

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE - MSP-29350 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT/OWNER: CENTENNIAL DURANGO PARTNERS, LLC - Request for a Major Amendment to Master Sign Plan (ARC-26110) FOR A 12-FOOