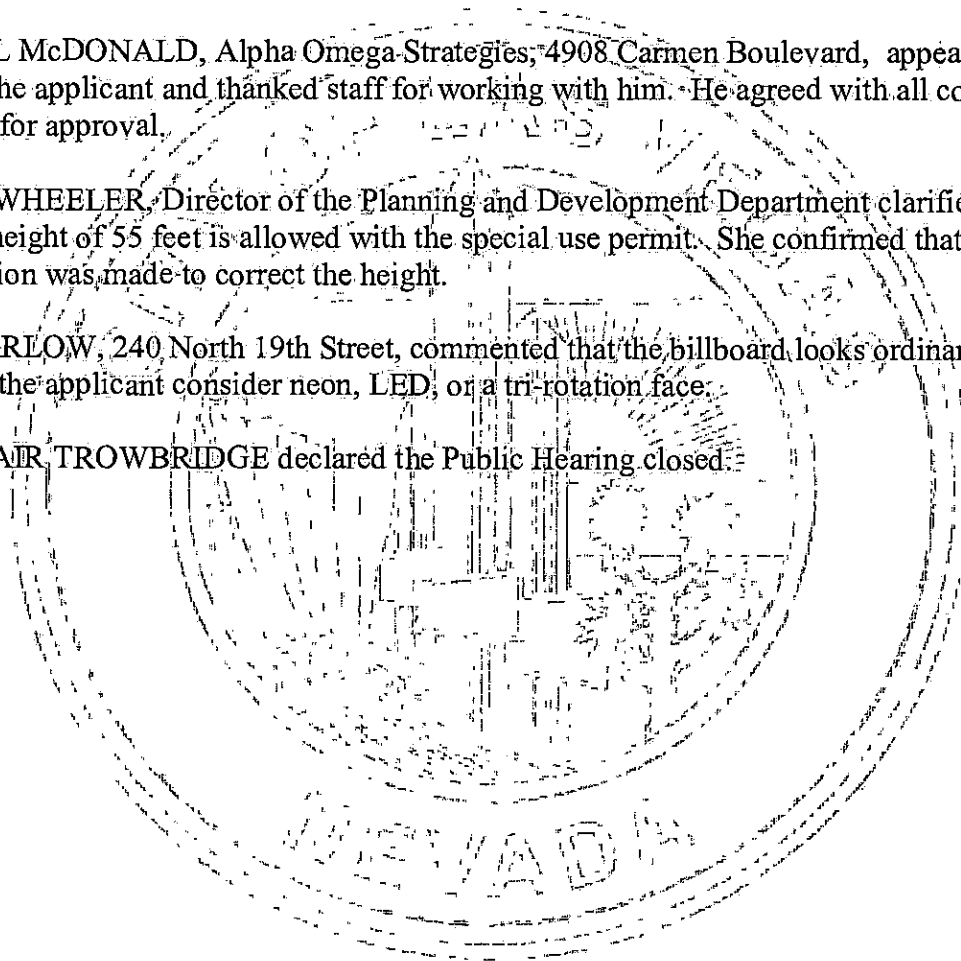
ANDY REED, Planning and Development Department, explained that the application had been amended to reflect a 55-foot sign and complies with the zoning ordinance. It was properly renotified and he recommended approval.

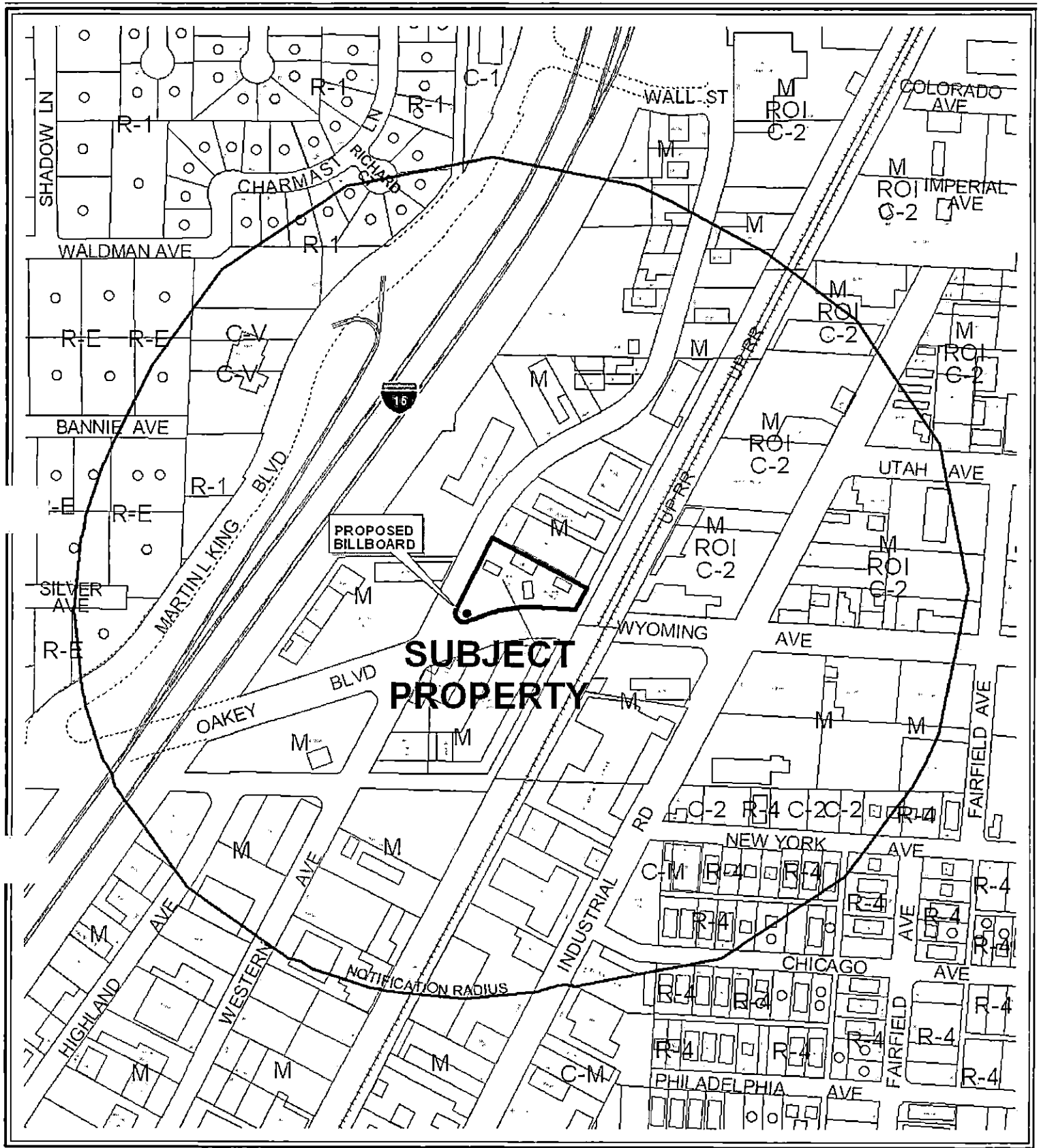
MICHAEL McDONALD, Alpha Omega Strategies, 4908 Carmen Boulevard, appeared on behalf of the applicant and thanked staff for working with him. He agreed with all conditions and asked for approval.

MARGO WHEELER, Director of the Planning and Development Department clarified that the billboard height of 55 feet is allowed with the special use permit. She confirmed that the renotification was made to correct the height.

TODD FARLOW, 240 North 19th Street, commented that the billboard looks ordinary, and suggested the applicant consider neon, LED, or a tri-rotation face.

VICE CHAIR TROWBRIDGE declared the Public Hearing closed.





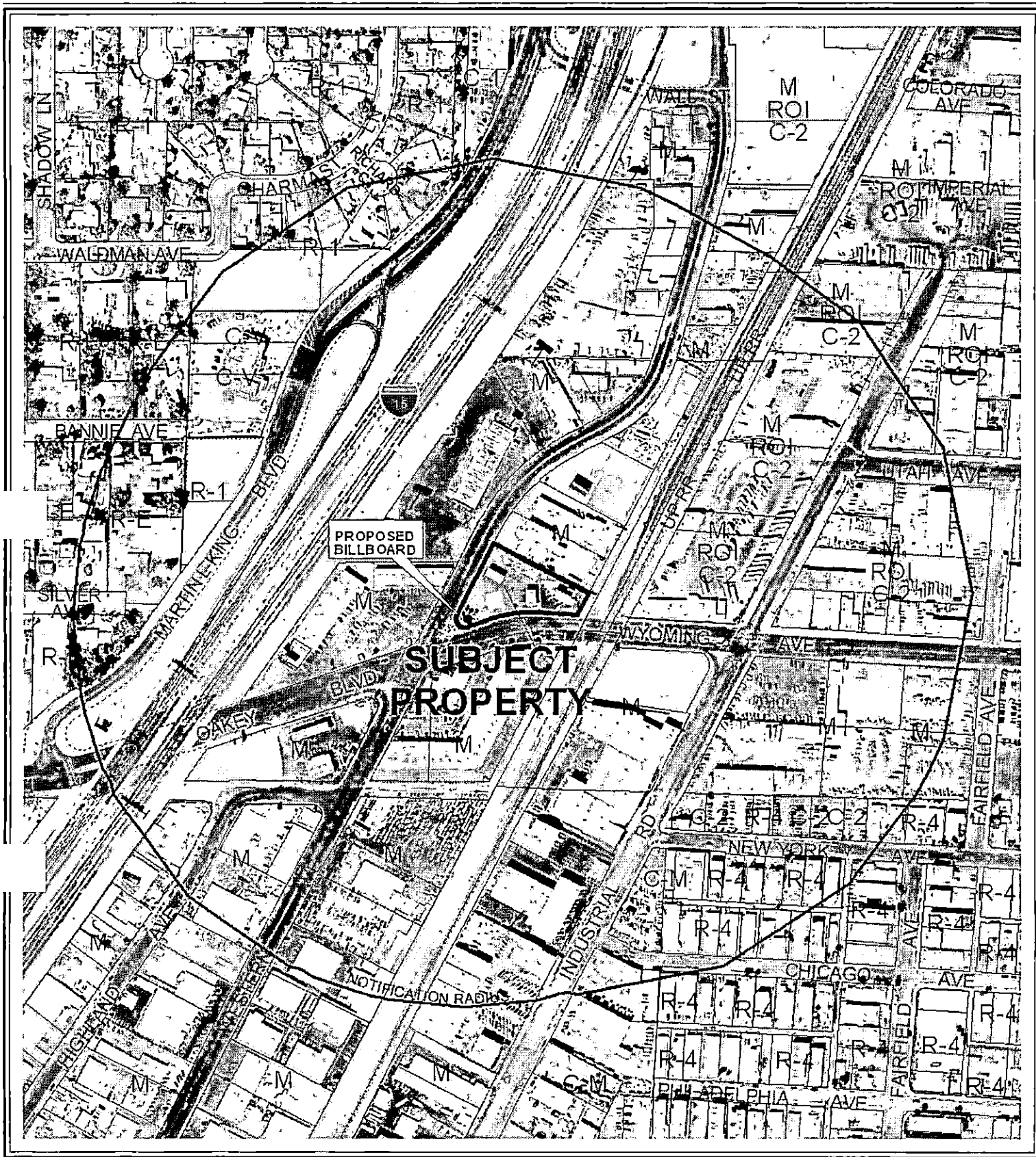
CASE: **SUP-25131**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 500 Feet





CASE: **SUP-25131**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 500 Feet





SUP-25131

City of Las Vegas Billboard Data

- | | | |
|--------------------------------------|--|-------------------------------------|
| Subject Parcel | 300 Foot Buffer Around Billboard | Off Premise Sign Exclusion Area |
| City of Las Vegas Billboard Location | 750 Foot Buffer Around Freeway Billboard | Exempt - Off Premise Area Sign Area |
| Clark County Billboard Location | | |



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MARCH 13, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - SUP-25131 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SEUNG HWAN HAN AND EUN JOO HAN**

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

1. A surveyed site plan, signed and stamped by a Surveyor licensed in the State of Nevada, shall be submitted to the Planning and Development Department demonstrating compliance with Title 19.14.100 with regard to the separation distance from the proposed off-premise sign to the nearest existing off-premise sign.
2. Conformance to all minimum requirements under LVMC Title 19.04.010 for the Off-Premise Sign use.
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. This Special Use Permit shall be reviewed in three (3) years, at which time the City Council may require removal of the Off-Premise Sign. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.
5. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.
6. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.
7. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
8. The Off-Premise Sign supporting structure shall be redesigned to include finish materials that complement the existing on-site building. The entire face-area of both sides of the Off-Premise Sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

SUP-25131 - Conditions Page Two
March 13, 2008 - Planning Commission Meeting

9. Bird deterrent devices shall be installed on the sign.
10. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

11. The proposed sign, including ground mounted base, shall not be located within the existing public right-of-way, within the additional 10 feet of right-of-way needed adjacent to this site in accordance with the City's adopted Master Plan of Streets and Highways that designates Western Avenue as an 80-foot Secondary Collector (MSH-13509) or interfere with Sight Visibility Restriction Zones. In addition, the proposed ground mounted base shall not be located within existing or proposed public sewer or drainage easements.

SUP-25131 - Staff Report Page One
March 13, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 55-foot high, 14-foot by 48-foot off-premise sign at 1550 West Oakey Boulevard. The requested 55-foot height is due to an existing 40-foot high sign for the service station. This sign will be oriented toward Oakey Boulevard and Western Avenue.

The proposed location is very close to the 300-foot distance separation required between off-premise signs; therefore, a stamped survey with an engineer or surveyor's signature is required as a condition of approval. Otherwise, the subject proposal meets all Title 19.14.100 conditions for the Off-Premise Sign use and is compatible with the surrounding area; therefore, approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/21/91	The City Council denied an appeal from the Board of Zoning Adjustment denial of a Variance (V-0093-91) request to allow three 14-foot by 48-foot off-premise advertising (billboard) signs 500 feet apart where a minimum separation of 750 feet is required, and to allow the signs to a height of 85 feet where 30 feet above the adjacent elevated freeway is the maximum height allowed on property located on the west side of Western Avenue, between Wall Street and Oakey Boulevard. Staff recommended denial.
09/04/91	The City Council rescinded the denial action on a request for a Variance (V-0093-91) to allow three 14-foot by 48-foot off-premise advertising (billboard) signs 500 feet apart where a minimum separation of 750 feet is required, and to allow the signs to a height of 85 feet where 30 feet above the adjacent elevated freeway is the maximum height allowed on property located on the west side of Western Avenue, between Wall Street and Oakey Boulevard.
09/19/91	The City Council approved a Variance (V-0093-91) to allow three 14-foot by 48-foot off-premise advertising (billboard) signs 500 feet apart where a minimum separation of 750 feet is required, and to allow the signs to a height of 85 feet where 30 feet above the adjacent elevated freeway is the maximum height allowed on property located on the west side of Western Avenue, between Wall Street and Oakey Boulevard. The Board of Zoning Adjustment and staff had recommended denial.
12/16/92	The City Council approved a Special Use Permit (U-0282-92) for the off-premise sale of beer and wine at an existing convenience store at 1550 West Oakey Boulevard. The Board of Zoning Adjustment recommended denial.

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March 13, 2008 - Planning Commission Meeting

05/19/93	The City Council approved a Special Use Permit (U-0067-93) to allow a 550-gallon propane tank on the property at 1550 West Oakey Boulevard. The Board of Zoning Adjustment recommended approval.
10/16/96	The City Council approved a Five Year Review [V-0093-91(1)] of a Variance that allowed three 14-foot by 48-foot off-premise advertising (billboard) signs 500 feet apart where a minimum separation of 750 feet is required, and to allow the signs to a height of 85 feet where 30 feet above the adjacent elevated freeway is the maximum height allowed on property located on the west side of Western Avenue, between Wall Street and Oakey Boulevard. No additional reviews were conditioned.
07/12/01	The Planning Commission approved a Site Development Plan Review (SD-0036-01) for a proposed full service car wash at an existing convenience store at 1550 West Oakey Boulevard. Staff recommended approval. The request included a perimeter landscape waiver; however, it was not advertised, and the Commission voted to add a condition requiring the applicant to work with staff to provide perimeter landscaping where feasible.
10/16/02	The City Council approved a Special Use Permit (U-0104-02) for a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 1501 Western Avenue, to the north of the subject site. The Planning Commission and staff recommended approval. The billboard was constructed in
11/17/04	The City Council approved a Two Year Review (RQR-5165) of an approved Special Use Permit (U-0104-02) for a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 1501 Western Avenue, to the north of the subject site, subject to another review in two years. The Planning Commission and staff recommended approval.
05/17/06	The City Council approved a request (GPA-9219) to amend the future land use designation on parcels located within the Las Vegas Redevelopment Plan area and Redevelopment Plan expansion area to Commercial, Industrial, Mixed Use or Public Facilities. The Planning Commission and staff recommended approval.
10/04/06	The City Council approved a request to amend the Master Plan of Streets and Highways (MSH-13509) to reclassify Western Avenue from a 60-foot Minor Collector to an 80-foot Secondary Collector between Charleston Boulevard and Sahara Avenue as part of a larger request. The Planning Commission and staff recommended approval.
11/21/07	The City Council approved a Two Year Review (RQR-24331) of an approved Special Use Permit (U-0104-02) that allowed a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 1501 Western Avenue, to the north of the subject site. The Planning Commission and staff recommended approval with an additional review in three years.
12/06/07	This item was held in abeyance at the applicant's request to allow time to address Planning Commission concerns.

SUP-25131 - Staff Report Page Three
March 13, 2008 - Planning Commission Meeting

12/20/07	This item was held in abeyance at the applicant's request to allow time to address Planning Commission concerns.
01/10/08	This item was held in abeyance at the applicant's request to allow time to address Planning Commission concerns.
02/14/08	This item was held in abeyance at the staff's request to allow time to re-notify the item as the applicant has proposed an increase in height.
Related Building Permits/Business Licenses	
04/18/89	A business license (S05-01022) was issued for a convenience store at 1550 West Oakey Boulevard. The license was reclassified and issued as C15-00210 on 07/08/98. The license is still active.
02/21/91	A business license (C05-01505) was issued for cigarette sales at 1550 West Oakey Boulevard. The license is active.
01/11/93	A business license (L04-01076) was issued 01/11/93 for off-premise sales of beer and wine at 1550 West Oakey Boulevard. The license was reclassified and issued as L10-00118 on 07/07/93.
06/16/93	A building permit (#93190852) was issued for installation of a liquid petroleum gas dispenser at 1550 West Oakey Boulevard. An inspection was completed 06/18/93.
07/06/94	Two business licenses (C20-01611 G01-01611) were issued for gaming at 1550 West Oakey Boulevard. The licenses are active.
07/11/00	A building permit (#012988) was issued for replacement of an underground fuel tank at 1550 West Oakey Boulevard. An inspection was completed 07/24/00.
11/06/00	A building permit (#020239) was issued for relocation of a propane tank at 1550 West Oakey Boulevard. An inspection was completed 11/14/00.
09/07/04	A building permit (#04019535) was issued for an on-premise sign at 1550 West Oakey Boulevard. A final inspection was not conducted.
01/13/05	A building permit (#05000203) was issued for an on-premise sign at 1550 West Oakey Boulevard. A final inspection was not conducted.
02/09/05	A building permit (#05000739) was issued for a car wash at 1546 West Oakey Boulevard. A final inspection was completed 11/21/06.
07/26/07	A building investigation (OTC-94665) was authorized for an existing shade structure at the car wash at 1546 West Oakey Boulevard where no permits were obtained.
09/06/07	A building permit (#96883 B_SHAD) permit was denied for two existing freestanding shade structures built without permits at 1550 West Oakey Boulevard. Planning and Development staff denied its review, saying the structure did not meet the corner side setback. Revised plans showing compliance with Title 19 requirements for accessory structures were requested.
Pre-Application Meeting	
10/12/07	Submittal requirements for a Special Use Permit for an off-premise sign were discussed.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	

SUP-25131 - Staff Report Page Four
March 13, 2008 - Planning Commission Meeting

Field Check	
10/31/07	The site is developed with a convenience store with fuel pumps, a car wash, and accessory structure. There are two canopies. The site is completely paved except in the landscaped areas. A semicircular landscape planter is situated at the corner of Oakey Boulevard and Western Avenue, behind which is a propane filling station. The site has 17 striped parking spaces, including those adjacent to the propane filling area.

Details of Application Request	
Site Area	
Net Acres	0.93

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Service Station without Automotive Repair; Car Wash, Full Service	C (Commercial)	M (Industrial)
North	Motor Vehicle Sales, Used	C (Commercial)	M (Industrial)
South	Office, Retail Commercial	LI/R (Light Industry/Research)	M (Industrial)
East	Union Pacific Railroad	ROW (Right of Way)	ROW (Right of Way)
	Bus Charter Service and Service Facility	MXU (Mixed Use)	M (Industrial) under Resolution of Intent to C-2 (General Commercial)
West	Retail, Commercial, Tavern	C (Commercial)	M (Industrial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Redevelopment Plan Area (Commercial)	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
Live Work	X		Y
A-O Airport Overlay District (200 Feet)	X		Y
Trails		X	n/a
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment		X	n/a
Project of Regional Significance		X	n/a

SUP-25131 - Staff Report Page Five
March 13, 2008 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Minimum Distance Separation Requirements:			
Standards	Code Requirement	Provided	Compliance
Off-Premise Sign	Minimum 300-foot distance separation from any other off-premise sign	Approx. 310 feet to NW Approx. 495 feet to W Approx. 415 feet to N Approx. 390 feet to E	Y *
Off-Premise Sign	Minimum 300-foot distance separation from nearest property line of a lot in the U or any "R" zoning district	Nearest U or "R" property is approximately 665 feet to W (R-1)	Y
Off-Premise Sign within 660 feet of right-of-way and which can be read from I-15, I-515, U.S. 95 or Oran K. Gragson Highway and is oriented toward these rights-of-way	Minimum 750-foot distance separation from any other off-premise sign along the same frontage	Approximately 330 feet from I-15 ROW; determined not to be oriented toward I-15 freeway	n/a

- * The applicant will need to indicate compliance on the site plan through a survey; the existing off-premise sign is very close to 300 feet from the location of the proposed off-premise sign.

Location Requirements:			
Standards	Code Requirement	Provided	Compliance
Location	No off-premise sign may be located within the public right-of-way	On private property	Y
Location	No off-premise sign may be located within the Off-Premise Sign Exclusionary Zone	Not within the Exclusionary Zone	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	M District	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet. Max. advertising height 30 Feet Max. advertising width 60 Feet	14 Feet High x 48 Feet Wide = 672 SF No embellishments	Y

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March 13, 2008 - Planning Commission Meeting

Height	No higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council	Oriented towards Oakey Blvd/Western Avenue Proposed 55 feet high	Y *
Setback	Off-premise signs shall not be located closer than 10 feet to the ROW line of a freeway or closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	Set back 330 Feet from I-15 ROW Set back $\approx$ 60 Feet from intersection of Oakey and Western	Y **
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Screened	Y
Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Pylon sign attached to ground Partial Flag style	Y

* Per the applicant's justification letter and submitted exhibit the existing service station sign presents an obstruction from view from the travel lanes.

** The point on the ground from the center of the sign structure to the intersection is greater than 50 feet; the pole support is approximately 50 feet from the intersection.

ANALYSIS

The subject site is located within the boundaries of the Las Vegas Redevelopment District of the Southeast Sector Plan of the General Plan, and is designated as C (Commercial). The C (Commercial) designation allows for a mix of uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial) General Plan land use categories. The existing Service Station use is permissible in an M (Industrial) zoning district and the proposed Off-Premise Sign use is permissible with the approval of this request and would then be consistent with the existing C (Commercial) General Plan designation.

The site is within the McCarran International Airport Overlay Map portion of the A-O (Airport Overlay) District. The proposed height of the sign, 55 feet, is within the height limitation pursuant to Title 19.06.080.

SUP-25131 - Staff Report Page Seven
March 13, 2008 - Planning Commission Meeting

As previously noted, the subject site is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed use is in conformance with the Redevelopment Plan.

Due to the special characteristics of off-premise signs as compared to other types of land uses and structures, Title 19.14.100 establishes criteria and minimum requirements for the approval of off-premise signage. Off-premise signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-premise signs generally produce revenue to the property owner(s) as a land use as compared to on-premise signs which in themselves do not produce revenue but are incidental to revenue producing land uses.

Pursuant to Title 19.14.100, the following minimum separation standards apply to the subject proposal: an off-premise sign not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off-premise sign, wherever located, including an off-premise sign that is situated outside the corporate boundaries of the City. Further, an off-premise sign shall not be located closer than ten feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways and no off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district. The proposed Off-Premise Sign use appears to be greater than 300 feet from any other such sign. A condition of approval requires that the applicant will need to indicate compliance on the site plan through a survey as an existing off-premise sign is very close to 300 feet from the location of the proposed off-premise sign. Additionally, the proposed Off-Premise Sign use is greater than ten feet from the right-of-way line, greater than 50 feet from the street intersection of Oakey Boulevard and Western Avenue and greater than 300 feet from the nearest residential zoning district. Although the sign is located approximately 330 feet from the I-15 right-of-way, it is not oriented toward the freeway. Therefore, it meets the minimum distance separation requirement.

Depending on the exact placement and configuration of the off-premise sign, as many as three parking spaces could be taken in order to allow room for the sign. (Some may not be taken at all; the site plan states that no parking spaces will be taken.) These are not required spaces. The site is parking impaired, requiring 11 spaces at the time of the most recent Site Development Plan Review, while the current code requires 14 spaces. However, the site provides 17 striped spaces, allowing for removal of at least three spaces if necessary.

To address concerns regarding the sign location and potential conflicts with cut-through traffic the applicant has moved the sign a little closer to the landscaping planter and made a slight adjustment to the orientation. The relocation of the sign from the original proposed location has created a visual conflict with the existing service station sign at the original proposed height of 40 feet. Therefore, the applicant has amended the request to allow the sign to a height of 55 feet to minimize any obstruction of the display surface so that it may be adequately viewed from the travel lanes of the street to which it is oriented. Pursuant to Title 19.14.100 (C) (8) the City Council may authorize a height of 55 feet under these conditions. No guardrails or reduction in the number of curb cuts has been indicated.

SUP-25131 - Staff Report Page Eight
March 13, 2008 - Planning Commission Meeting

The proposed sign, which is a partial flag design that will hang over the paved area, conforms to the off-premise sign standards contained in Title 19.14, including those for distance separation, location and height. However, the proposed sign is close to encroaching within the required 300-foot separation distance from an existing billboard to the northwest of the site. To ensure that the standards are satisfied, a condition of approval is recommended requiring a surveyed site plan, signed and stamped by a Surveyor licensed in the State of Nevada, demonstrating compliance be submitted to Planning and Development prior to the issuance of a building permit for the off-premise sign.

FINDINGS

The following findings must be made for a Special Use Permit:

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

The proposed Off-Premise Sign use is harmonious and compatible with the surrounding industrial and commercial land uses and is separated from existing off-premise signage by the required distances.

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

The subject site is suitable for the intensity of an off-premise sign use.

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

Western Avenue (a 60-foot right-of-way classified as a Secondary Collector) and Oakey Boulevard/Wyoming Avenue (an 80-foot Secondary Collector Street) provide access to the site; however, the off-premise sign use does not require vehicular access.

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

Approval of this Special Use Permit will not compromise the public health, safety and welfare, as its permit is subject to ongoing City inspections and enforcement.

SUP-25131 - Staff Report Page Nine
March 13, 2008 - Planning Commission Meeting

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

Title 19.04 cross references Title 19.14.100, which contains the standards applicable to off-premise signs. All standards in this section are satisfied by the proposal. Regular maintenance of the sign is required as a condition of approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 89

APPROVALS 0

PROTESTS 3



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-25131 APN: 162-04-605-008

→ Name of Property Owner: SEUNG HWAN HAN

→ Name of Applicant: _____

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: N/A

Partner(s): N/A N/A

APN: N/A

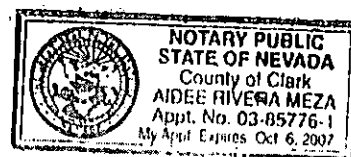
→ Signature of Property Owner: Seung Hwan Han

Print Name: Seung Hwan Han

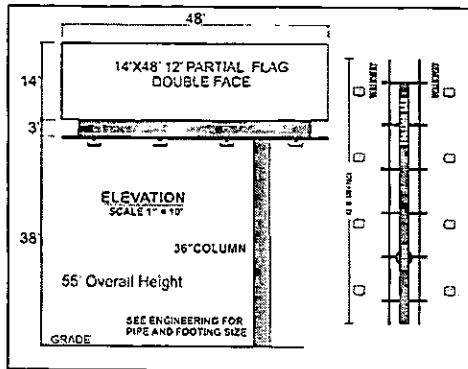
Subscribed and sworn before me

This 8th day of Feb, 2005

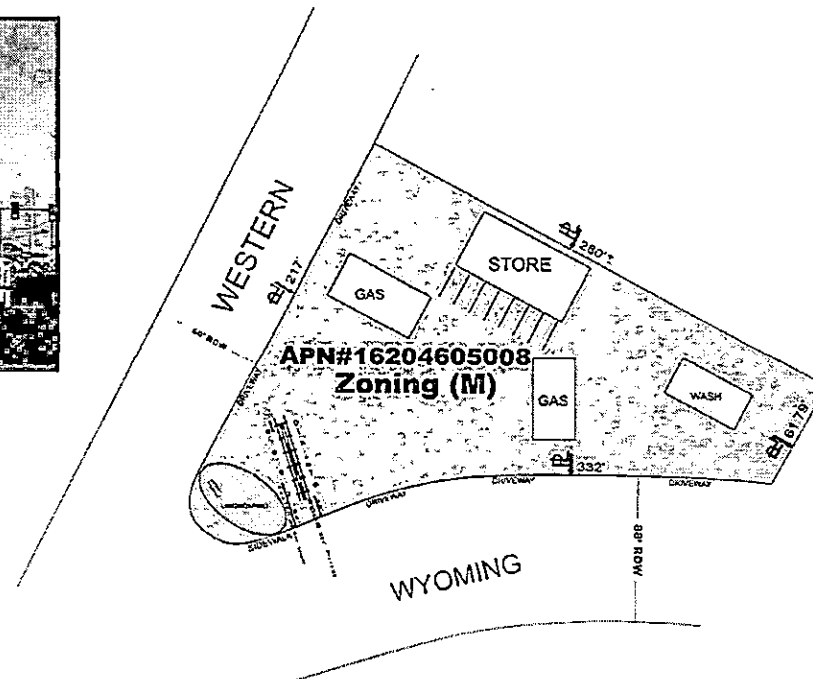
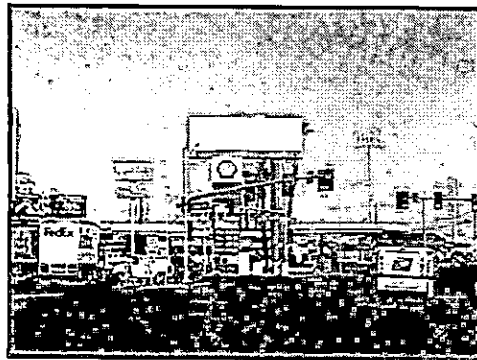
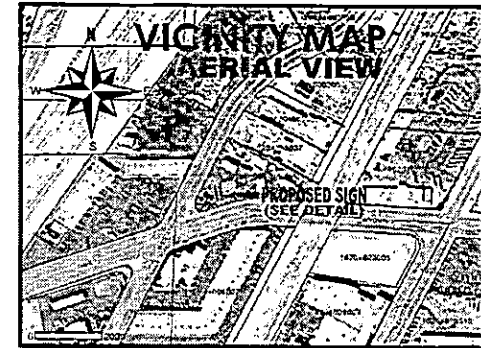
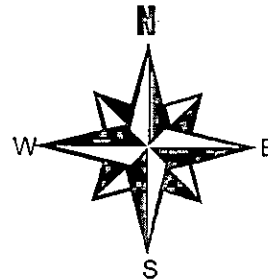
[Signature]
Notary Public in and for said County and State NV
Clark



FEB 05 2008



TOP VIEW SCALE 1" = 30' **DETAIL**



GENERAL NOTES

1. Not within 300 foot radius of another off-premise billboard.
2. Not within 300 foot radius of residential use.
3. No parking spaces will be taken for this location.

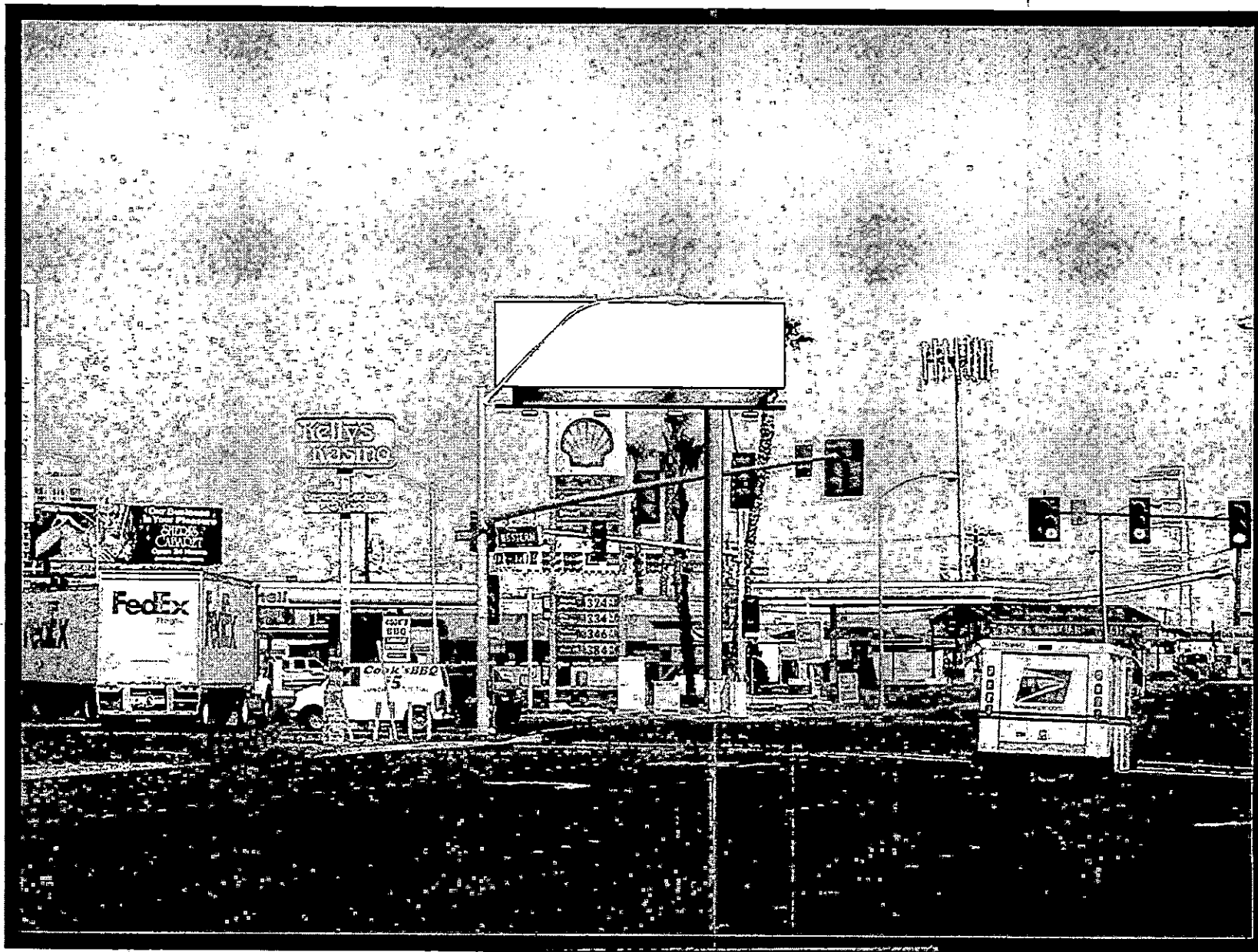
MICHAEL J. MCDONALD

ALPHA OMEGA STRATEGIES
4908 CARMEN BLVD.
LAS VEGAS, NV. 89108
PH: 702-592-1990

HAN SEUNG HWAN		
SCALE: NOTED	APPROVED BY:	DRAWN BY: TOM JONES
DATE: 9-25-07		REVISED:
LOCATION: 1550 W OAKLEY BLVD		
APN# 16204605008	DRAWING NUMBER: 299-A	

SUP-25131
REVISED
03/13/08 PC

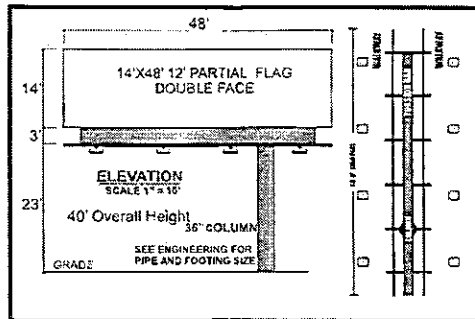
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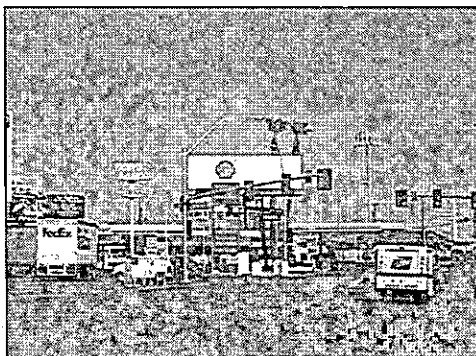
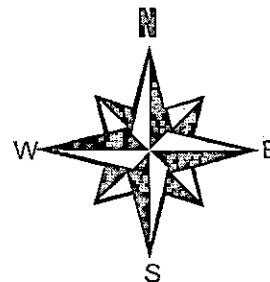
SUP-25131
REVISED
03/13/08 PC

055'

RECEIVED
MAR 04 2008



TOP VIEW
SCALE 1"=30'
DETAIL



GENERAL NOTES

1. Not within 300 foot radius of another off-premise billboard.
2. Not within 300 foot radius of residential use.
3. No parking spaces will be taken for this location.

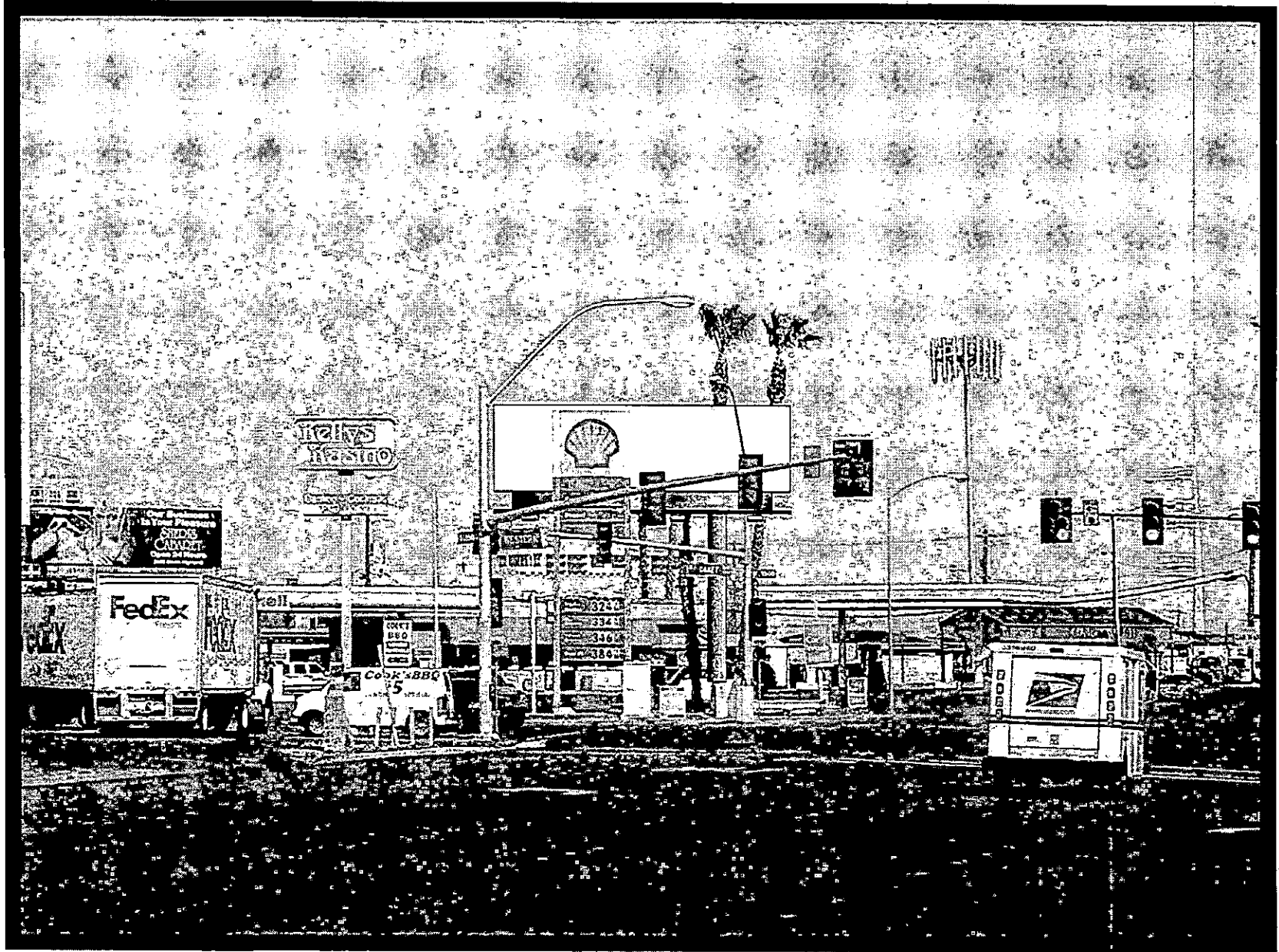
MICHAEL J. MCDONALD

ALPHA OMEGA STRATEGIES
4908 CARMEN BLVD.
LAS VEGAS, NV. 89108
PH: 702-592-1990

OWNER		
HAN SEUNG HWAN		
SCALE:	NOTED	APPROVED BY:
DATE:	9-25-07	TOM JONES
LOCATION:		
1550 W OAKLEY BLVD		
APN# 16204605008		DRAWING NUMBER
		299-A

SUP-25131
REVISED
03/13/08 PC

RECEIVED
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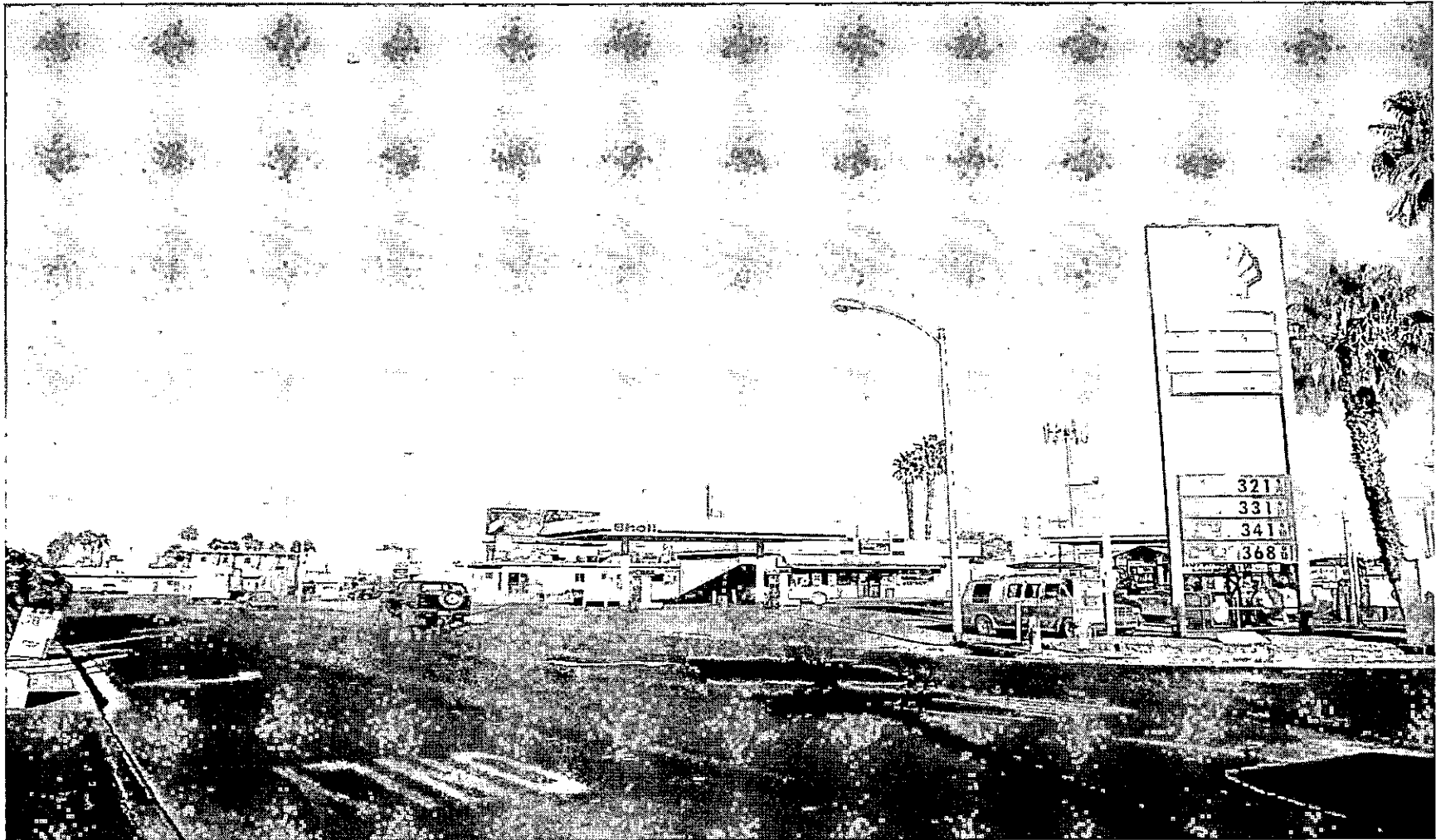


SUP-25131 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SEUNG HWAN HAN AND EUN JOO HAN

1550 WEST OAKEY BOULEVARD

DECEMBER 20, 2007 PLANNING COMMISSION

11/15/07



SUP-25131 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SEUNG HWAN HAN AND EUN JOO HAN
1550 WEST OAKLEY BOULEVARD
DECEMBER 20, 2007 PLANNING COMMISSION

11/15/07

**ALPHA OMEGA STRATEGIES
4908 CARMEN BLVD
LAS VEGAS, NV 89108**

October 15, 2007

City of Las Vegas
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Re: Justification Letter

To Whom It May Concern:

The property owner desires to construct and locate a billboard on APN 162-04-605-008 property located at 1550 W Oakey. The dimension and height requirements that are set forth in the zoning for off-premise signs has been strictly adhered to. Enclosed is a map of exactly where the billboard will be located on above property.

We appreciate your consideration.

Sincerely,

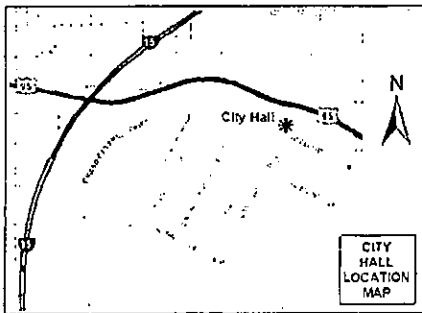
Michael McDonald
President

**SUP-25131
12/06/07 PC**

RECEIVED

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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I SUPPORT
this Request



I OPPOSE
this Request

SUP-25131

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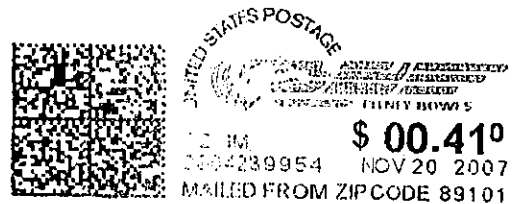
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LAS VEGAS GOLF & CTRY CLUB INC
1410 WESTERN AVE
LAS VEGAS NV 89102-2602

Submitted after final agenda

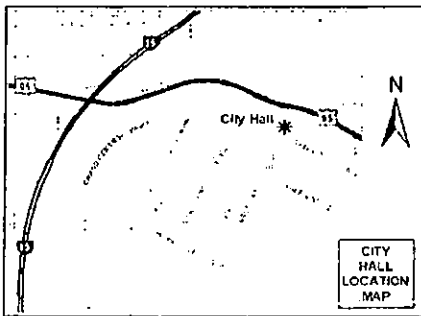
Date 12/6/07
PC Item 36

|||||

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986



Official Notice of Public Hearing



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☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

SUP-25131

16204602005
POOLE RENEE
1422 WESTERN AVE
LAS VEGAS NV 89102-2602

Case: SUP-25131

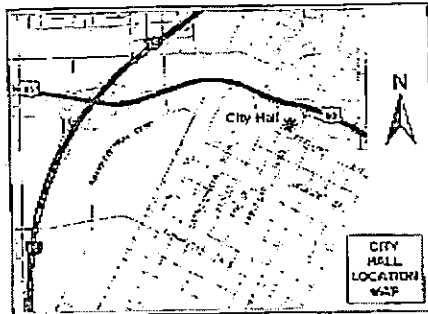
Submitted after final agenda
Date 12/6/07 PC Item 36

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City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

Return Service Requested Official Notice of Public Hearing



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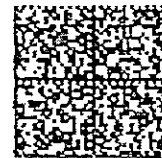
I SUPPORT
 this Request



I OPPOSE
 this Request

Please use available blank space on card for your comments.

SUP-25131



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Case: SUP-25131

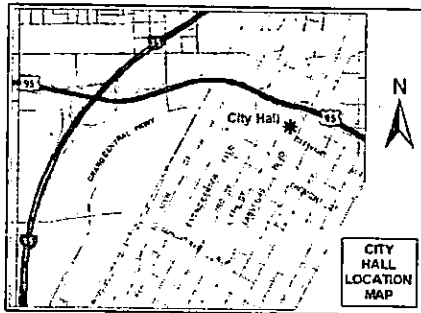
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☐ I SUPPORT
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☒ I OPPOSE
this Request

Please use available blank space on card for your comments.
SUP-25131



MAR 10 2008

16204601008
MARLON FAMILY TRUST
9025 GREENSBORO LN
LAS VEGAS NV 89134-0501

Case: SUP-25131

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Submitted after final agenda

Date 3/10/08 Item 29

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 13, 2008**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

ABEYANCE - SDR-25253 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: INTERNATIONAL CHURCH OF LAS VEGAS -
Request for a Site Development Plan Review FOR EIGHT EXISTING MODULAR BUILDINGS AND AN OUTSIDE STORAGE AREA FOR AN EXISTING CHURCH on 12.89 acres at 8100 Westcliff Drive (APN 138-28-401-013), C-V (Civic) Zone, Ward 2 (Wolfson)

C.C.: 04/16/08**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****18****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****3****City Council Meeting****0****RECOMMENDATION:****DENIAL****BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Planning and Development Approval Letter for Z-0063-94(8)
7. Protest/support postcards and support letter
8. Submitted After Final Agenda - Protest Letter

Motion made by GLENN TROWBRIDGE to Approve subject to conditions, amending Condition 4 and adding the following conditions:

4. All development shall be in conformance with the site plan and building elevations, date stamped: 03/13/08, except as amended by conditions here.

A. A full landscape plan shall be submitted within ten (10) days.

B. The refrigeration trailer shall be removed from the site within thirty (30) days.

PLANNING COMMISSION MEETING OF: MARCH 13, 2008

Passed For: 4; Against: 3; Abstain: 0; Did Not Vote: 0; Excused: 0

DAVID STEINMAN, STEVEN EVANS, VICKI QUINN, GLENN TROWBRIDGE; (Against-SAM DUNNAM, BYRON GOYNES, RICHARD TRUESDELL); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR GOYNES declared the Public Hearing open.

ANDY REED, Planning and Development Department, stated that the revised plans had been submitted to the Planning Department. If approved, he recommended the amendment to Condition 4 to reflect the date stamp. He explained that the continued use of modular buildings is not compatible with the adjacent residential properties and recommended denial of all applications.

RON PORTERO, 7958 Lookout Rock Circle, appeared on behalf of the applicant and noted that several of the temporary structures had been removed. He displayed landscaping plans and enhanced designs for the modular buildings. MR. PORTERO requested consideration to make the classroom and counseling buildings permanent. Using the overhead, he indicated the location of those modular buildings.

MARGO WHEELER, Director of the Planning and Development Department, informed the applicant that the revised plans had not been made available to the Commission members.

TODD FARLOW, 240 North 19th Street, remarked that it would be appropriate to approve an extension if the applicant desires to complete the landscaping design plan. However, he disapproved allowing the temporary modulares to remain for an undetermined length of time.

EUGENIE REYES, 228 Starcluster Circle, President of the Homeowners Association located directly west of the Church. She explained that the residents who reside in her subdivision are not disturbed with the Church itself, but noted that there are problems with regard to the location of the refrigeration unit especially the noise emitting from it.

With regard to the Food Bank operation, MICHAEL COLLINS, 208 Starcluster Circle, showed photographs of food deliveries. He expressed concern with food being left in the driveways for substantial amounts of time and questioned whether the neighborhood was even zoned for that use. MR. COLLINS, responding to COMMISSIONER EVAN's question, replied that he and his neighbors had contacted the Church regarding the refrigeration unit and were informed that it was temporary; however, more recently, the Church had not been responding to the phone calls.

WILLIAM PETERSEN, 204 Starcluster Circle, appeared in opposition. He referred to the food storage unit which is situated on the opposite side of his property boundary and likened the noise to being in an echo chamber.

PLANNING COMMISSION MEETING OF: MARCH 13, 2008

MS. WHEELER explained that the food bank use is permitted as part of the church use, but if it is open to the public, a separate permit is required.

Addressing the neighbors concerns, MR. PORTERO stated that the food is served to those who come to the Church. He also mentioned that there is a set schedule for food deliveries.

DEPUTY CITY ATTORNEY JIM LEWIS explained that approval of the site plan would not constitute an implied approval of a special use permit that might be subsequently required.

COMMISSIONER EVANS believed the neighbors had expressed valid concerns. He recommended the applicant work with these people and provide resolutions to alleviate those concerns. He stated he would be unwilling to support the application until the issues regarding the deliveries and the storage unit were resolved.

COMMISSIONER QUINN concurred with COMMISSIONER EVANS' comments. She noted that when she visited the project she had observed some very nice changes. During that visit, the configuration of the handicap ramps caught her attention and she realized that it would be extremely difficult to maneuver a wheelchair up or down those ramps. COMMISSIONER QUINN asked the applicant to revisit that situation.

COMMISSIONER STEINMAN commented on the exterior designs of the modulars. He noted that they look like temporary buildings and was surprised to learn that they are considered permanent. With regard to the relocation of the food storage unit, he stated that if it is a food bank, it should be situated in a permanent building, otherwise, it needs to go away.

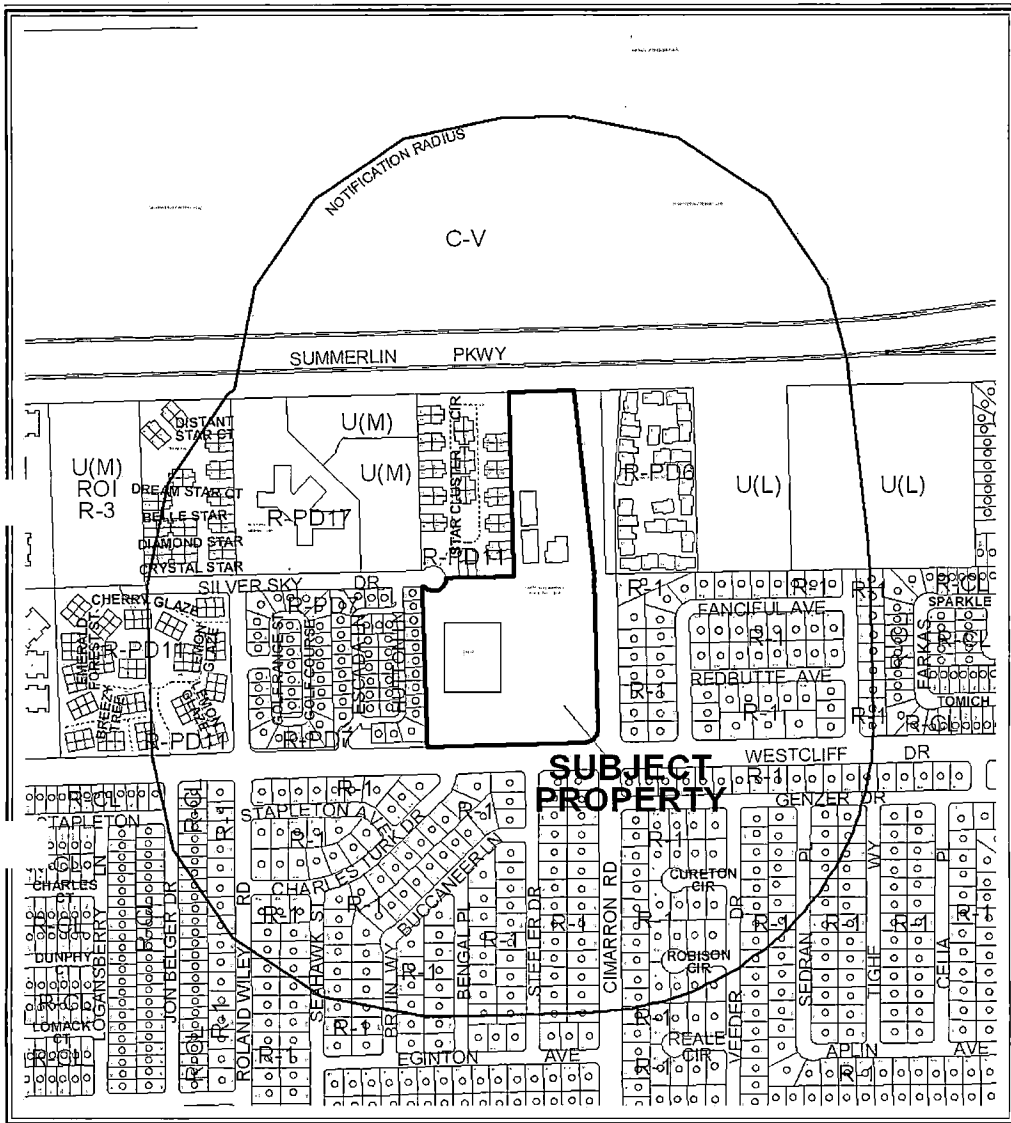
COMMISSIONER TROWBRIDGE stated that approval of the application would necessitate a landscape plan and require the handicap ramps to meet ADA requirements. Pertinent to the food bank operation, he stated that the delivery schedules, the volume of traffic and the operation issues would not see his support despite the applicant's intent to relocate the structure.

DEPUTY CITY ATTORNEY LEWIS explained that even if the refrigeration unit is removed, it does not substantiate whether the food bank is an accessory use on the site.

CHAIR GOYNES recommended staff work with the applicant to do a thorough assessment.

MS. WHEELER read the amendment to Condition 4 and for the record read the added conditions relative to the landscape plan and the removal of the refrigerated trailer.

CHAIR GOYNES declared the Public Hearing closed.



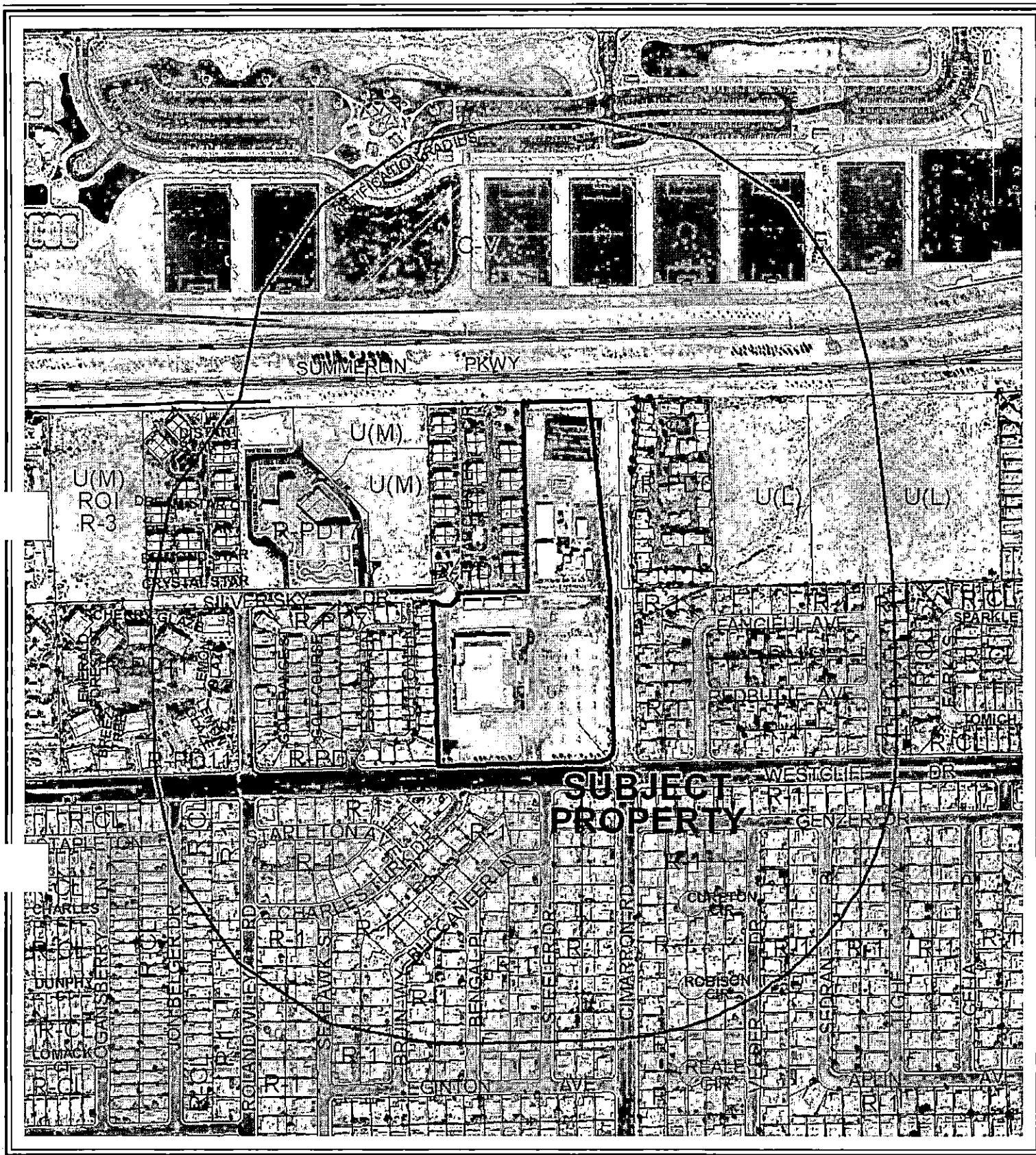
CASE: **SDR-25253**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 500 Feet





CASE: **SDR-25253**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 500 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MARCH 13, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - SDR-25253 - APPLICANT/OWNER:
INTERNATIONAL CHURCH OF LAS VEGAS**

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

1. Conformance to the conditions for Rezoning (Z-0063-94) and Site Development Plan Review [Z-0063-94(1)].
2. Site Development Plan Reviews [Z-0063-94(4), Z-0063-94(7), Z-0063-94(8), and SDR-3085] are hereby expunged.
3. Modular Building "A" shall be void one year from the date of final approval. After one year, continuance of all Modular Building "A" at this location will require a new Site Development Plan Review application to be heard by the Planning Commission.
4. All development shall be in conformance with the site plan and building elevations, date stamped: 02/28/08, except as amended by conditions herein.
5. Prior to the submittal of a building permit application for the non-permitted structures, 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.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
8. 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.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

SDR-25253 - Conditions Page Two
March 13, 2008 - Planning Commission Meeting

10. Building Permits for all modular buildings shall be obtained by July 16, 2008. Failure to obtain permits by aforementioned timeframe will result in this Site Development Plan Review being reconsidered by the City Council, at which time all modular buildings may be required to be removed.

Public Works

11. The temporary modular trailer shall be located outside of the existing 30-foot wide public sewer and drainage easement. No structures shall be allowed to encroach upon existing public easements.
12. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Summerlin Parkway Widening project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
13. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

SDR-25253 - Staff Report Page One
March 13, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review for eight existing modular buildings and an outside storage area at an existing Church. This application seeks approval of a Site Development Plan Review to establish a coordinated plan for the permanency of temporary modular buildings, which were intended to be removed through previous approvals.

Note the applicant's original request, which included outside storage and several containers, has been modified to remove the storage materials, shed, and containers off-site, except for the refrigerator trailer, which the applicant has requested to fence and place north of modular building labeled "A" and east of the central courtyard. In addition, the applicant requests that the modular building labeled "A" be conditioned to extend its usage for another year while modular buildings labeled "B, C, D, E" be granted permanent status with the condition that the buildings have been upgraded to meet staff requirements for building and safety and aesthetic requirements.

As such, the current layout of the existing temporary structures, some with expired approvals and some that have never received approval, has created a discordant site plan that is not compatible with the neighboring residential properties. The current site layout is not compatible with the previous approvals that have established this 12.8 acre site. The most recent comprehensive Site Development Plan Review, Z-0063-94(8) was approved for a 21,000 square-foot private school, while this Site Development Plan Review is operating counter to this approval by requesting permanency for temporary buildings where the intent was to remove them. Therefore, staff recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/07/93	The City Council approved a request for a Rezoning (Z-0012-93).
08/03/94	The City Council approved a Rezoning (Z-0063-94) application for the reclassification of property located on the northwest corner of Westcliff Drive and Cimarron Road, from N-U (Non-Urban) to C-V (Civic), for the proposed use of an 88,500 square-foot Church and School. The Planning Commission recommended approval on 07/14/94.
05/11/95	The Planning Commission approved a Site Development Plan Review [Z-0063-94(1)] application for proposed modular classrooms, meeting hall and modular offices of temporary buildings to be removed in three years on property located at 8100 Westcliff Drive. Staff recommended approval.

SDR-25253 - Staff Report Page Two
March 13, 2008 - Planning Commission Meeting

04/25/96	The Planning Commission approved a request for a Review of Condition [Z-0063-94(2)] to delete Condition No. 3 of Site Development Plan [Z-0063-94(1)] to allow a chain link fence where a four to six-foot high wrought iron fence was required on property located at 8100 Westcliff Drive. Staff recommended approval.
12/19/96	The Planning Commission approved a Site Development Plan Review [Z-0063-94(3)] for a proposed breezeway on property located at 8100 Westcliff Drive. Staff recommended approval.
04/23/98	The Planning Commission approved a Site Development Plan Review [Z-0063-94(4)] application for a proposed 52,225 square-foot Church multi-use facility to include a sanctuary with seating capacity of 3,256, a gymnasium, classrooms, bookstore and nursery on property located at 8120 Westcliff Drive. Staff recommended approval.
04/23/98	The Planning Commission approved a request for a Review of Conditions [Z-0063-94(5)] to delete Condition No. 2 of Site Development Plan [Z-0063-94(1)] which required all temporary buildings to be removed within three years on property located at 8120 Westcliff Drive. Staff recommended approval.
12/09/99	The Planning Commission approved a Site Development Plan Review [Z-0063-94(6)] application for a proposed 45-foot high Wireless Communications Antenna in conjunction with a Church tower sign on property located at 8100 Westcliff Drive. Staff recommended approval.
09/07/00	An Administrative Site Development Plan Review [Z-0063-94(7)] was approved for four proposed 24-foot by 60-foot modular buildings on 15.00 acres on the northwest corner of Westcliff Drive and Cimarron Road.
11/02/00	The Planning Commission approved a Site Development Plan Review [Z-0063-94(8)] application for a proposed 21,000 square-foot private school at 8100 Westcliff Drive. Staff recommended approval.
11/14/03	An Administrative Site Development Plan Review (SDR-3085) was approved by staff for a temporary modular trailer in conjunction with an existing church on 12.89 acres at 8100 Westcliff Drive.
07/06/05	The City Council approved the requests for a Variance (VAR-6426) to allow a 24-foot side yard setback where residential adjacency standards require 165 feet and the related Site Development Plan Review (SDR-6424) for a proposed 55-foot tall Wireless Communication Facility on 12.34 acres adjacent to the northwest corner of Westcliff Drive and Cimarron Road. The Planning Commission recommended approval.
04/11/07	An Administrative Site Development Plan Review (SDR-19824) to allow a proposed five-foot extension to an existing 55-foot Wireless Communication Facility, Stealth design at 8100 Westcliff Drive
05/10/07	An Administrative Site Development Plan Review (SDR-20791) was denied to allow a proposed five-foot extension to an existing 55-foot Wireless Communication Facility, Stealth design at 8100 Westcliff Drive as a Special Use Permit and Variance were required.

SDR-25253 - Staff Report Page Three
March 13, 2008 - Planning Commission Meeting

12/06/07	An Administrative Site Development Plan Review (SDR-25293) was approved to allow a proposed co-location of antennas to an existing 55-foot tall sign at 8100 Westcliff Drive.
12/06/07	The Planning Commission approved a request to abey this item until the 1/10/08 Planning Commission Meeting.
01/10/08	The Planning Commission approved a request to abey this item until the 01/24/08 Planning Commission Meeting.
01/24/08	The Planning Commission approved a request to abey this item to meet staff concerns until the 3/13/08 Planning Commission Meeting.

Code Enforcement Cases

04/27/05	Code Enforcement Case #29303: complaint regarding the installation of a "net" near barricade at the end of Cimarron filed. Complainant feels this net will hinder water flow and trash/debris will get clogged up in net. This case was resolved on 5/17/05.
10/12/05	Code Enforcement Case #35304: complaint regarding the installation of a "net" near barricade at the end of Cimarron filed. This case was resolved on 10/17/05.
10/21/05	Code Enforcement Case #35525: complaint regarding three piles of dirt dumped in the street at the entrance of the condo. This case was resolved on 11/28/05.
06/19/07	Code Enforcement Case #54539: complaint regarding noise and a related an illegal event. Other zoning violations regarding illegal structures and outside storage areas were determined during site inspection. This case has not been resolved.

Related Building Permits/Business Licenses

09/18/95	A Plan Check (#C-0207-95) was issued for a pre-fabricated church at 8104 Westcliff Drive (Modular Building "G").
10/04/95	A Plan Check (#C-02020-95) was issued for a 4,225 square-foot offices (modular) at 8100 (8102) Westcliff Drive (Modular Building "F").
11/17/95	A Plan Check (#C-0303-95) was issued for a 7,100 square-foot pre-fabricated classroom at 8106 Westcliff Drive (Modular Building "H").
08/15/96	Business License #N15-00026 issued for a Child Care Center and Preschool at 8106 Westcliff Drive (Modular Building "H").
09/30/98	A Plan Check (#C-0267-98) was issued for a 55,664 square-foot church at 8100 Westcliff Drive.
02/24/05	L-0052-04: Temporary office trailer at 8100 Westcliff Drive (modular buildings labeled "B, C, D, E"). Permit expired in 180 days.
07/15/05	Over-the-counter Building Permit #46937 issued for interior demolition and tenant improvement work with permit or licensed contractor. This license expired 9/06/06 without final inspection.
10/03/06	Building permit #51785 issued for wall fence. This permit received final inspection on 8/14/06

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04/14/06	Over-the-counter Building Permit #63538 for temporary generator cell site. 7/20/06.
07/27/06	L-3583-05: Installation of Cellular Tower
10/28/06	L-3793-06: Tenant Improvement for church stemming from non-permitted construction of a partition wall. The permit expired and has not received final inspection.
Pre-Application Meeting	
09/14/07	A pre-application meeting was held with staff to discuss matters concerning recent Code Enforcement citations and the remaining temporary structures located on site. Staff determined to address the multiple remaining temporary structures by expunging past actions and completing a new Site Development Plan Review.
Neighborhood Meeting	
A Neighborhood meeting is not required, nor was one held.	
Field Check	
10/23/07	A field check was made by staff with the following observations: • The outdoor storage area is inadequately screened and unpaved with large shipping containers visible from Cimmaron Road and Summerlin Parkway. • One of the modular buildings, addressed as 8110 Westcliff Drive, has been refinished with a stucco exterior and a landscape planter placed at the south of the building. • A refrigerated trailer has been placed behind three of the temporary modular buildings (classrooms) and is located within a drainage easement. • There is adequate parking for each cluster of throughout the site. • The three modular classrooms do not show addresses and two modular buildings are marked with unrecorded addresses.
02/14/08	A site visit was conducted. The applicant's representatives and staff met on-site to discuss the concerns outlined by staff and the Planning Commission. • The applicant expressed that the outdoor storage will be removed. As of the site visit, half of the illegal storage and containers had been removed. • The refrigerated trailer will be removed as well as the container in the flood plain near modular's labeled "C, D, and E." • Modular buildings labeled "C, D, and E" are classrooms, grades three through five. • Modular buildings labeled "A and B" are offices for church staff.

Details of Application Request

Site Area

Net Acres 12.34 acres

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church and Primary School	PF (Public Facility)	C-V (Civic)
North	ROW (Summerlin Parkway)	ROW (Summerlin Parkway)	ROW (Summerlin Parkway)
South	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single Family Residential/ Town Homes	L (Low Density Residential)/ M (Medium Density Residential)	R-1 (Single Family Residential)/ R-PD6 (Residential Planned Development – 6 Units per Acre)
West	Single Family Residential/ Town Homes	MLA (Medium-Low Attached)	R-PD8 (Residential Planned Development – 8 Units per Acre)/ R-PD11 (Residential Planned Development – 11 Units per Acre)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	NA
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
C-V (Civic District)	X		N*
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

C-V Civic District

*Per Title 19.06.020, the minimum development standards for property in the C-V District shall be established by the City Council in connection with the associated application for Rezoning (Z-0063-94) or administratively in connection with the approval of a site development plan [Z-0063-94(1)]. This Site Development Review request does not comply with the previous approvals as the all required the eventual removal of the temporary structures.

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DEVELOPMENT STANDARDS

The subject site is located with the C-V (Civic) Zoning District and, as such, the minimum development standards have been established with the approval of the original Site Development Plan Review Z-0063-94(1). This site has received eight subsequent approvals regarding the location of the existing temporary modular buildings and the location of a Wireless Communication Facility, Non-Stealth design. With the exception of the outside storage area and a temporary structure (refrigerated trailer), all the temporary structures located on site have received conditional approvals that have since expired. Staff finds that this current Site Development Plan Review is in not in general compliance with the most recent Administrative Site Development Plan Reviews [SDR-3085 and Z-0063-94(7)], which were all specifically related to the placement of the temporary structures.

On November 3, 2000, the Planning Commission approved Site Development Plan Review, Z-0063-94(8), for a 21,000 square-foot private school, which required that the applicant submit an aesthetic enhancement plan for one of the modular buildings for Planning Commission Review and every year thereafter the applicant submit an aesthetic enhancement plan for the remaining temporary modular buildings. Reviews of this aforementioned aesthetic enhancement plan have never been conducted while the 21,000 square-foot private school has never been built. The five temporary modular buildings labeled "A-F" have been utilized as offices and classrooms in place of the 21,000 square-foot private school.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Recommended Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Sanctuary [Z-63-94(4)]	52,225 SF	1: 100 SF	523				
Modular Office - A (SDR-3805)	2,130 SF	1:300 SF	8				
Modular Private School- B, C, D, E [Z-63-94(7)]	5,520 SF (1,380 SF)	3 spaces per classroom	12				

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Modular Offices F, G, H [Z-63-94 (5)	18,625 SF	1:300 SF	63				
SubTotal			592	14	594	14	
TOTAL (including handicap)			606		608		Y*

**No alterations have been proposed with this Site Development Plan Review. This application is seeking approval of the expired temporary (modular). Staff has no objection with the current parking provisions.*

ANALYSIS

- Land Use and Zoning**

The provided site plan indicates an existing church building with eight existing temporary modular buildings. Four of the modular buildings, which are labeled "A, C, D, E" serve as classrooms for grades three through five while the other four labeled "B, F, G, H" function as offices and administrative buildings.

All of the existing modular buildings labeled "A-F" have received conditioned approvals requiring eventual removal from the site. The current site layout is not compatible with the previous approvals that have established this 12.8 acre C-V (Civic) Zoning District. The most recent comprehensive Site Development Plan Review, Z-0063-94(8) was approved for a 21,000 square-foot private school, while this Site Development Plan Review is operating counter to this approval by requesting permanency for temporary buildings where the intent was to remove them. Therefore, staff recommends denial.

- Site Plan**

Labeled	Case	Condition	Date	Plan Check	Date
Modular A	An Administrative Site Development Plan Review (SDR-3085) was approved by staff for a temporary modular trailer in conjunction with an existing church.	This Site Development Plan Review shall expire two years from the date of approval. After two years, continuance of the modular building at this location will require a new Site Development Plan Review application to be heard by the Planning Commission.	11/14/03	None	None

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March 13, 2008 - Planning Commission Meeting

Labeled	Case	Condition	Date	Plan Check	Date
Modular B, C, D E	An Administrative Site Development Plan Review [Z-0063-94(7)] was approved for four proposed 24-foot by 60-foot modular buildings	The modular buildings shall be removed in two years, unless an extension is granted by the City Council.	09/07/00	L-0052-04	02/24/05 Permit expired in 180 days
Modular F	The Planning Commission approved a Site Development Plan Review [Z-0063-94(1)] application for proposed modular classrooms, meeting hall and modular offices of temporary buildings to be removed in three years.	The Planning Commission approved a request for a Review of Conditions [Z-0063-94(5)] to delete Condition No. 2 of Site Development Plan [Z-0063-94(1)] which required all temporary buildings to be removed within three years on	05/11/95	C-0202-95	10/14/95
Modular G			05/11/95	C-0207-95	09/18/95
Modular H			05/11/95	C-0303-95	11/17/95
Church (main sanctuary)	The Planning Commission approved a Site Development Plan Review [Z-0063-94(4)] application for a proposed 52,225 square-foot Church multi-use facility to include a sanctuary with seating capacity of 3,256, a gymnasium, classrooms, bookstore and nursery on property located at 8120 Westcliff Drive. Staff recommended approval.	N/A	04/23/98	C-0267-98	09/30/98

○ **Temporary Modular Buildings**

Four of the eight existing temporary modular buildings were approved for this site on September 7, 2000 under Site Development Plan Review Z-0063-97(7). Of those four, three of the modular buildings labeled "C, D, E" are located approximately 105 feet from the north side of 8100 Westcliff Drive (the sanctuary building) and are located 40 feet from the property line. The fourth modular building labeled "B" is located 20 feet east of labeled "F" (the existing administrative building) toward the north end of the site. Modular Buildings "C, D, F, E" received a Temporary Building Permit (L-0052-04) on 02/24/05, which expired in 180 days.

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A fifth temporary structure labeled “A” was approved under Administrative Site Development Plan Review (SDR-3085) for a 2,130 square-foot modular office building. This structure is located just north of the modular building labeled “B” and east of the modular building labeled “H”. No building permit could be found for modular building labeled “A”.

Three modular units labeled “F, G, H”, which are spaced ten feet apart have received final approval under a Review of Conditions [Z-0063-94(5)]. Although these buildings are considered as part of this review, they are no longer considered temporary structures.

- **Modular Building – Elevations**

The applicant requests that the modular building labeled “A” be conditioned to extend its usage for another year while modular buildings labeled “B, C, D, E” be granted permanent status. These buildings have been upgraded to meet staff requirements for building and safety and aesthetic requirements. The applicant has upgraded the modular buildings labeled “B, C, D, E” to be plastered with stucco and an accented cornice adorned in desert colors comparable to the church and the buildings labeled “F, G, H.”

- **Temporary Structures and Outdoor Storage**

The last three remaining temporary structures are a 320 square-foot refrigerated trailer used for storing food, a 140 square-foot structure for kitchen storage, and a 36 square-foot shed. None of these structures have received previous approval and have been placed on site without permits. One structure of concern, the refrigerated trailer approximately 125-feet north of 8100 Westcliff Drive (Existing Church), has been relocated as it is currently situated in a drainage easement. The applicant requests to fence and place the relocated refrigerated trailer north of modular building labeled “A” and east of the central courtyard. The proposed fence is a 10-foot high chain link fence with privacy slats for screening and gate that opens to the east. Except for the refrigerated trailer, the applicant intends to remove all of the temporary structures.

Within close proximity is a screened area between the north temporary modular building located at 8106 Westcliff and the turf field located at the north end of the site. This dedicated open area storage has three 320 square-foot shipping containers, one 320 square-foot shipping container, and various smaller items enclosed by a six-foot high screened-fence. These containers are not anchored nor are they placed on any type of pad. All four of the containers are visible above the six-foot screen fence. Access to the outside storage area is from a cul-de-sac, adjacent to the western property line, which abuts the neighboring residential property. The applicant intends to remove the fence, the shed, and the storage containers. As of 02/14/08 site visit by staff, the fence and shed had been removed.

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Since the expectation was for the development of a permanent school building, staff does not find reason to extend the approval of the modular buildings labeled “A-F” on the site. Therefore staff recommends that the modular buildings labeled “A-F” be removed from the site.

- **Landscaping and Parking**

This Site Development Review concerns the remaining temporary structures on site that have all been conditioned for removal. Staff has no concerns with the current landscaping or the previous approvals addressing the landscaping requirements. Additionally, all parking concerns have been adequately addressed meeting Title 19.10 Parking Standards for Offices and Private School, Primary.

FINDINGS

The following findings must be made for an SDR:

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

Although this site has received previous approval for proposed school buildings that were determined to be compatible with the surrounding multiple family residential developments to the north, west and east sides of the site, staff finds that the eight existing temporary structures are not conducive with the adjacent development. All previous approvals regarding the temporary modular buildings labeled “A-F” were conditioned with the expectation that they would be removed upon completion of the permanent buildings.

- 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 existing temporary modular buildings do not comply with the previous Planning approvals for the C-V (Civic) Zoning District standards established under Site Development Plan Reviews [Z-0063-94(1), Z-0063-94(4), Z-0063-94(7), Z-0063-94(8), or SDR-3085]. Each of these prior approvals required removal dates for the temporary structures, all of which have since expired by at least two years. The last Administrative Site Development Plan Review (SDR-3085) required that a new Site Development Plan Review be completed if the modular buildings remain past November 14th, 2005.

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

Main access to the site is from Cimmaron Road, a Secondary Collector, with secondary access provided from Westcliff Drive, a Primary Arterial. The eight existing temporary modular buildings have not had a significant impact on the internal circulation of the site.

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

Staff finds that the existing temporary modular buildings are all distinct in appearance and contribute to a negative, discordant site appearance. The previous site approvals sought to phase-out the temporary structures and replace them with permanent buildings finished in materials similar to the appearance of the existing church and administrative buildings on the site. The existing site landscaping on the site is not been affected by the temporary structures and should continue to help to buffer the surrounding properties from the school buildings.

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;

Per the previous approvals, the temporary and modular buildings affiliated with the church, school, and related administrative buildings have created an environment that is not harmonious with the adjacent development. The temporary modular buildings have all exceeded the restricted amount of time given of each previous request. Although staff has found the locations of the buildings on the site to be adequate before, this analysis was based upon the assumption that each of the structures would be removed at set dates. Staff recommends denial of this review based upon the expiration of the previous approvals and that the temporary structures were all required to be phased out with the completion of the remaining classrooms and administrative buildings.

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

From the provided information, staff has determined that the proposed development will be subject to inspections for Occupancy Permits, and therefore will not compromise the public health, safety or welfare.

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March 13, 2008 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 34

SENATE DISTRICT 8

NOTICES MAILED 586

APPROVALS 3

PROTESTS 17



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-25253

Case Number: _____ APN: 138-28-401-013

Name of Property Owner: International Church of Las Vegas

Name of Applicant: International Church of Las Vegas

Name of Representative: Michael Bradanini

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: Demie L. Bradanini

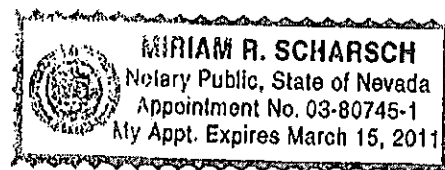
Print Name: Demie L. Bradanini

Subscribed and sworn before me

This 9th day of OCTOBER, 2007

Miriam R. Scharsch

Notary Public in and for said County and State



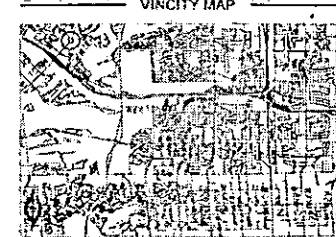
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OCT 23 2007

MODULAR BUILDING LEGEND

MODULAR A:	EXISTING MODULAR FOR CLASS ROOM / OFFICE USE TO REMAIN ONE YEAR	MODULAR O:	EXISTING MODULAR FOR CLASS ROOM TO REMAIN, REFER TO SHEET A4.1 FOR EXTERIOR IMPROVEMENT	BUILDING G:	EXISTING PRE-SCHOOL
MODULAR B:	EXISTING MODULAR FOR OFFICE SPACE TO REMAIN, REFER TO SHEET A4.1 FOR EXTERIOR IMPROVEMENT	MODULAR E:	EXISTING MODULAR FOR CLASS ROOM TO REMAIN, REFER TO SHEET A4.1 FOR EXTERIOR IMPROVEMENT	BUILDING H:	EXISTING CHAPEL
MODULAR C:	EXISTING MODULAR FOR CLASS ROOM TO REMAIN, REFER TO SHEET A4.1 FOR EXTERIOR IMPROVEMENT	BUILDING F:	EXISTING OFFICE ADMINISTRATION		

SHEET NOTES

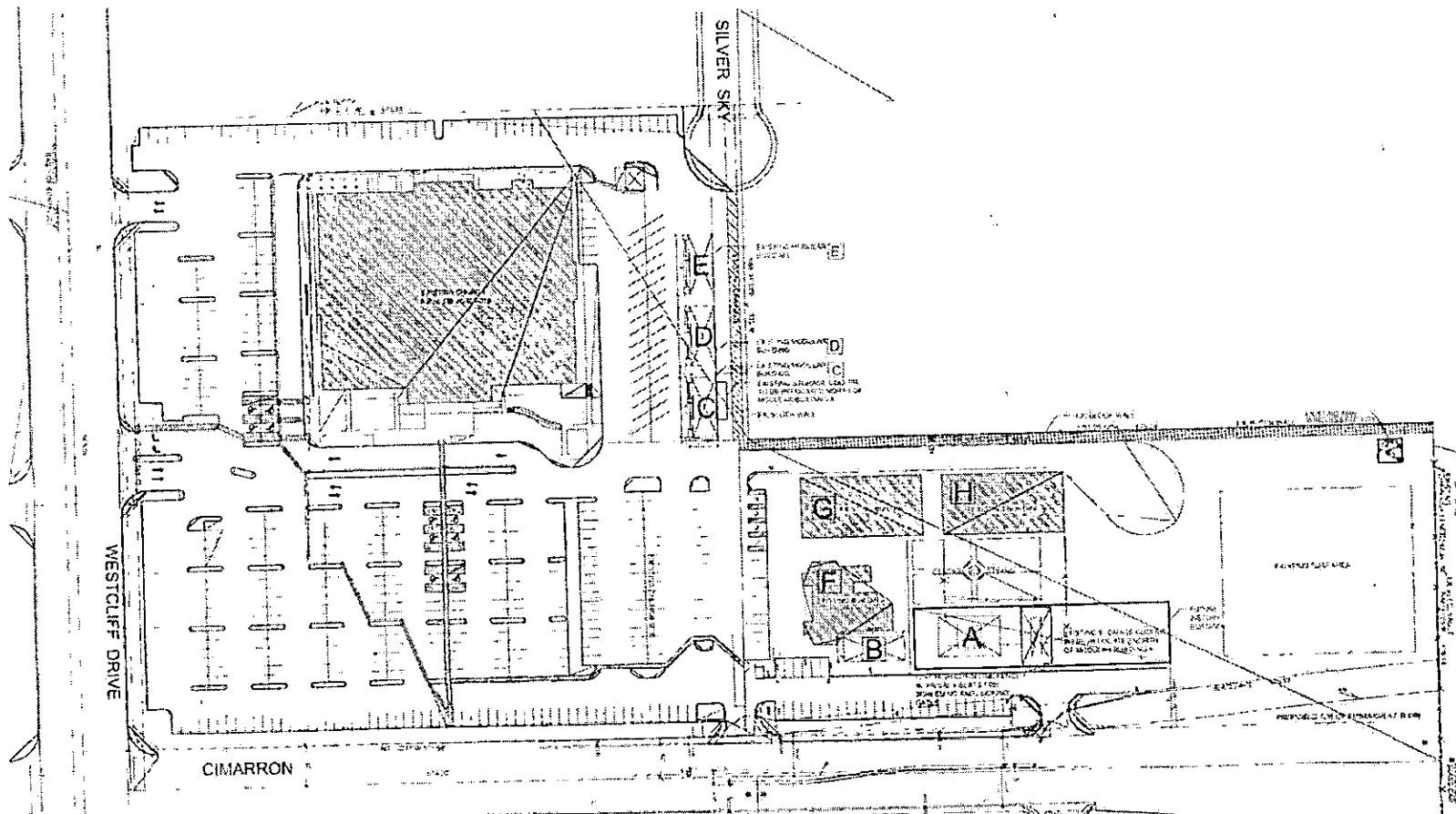


0806-4CLV-MOD
02.26.08

INTERNATIONAL CHURCH OF LAS VEGAS
MAIN CAMPUS, MODULAR RENOVATION
0100 WESTCLIFF DR.
LAS VEGAS, NV 89145

0806-4CLV-MOD
02.26.08

SITE PLAN
AS1.1
ARCHITECTURAL DESIGN



-01- SITE PLAN

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FEB 28 2008

SHEET NOTES

WALL COLOR LEGEND



P1: FIELD COLOR, MATCHING W/
EXISTING BUILDING



P2: ACCENT COLOR, MATCHING W/
EXISTING BUILDING



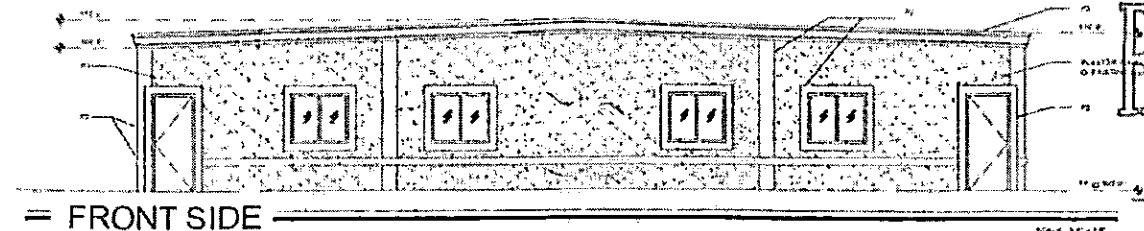
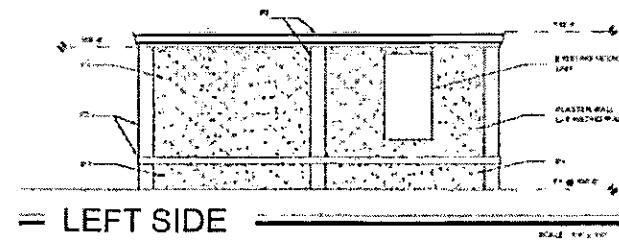
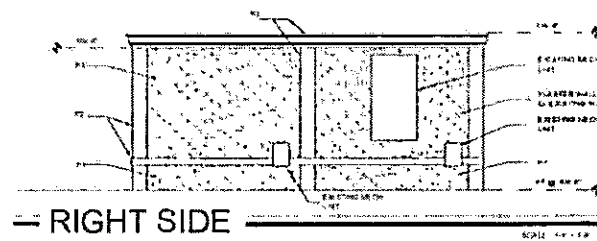
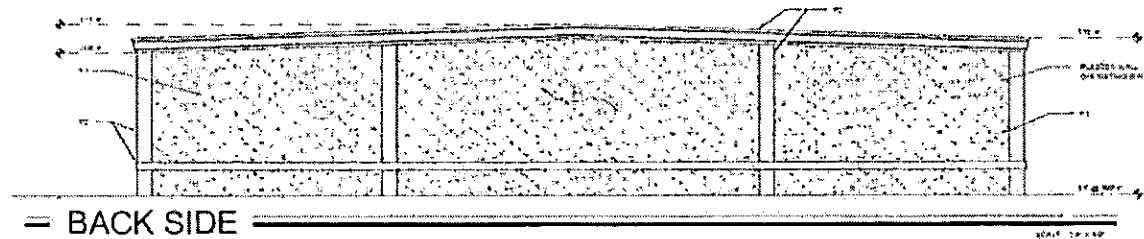
INTERNATIONAL CHURCH OF LAS VEGAS
8400 WEST CLIFF DRIVE
LAS VEGAS, NV 89145
PH: 702.735.1234
WWW.JVCARCHITECTS.COM

INTERNATIONAL CHURCH OF LAS VEGAS
MAIN CAMPUS, MODULAR RENOVATION

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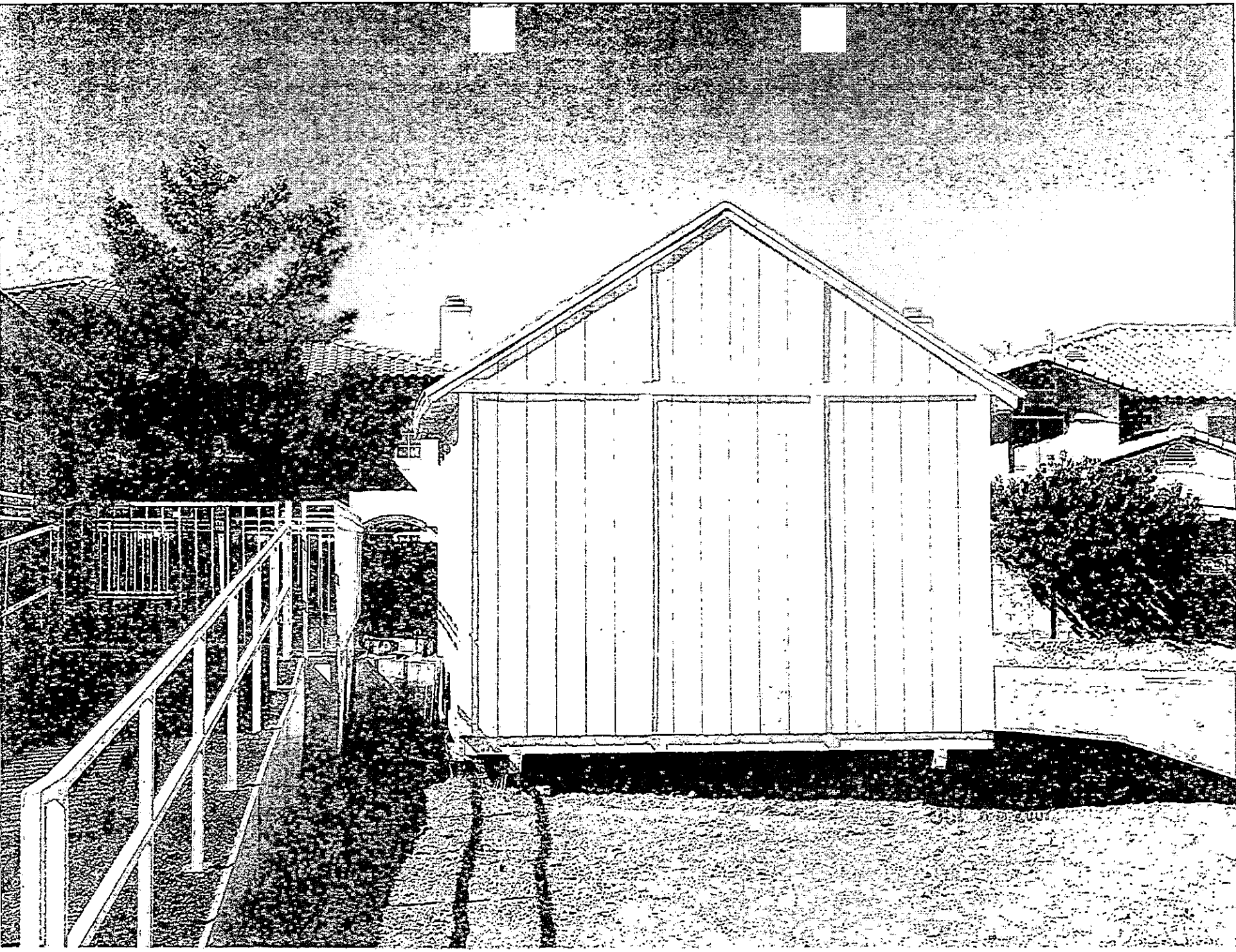
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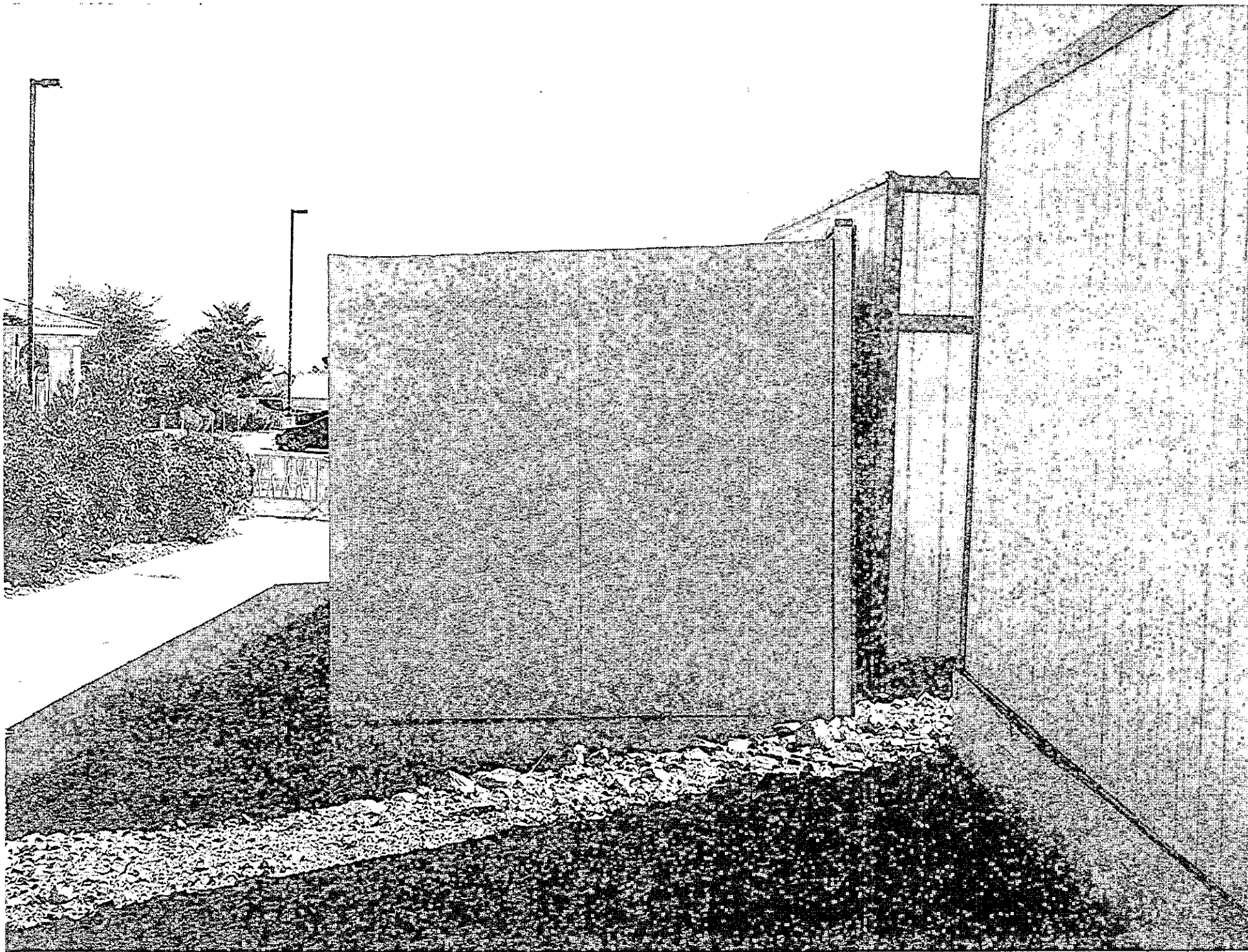
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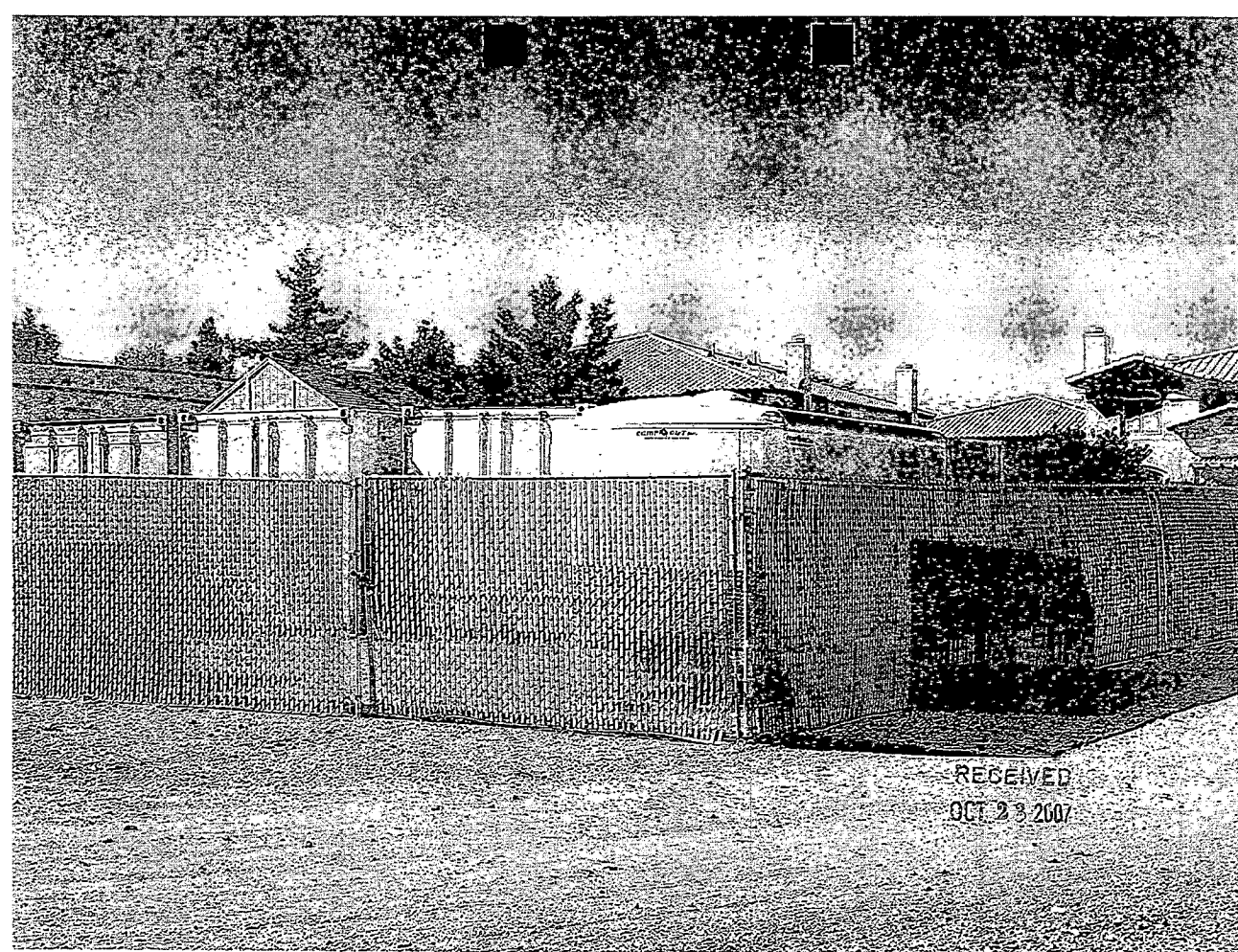


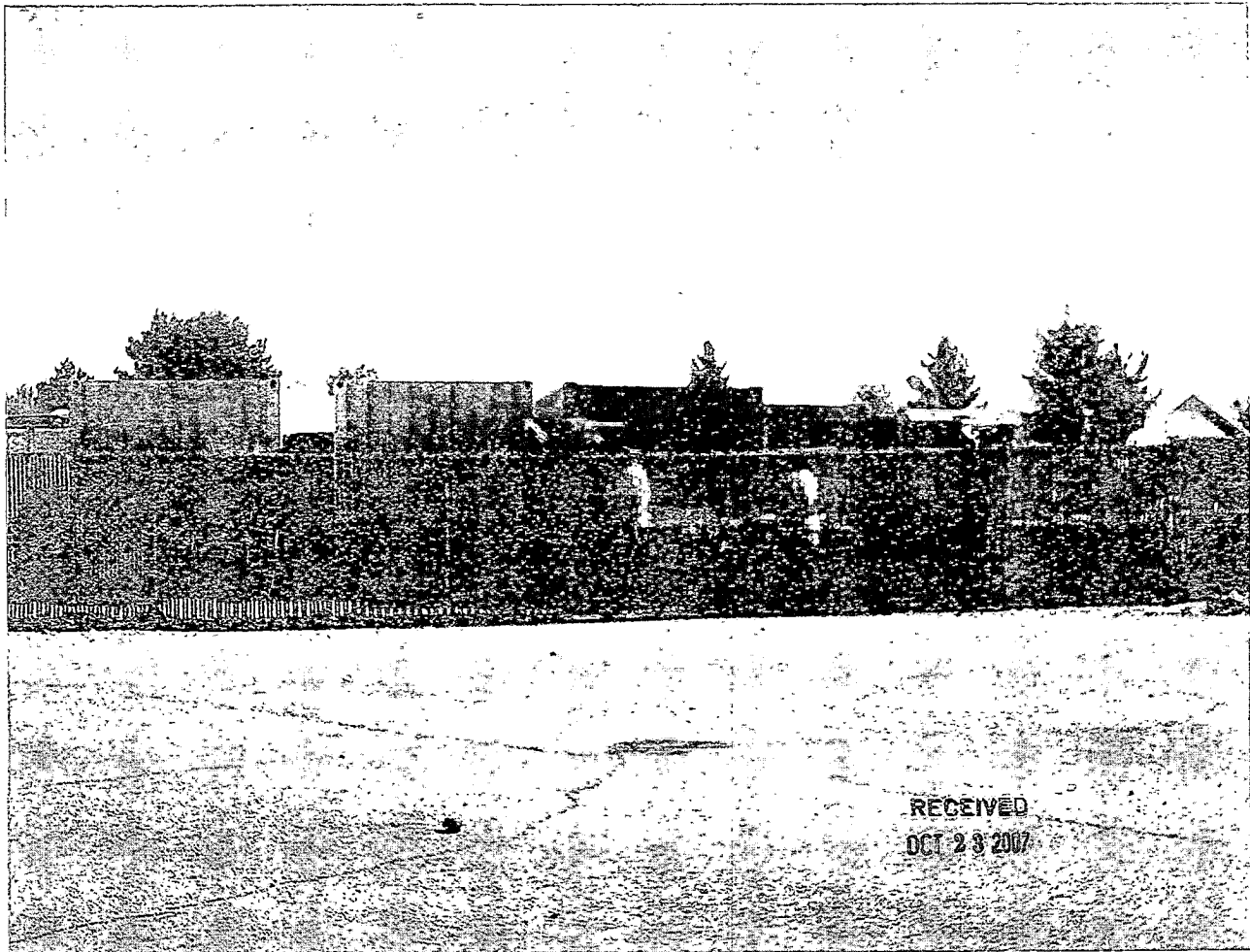
SDR-25253
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03/13/08 PC

EXTERIOR
ELEVATION
A4.1
SCHEMATIC
DESIGN

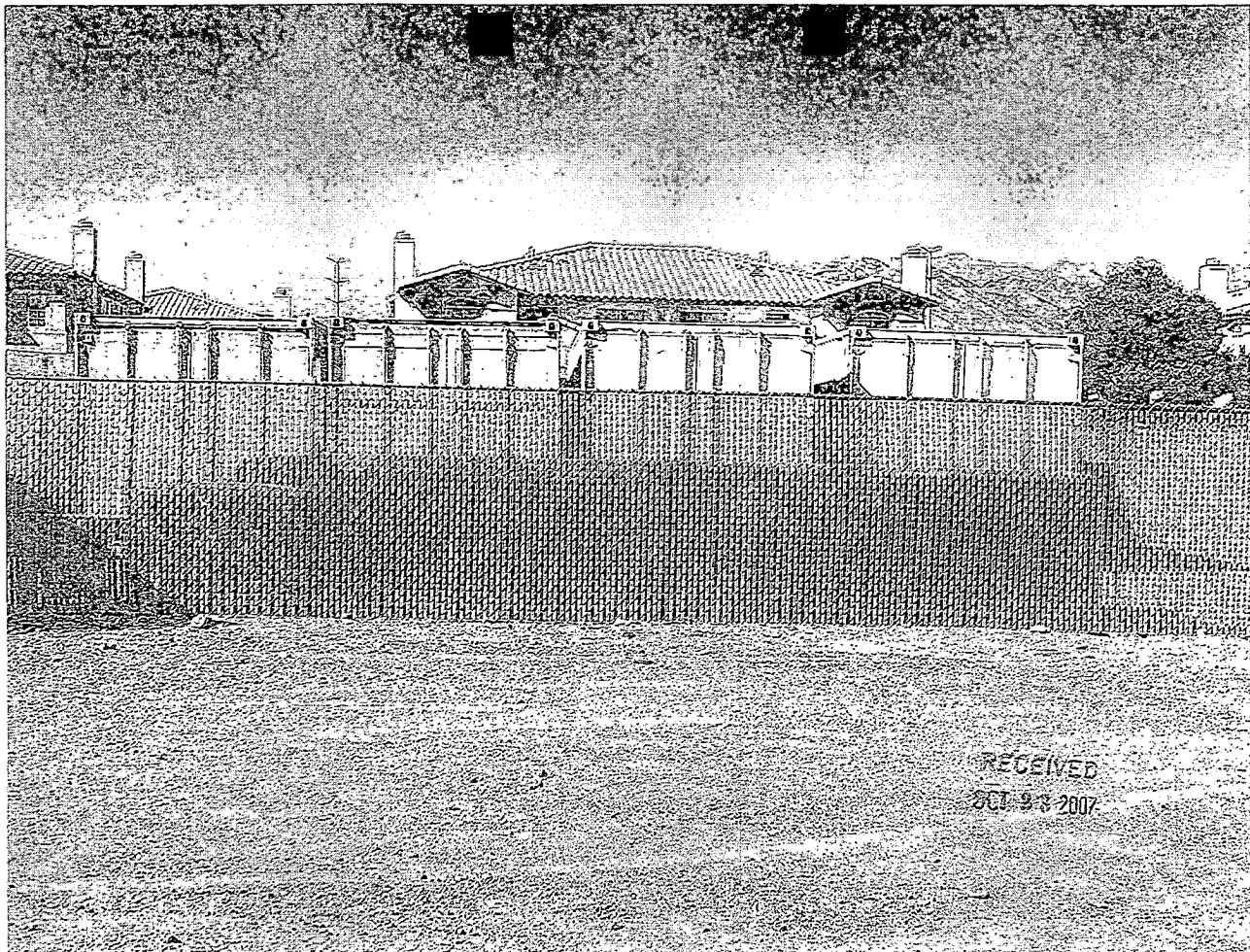


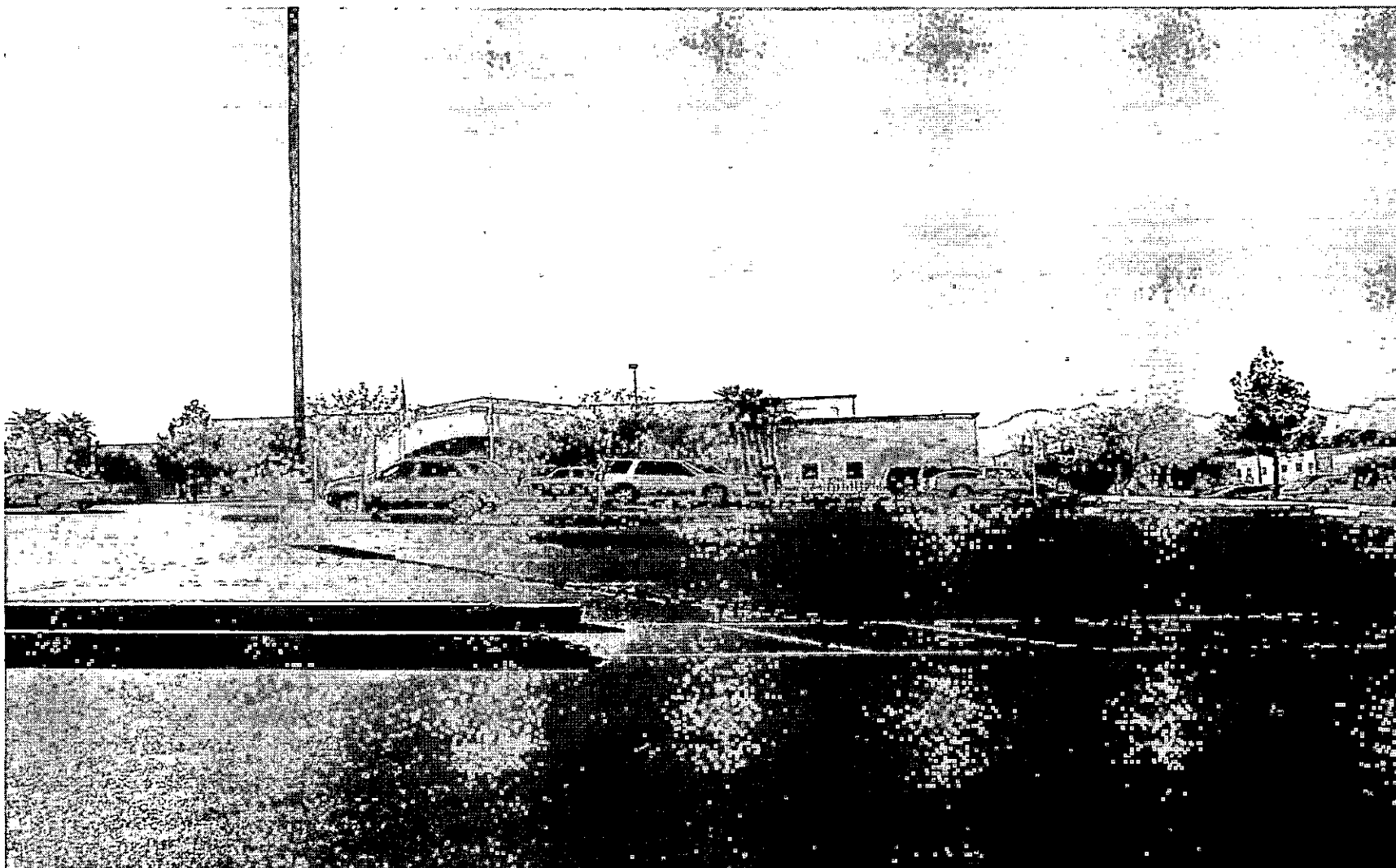






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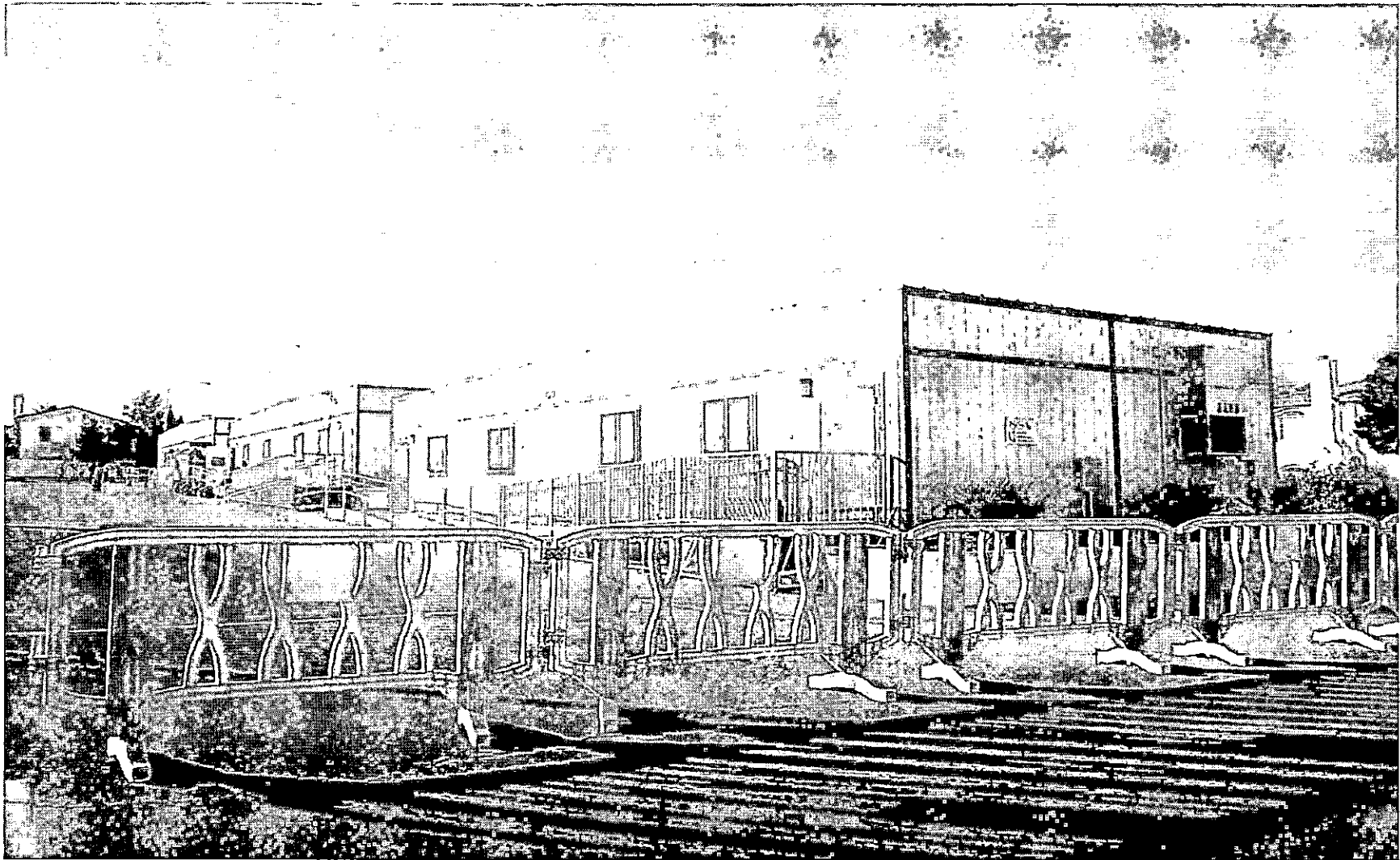
SDR-25253 - APPLICANT/OWNER: INTERNATIONAL CHURCH OF LAS VEGAS
8100 WESTCLIFF DRIVE
DECEMBER 6, 2007 PLANNING COMMISSION

11/16/07



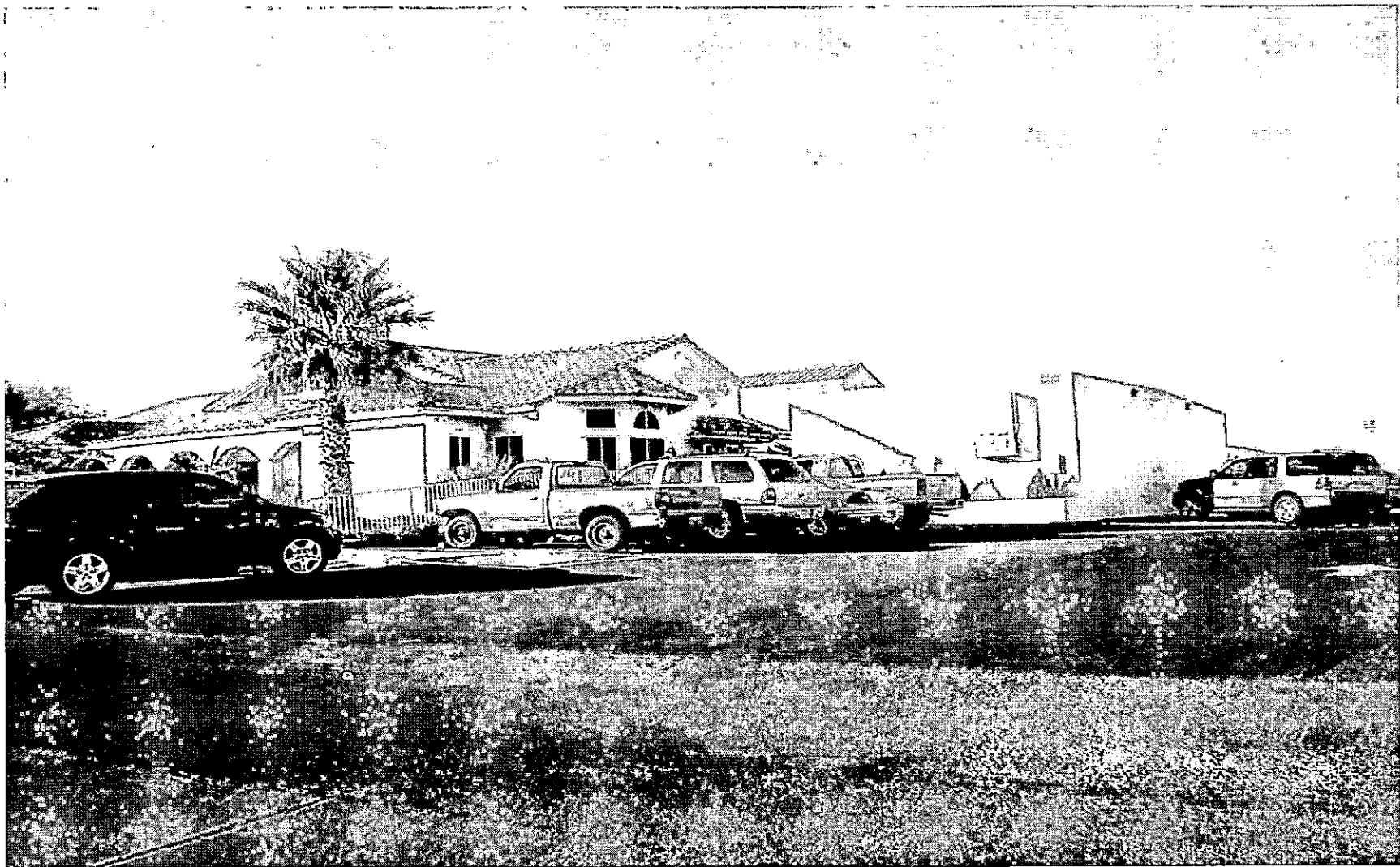
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8100 WESTCLIFF DRIVE
DECEMBER 6, 2007 PLANNING COMMISSION

11/16/07



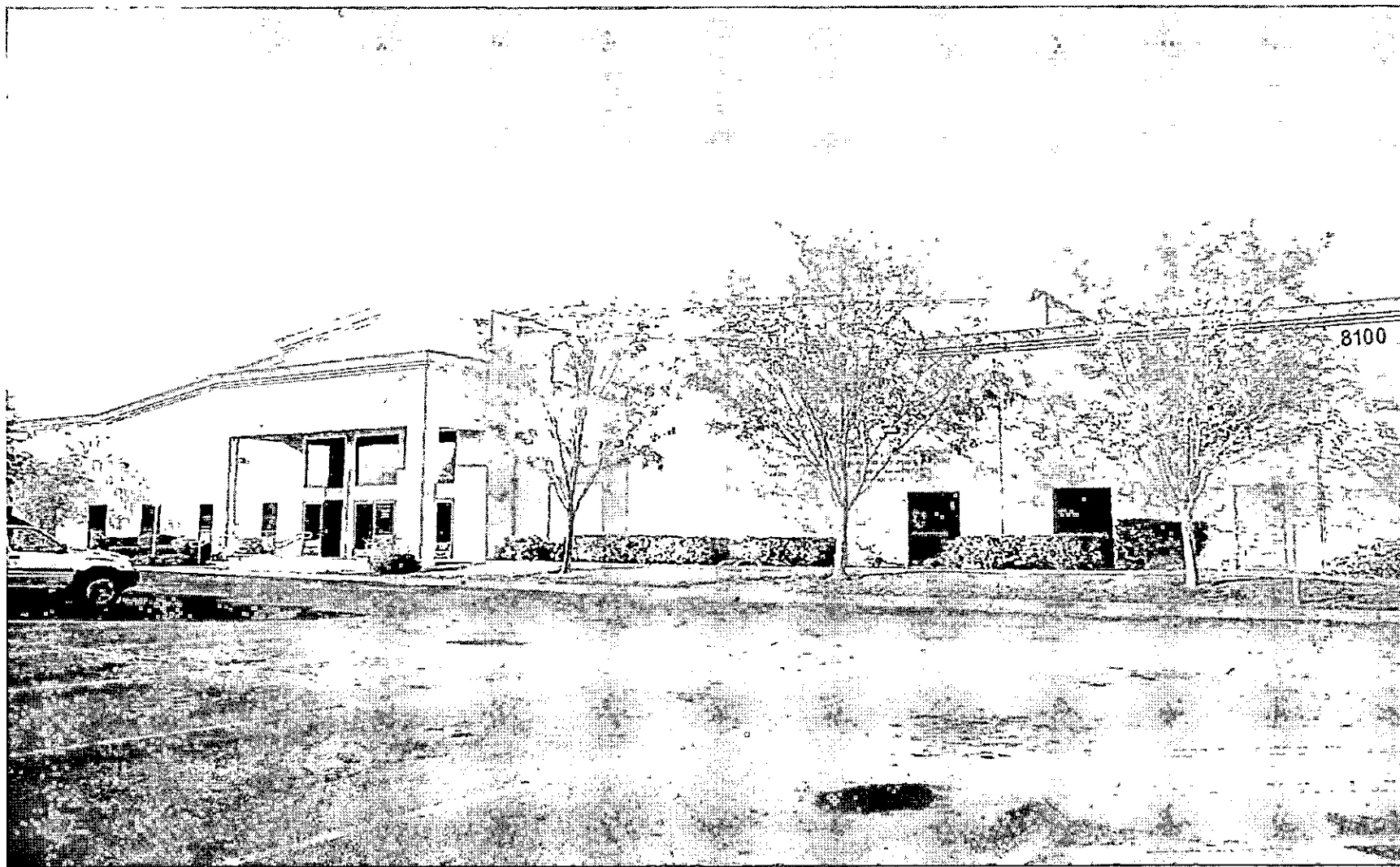
SDR-25253 - APPLICANT/OWNER: INTERNATIONAL CHURCH OF LAS VEGAS
8100 WESTCLIFF DRIVE
DECEMBER 6, 2007 PLANNING COMMISSION

11/16/07



SDR-25253 - APPLICANT/OWNER: INTERNATIONAL CHURCH OF LAS VEGAS
8100 WESTCLIFF DRIVE
DECEMBER 6, 2007 PLANNING COMMISSION

11/16/07



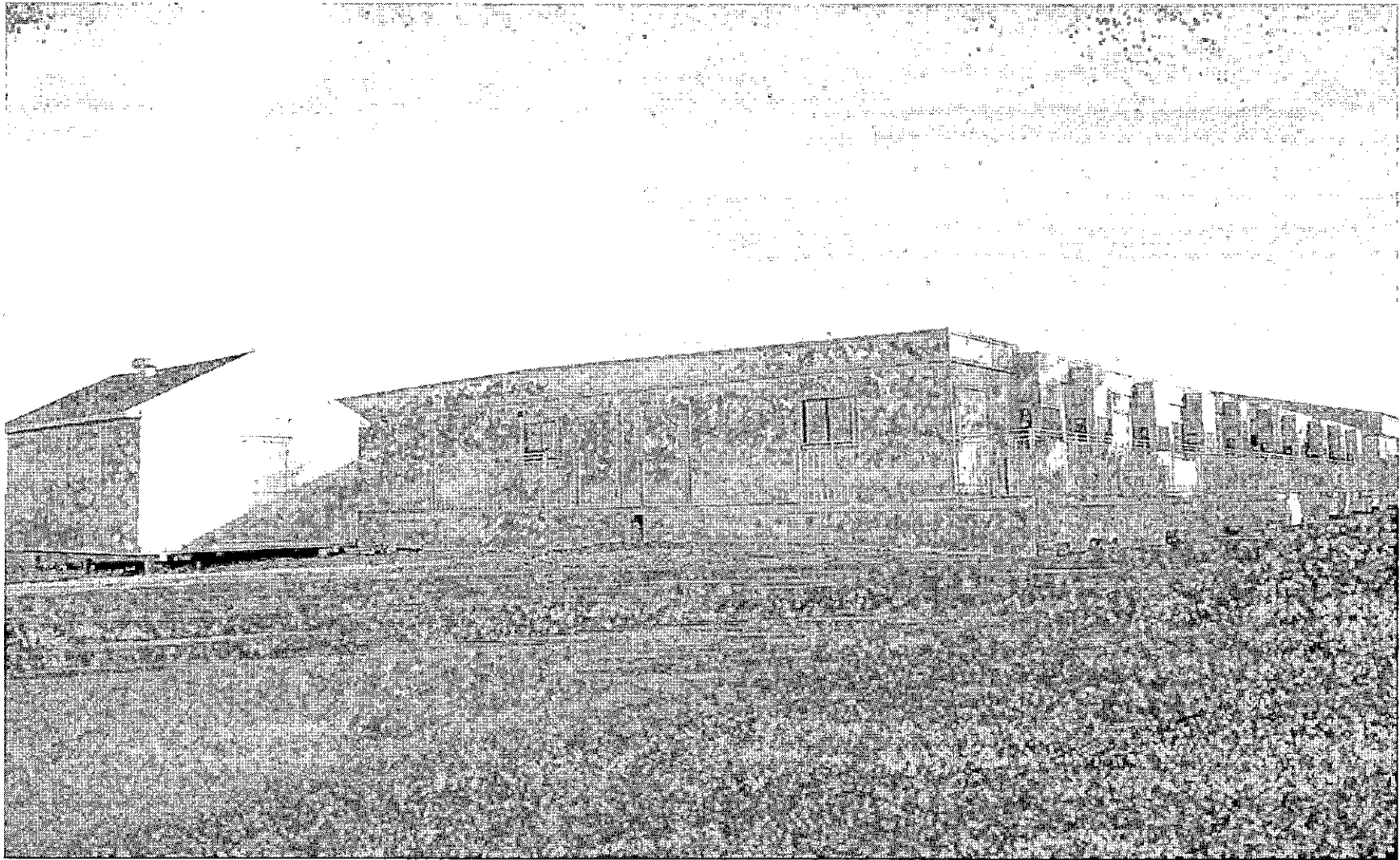
SDR-25253 - APPLICANT/OWNER: INTERNATIONAL CHURCH OF LAS VEGAS
8100 WESTCLIFF DRIVE
DECEMBER 6, 2007 PLANNING COMMISSION

11/16/07



SDR-25253 - APPLICANT/OWNER: INTERNATIONAL CHURCH OF LAS VEGAS
8100 WESTCLIFF DRIVE
DECEMBER 6, 2007 PLANNING COMMISSION

11/16/07



SDR-25253 - APPLICANT/OWNER: INTERNATIONAL CHURCH OF LAS VEGAS
8100 WESTCLIFF DRIVE
DECEMBER 6, 2007 PLANNING COMMISSION

11/16/07



**To: Andy Reed/ James Marshall
City of Las Vegas Planning Dept.**

**From: Ron Portaro, Consultant
International Church of Las Vegas**

Date: February 26, 2008

Subject: Justification Letter-- SDR 25253

Dear Mr. Reed and Mr. Marshall,

We are submitting a revised site plan which depicts the disposition of containers, storage structures, and modular units which were the subject of SDR 25253.

We have responded to the Planning Commission's requirement to deal with these structures as follows:

1. Containers within the fenced in areas in the rear of the property have been removed.
2. The 140 S.F. wood shed located north of bldg. H on site plan has been removed.
3. The refrigerated trailer located in the storm drain easement is in the process of being permitted to another location on the site. It will be appropriately fenced in and located to a location approved by staff.
4. The 6' x 6' storage container located on the west side of the Chapel has been removed.
5. We are requesting an extension of time for one year for the northernmost modular unit (Approved under SDR 3085 - depicted as unit A on the site plan) located in the rear of the site as we prepare to submit a new application for SDR for expansion of the campus into new buildings. That unit is being used for offices and classroom for youth Sunday school.
6. We are requesting that Modular buildings B, C, D, and E be granted permanent status with the condition that the buildings be upgraded to meet staff requirements for building and safety requirements as necessary and aesthetics to blend and relate

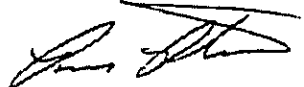
8100 Westcliff Drive
Las Vegas, NV 89145
Tel: (702) 242-2273
Fax: (702) 242-5316
www.iclv.com

**SDR-25253
REVISED
03/13/08 PC**

well with existing permanent structures on campus. Units C, D and E, are currently being used by our school, The International Christian Academy, as classrooms for our 3rd, 4th, and fifth grades. Unit B is used for administrative offices and for Pastoral counseling. Our architectural firm, JVC Architects is finalizing elevations for staff review and should be submitted within the week.

We respectfully request your approval in order to provide vital services to the surrounding community and the many families the church ministers to. Please feel free to phone if you have any questions at 702-610-1919.

Thank You



Ron Portaro
Consultant
The International Church of Las Vegas

SDR-25253
REVISED
03/13/08 PC



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
LARRY BROWN
NETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

November 3, 2000

Pastor Mario Rodriguez, Jr.
International Church of Las Vegas
8100 Westcliff Drive
Las Vegas, Nevada 89145

RE: Z-0063-94(8) - SITE DEVELOPMENT PLAN REVIEW

Dear Pastor Rodriguez:

Your request for a Site Development Plan Review FOR A PROPOSED 21,000 SQUARE FOOT PRIVATE SCHOOL at 8100 Westcliff Drive (APN: 138-28-401-013), U (Undeveloped) Zone [PF (Public Facility) General Plan Designation] under Resolution of Intent to C-V (Civic), Ward 2 (L. B. McDonald), was considered by the Planning Commission on November 2, 2000.

The Planning Commission voted to recommend APPROVAL of your request, subject to the following:

Planning and Development

1. Two years after approval of the Certificate of Occupancy of the subject buildings, the applicant shall submit an aesthetic enhancement plan for one of the modular buildings for Planning Commission review. One year after this review, the applicant shall submit aesthetic enhancement plans for the remaining modular buildings.
2. All development shall be in conformance with the site plan and building elevations.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. All mechanical equipments, air conditioners and trash areas shall be screened from view.

Public Works

5. Dedicate 40 feet of right-of-way adjacent to this overall site for Cimarron Road, including appropriate right-of-way for the embankment for a future bridge overpass on Cimarron Road over the Summerlin Parkway, and a 54 foot radius on the northwest corner of Cimarron Road and Westcliff Drive, prior to the issuance of permits for this site. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the documentation for such dedication.

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

VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us

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6. Remove and replace all substandard public street improvements adjacent to this site, if any, concurrent with development of this site. Improvements on Cimarron Road shall not be required north of the northernmost driveway; however, appropriate barricade or other road termination devices shall be installed if so required by the Department of Public Works.
7. Landscape and maintain all unimproved right-of-way on Cimarron road adjacent to this site as required by the Department of Public Works.
8. Submit an Encroachment Agreement for all landscaping and private improvements located in the Cimarron Road public right-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.
9. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
10. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this 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 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 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.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. 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.

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Pastor Mario Rodriguez, Jr.
Z-0063-94(8) - Page Three
November 3, 2000

11. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

This action by the Planning Commission is final. The Notice of Final Action was filed with the Las Vegas City Clerk on November 3, 2000.

Sincerely,



Andrew P. Reed, Senior Planner
Planning and Development Department
Current Planning Division

APR:sd

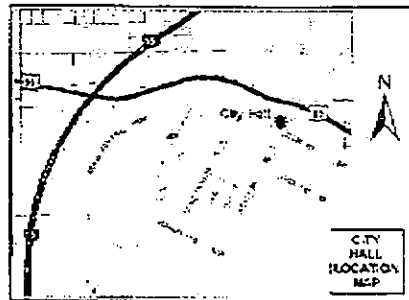
cc: Koz Alighchi, P.E.
A. A. C. & C.
4955 South Durango Drive, Suite 178
Las Vegas, Nevada 89113

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Official Notice of Public Hearing



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I SUPPORT
this Request

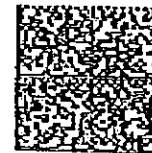


I OPPOSE
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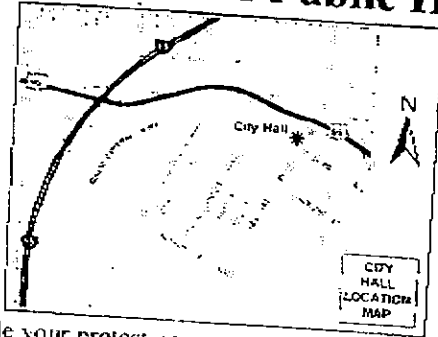
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113 EMERALD FOREST ST #201
LAS VEGAS NV 89145-3964

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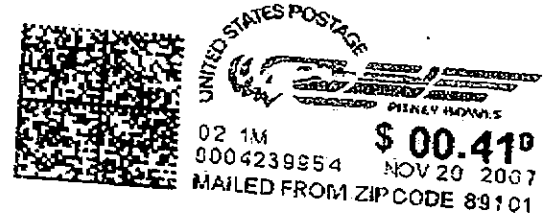
I SUPPORT
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SDR-25253

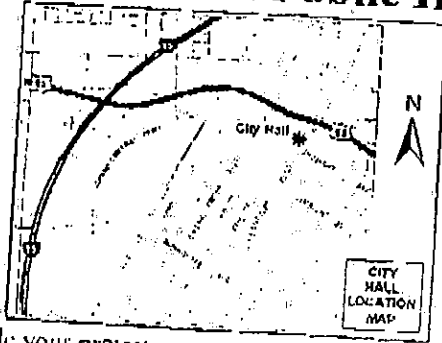
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13828810014 Case: SDR-25253
 BRINK CLIFFORD R & ROCHELLE P
 215 N CIMARRON RD
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I SUPPORT
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Case SDR-25253

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525 E MAUDE AVE #30

SUNNYVALE CA 94086-0700

NEW ADDRESS



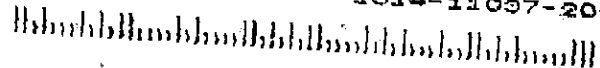
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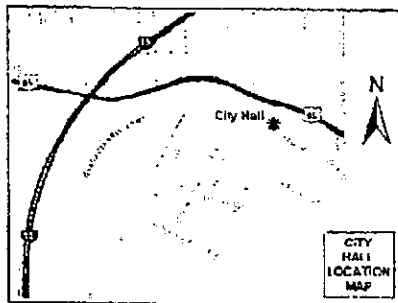
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I SUPPORT
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I OPPOSE
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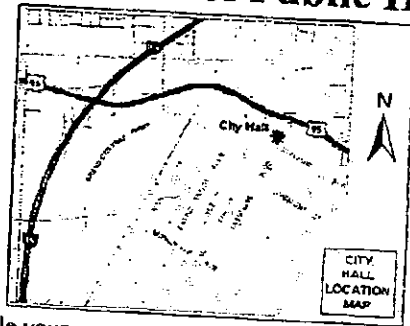
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Case SDR-25253

ROBERTS FAMILY TRUST
100 ROLAND WILEY RD
LAS VEGAS NV 89145-4737

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I SUPPORT
this Request



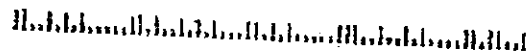
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13828810003 Case: SDR-25253
DELLAVECHIA G A & F J REV LIV TR
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LAS VEGAS NV 89145-3918

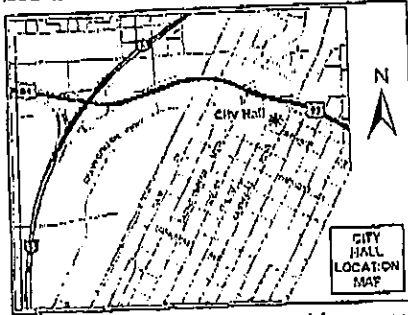
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Submitted after final agenda
Date 12/6/07
PC Item 41

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I SUPPORT
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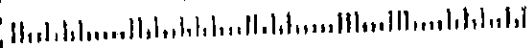
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Case: SDR-25253
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 205 N CIMARRON RD #205
 LAS VEGAS NV 89145-3917



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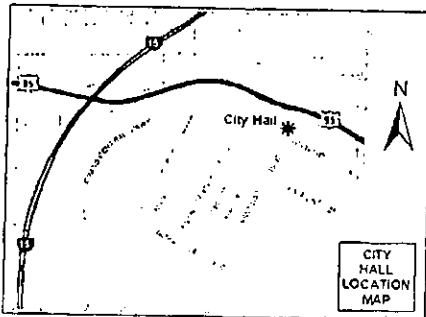
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Item

41

City of Las Vegas
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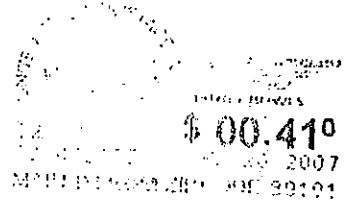
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Case: SDR-25253

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221 N CIMARRON RD
LAS VEGAS NV 89145-3917

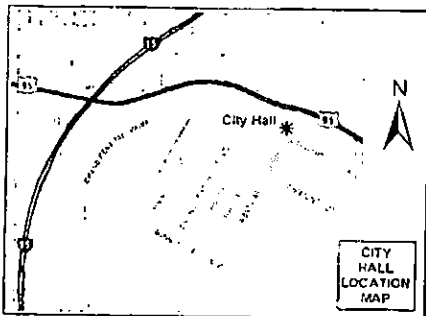
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Date 12/1/07 Item 41



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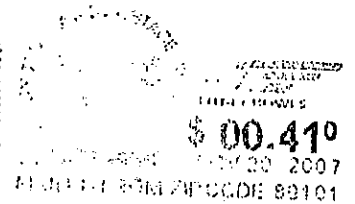
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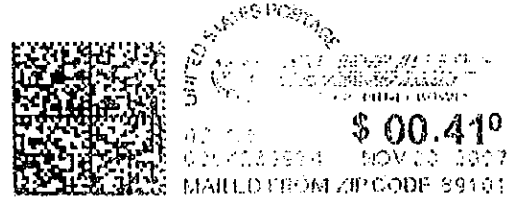
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KOTOWICZ CHESTER K & D REV TR
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LAS VEGAS NV 89145-3903

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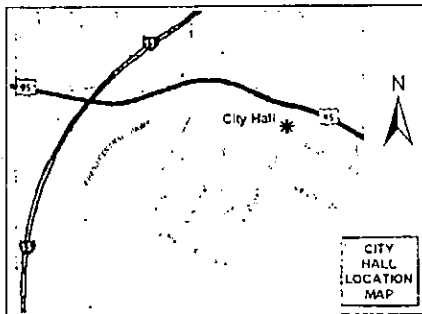
Date 12/6/07 Item 41



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Planning & Development Department
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Las Vegas, Nevada 89101-2986**



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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ERNST JOYCE & ROBERT
117 HUTTON LN
LAS VEGAS NV 89145-3925

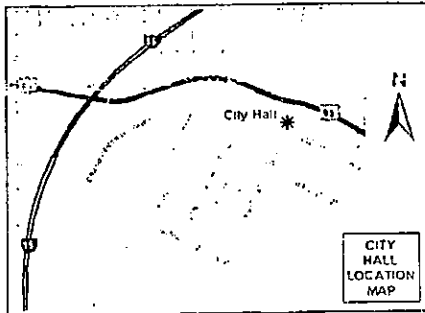
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Date 12/6/07 Item 41
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Las Vegas, Nevada 89101-2986

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I SUPPORT
this Request



I OPPOSE
this Request

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LAS VEGAS NV 89145-3923

Case: SDR-25253

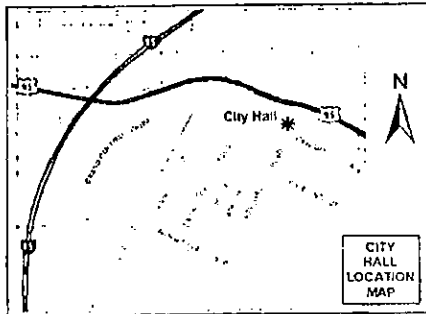
Subject: Letter Pool agenda

Date: 12/6/07
PC Item 41



City of Las Vegas
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Development Services Center
1 S. Fourth Street
Las Vegas, Nevada 89101-2986

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☐

I SUPPORT
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Case: SDR-25253
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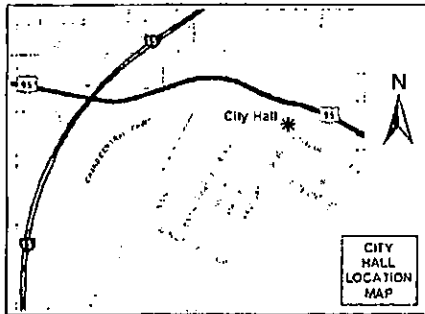
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Las Vegas, Nevada 89101-2986

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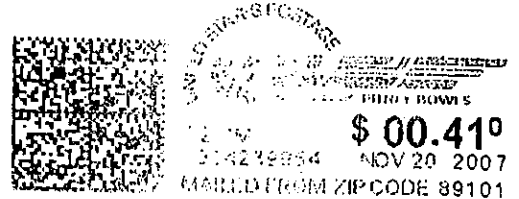
I SUPPORT
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I OPPOSE
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SDR-25253

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13828410039
KEELEY DOROTHY T
109 HUTTON LN
LAS VEGAS NV 89145-3925

Case: SDR-25253

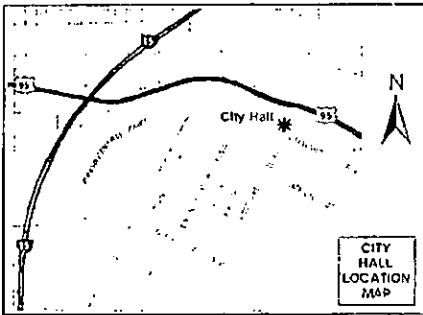
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Date 12/6/07 PC Item 41



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771 S. Fourth Street
Las Vegas, Nevada 89101-2986

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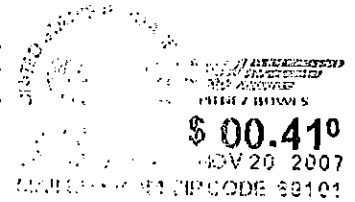
I SUPPORT
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BROCK TRUST
124 HUTTON LN
LAS VEGAS NV 89145-3923

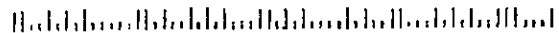
Case: SDR-25253

Submitted after final agenda

Date

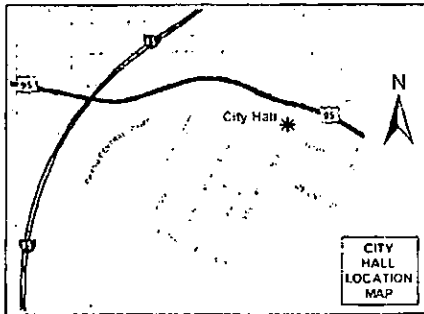
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771 S. Fourth Street
Las Vegas, Nevada 89101-2986

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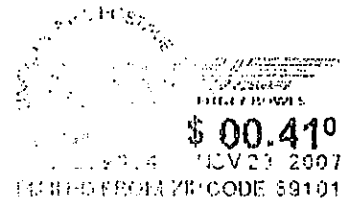
I SUPPORT
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13828410027 Case SDR-25253
BERNER SARAH E
108 ESCADA LN
LAS VEGAS NV 89145-3920

Submitted after final agenda

Date

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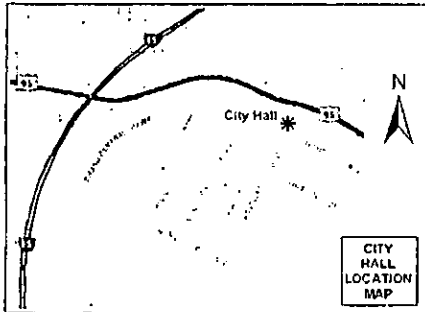
Item

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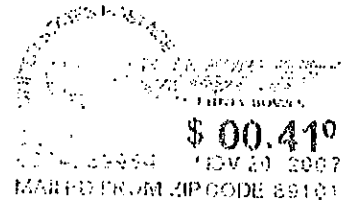
I SUPPORT
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I OPPOSE
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DEC 3 2007

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NORWOOD TRUST
112 ESCADA LN
LAS VEGAS NV 89145-3920

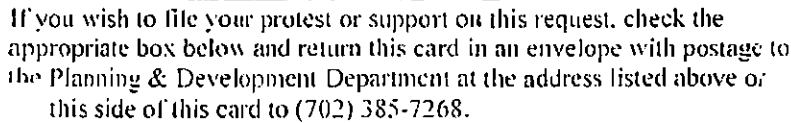
Case: SDR-25253

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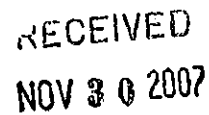
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I SUPPORT
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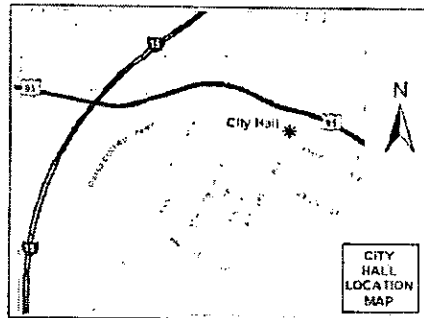
13833114029
PALLADINO ANGELO R & THERESA L
104 CIMARRON ST
LAS VEGAS NV 89145-4702

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PC



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I SUPPORT
this Request



I OPPOSE
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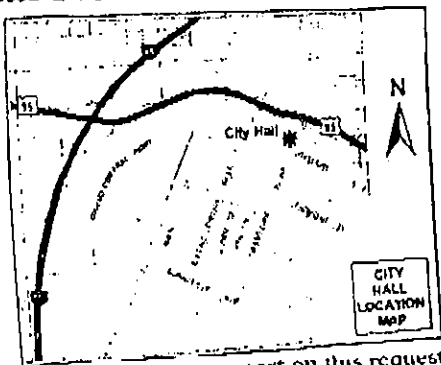


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13828413009 Case: SDR 25253
GARRISON APRIL
100 GOLF COURSE ST
LAS VEGAS NV 89145-3967

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I SUPPORT
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I OPPOSE
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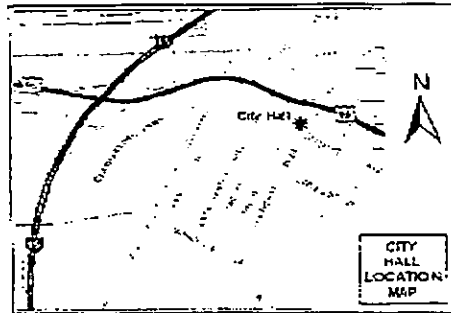
Case: SDR-25253

13828410010
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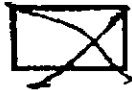


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I SUPPORT
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I OPPOSE
this Request

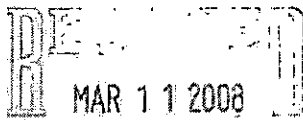
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13828814054 Case# SDR-25253
WHITT PERRY B & ARMINTA J TRS
2701 BRYANT AVE
LAS VEGAS NV 89102-2161



Anita Champion
Michael Collins
208 Star Cluster Circle
Las Vegas, NV 89145

SDR-25253
03/13/08 PC

February 27, 2008

Gerald Guzman
City of Las Vegas
Code Enforcement Department
416 N. 7th St.
Los Vegas, NV 89109

Dear Mr. Guzman,

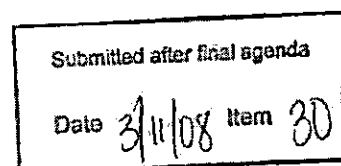
Early last week we called and made a complaint of an ongoing food type business at the International Church of Las Vegas located at 121 North Cimarron, Las Vegas, which has been taking place for the past year right at the fence line of our Home Owner Association and very near our home within that Association.

Yesterday we called to see if anything had been done and were very pleased to hear excerpts from your report read over the phone. We were told that the refrigerated box container that sits approximately twelve feet from our property line has been ordered to be removed by March 13th.

We hope that this is true and cannot thank you enough if this does in fact happen. As of today, it is business as usual.

This food business has grown and grown over the past year to the point that on some days approximately ten trucks or more come and go with deliveries. The receiving and sorting of food sometimes involves around a dozen people working outdoors right at the property line. Trucks come as early as 6:30am and as late as 11:00pm. We have to see, hear and smell it all right outside our windows.

In our Association, being the closest to the deliveries and workers, we feel that we



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get the brunt of the noise of the trucks and employees. But we feel worse for our neighbors at 204 Star Cluster Circle for the almost constant noise of the refrigeration motor attached to the box container which points more in their direction. These neighbors, the Peterson's, have also sought a remedy to this problem, to no avail, by contacting the church and our H. O. A.

The "straw that broke the camel's back" and made us start calling the City and County for help, was a delivery made at 11:00pm on February 19th. A pile of food (photo included with this letter) was left. This pile of food sat in the open air, uncovered and unattended for over twelve hours. When we went out to take pictures of it there were birds on top of and around the pile eating the food. We have always been concerned about this food attracting vermin that will find its way into our home and the classrooms that almost touch this operation.

We also worry for the safety of the school children for two reasons: First, that they might get run over by delivery trucks backing in and out. Their crossing between school buildings goes within a few feet of the food delivery area. Second, we worry that the children might be fed this food which does not appear to be handled in a sanitary manner.

We and other neighbors feel that our property values are being diminished by this business which does not seem to be in compliance with City and County codes.

Again, we thank you for your efforts in our behalf. We would like to request a copy of your report to be mailed to us. We ask to be invited if this matter is to be discussed in an open forum.

Included are photographs of the information discussed in this letter.

Sincerely,

Anita Champion
Michael Collins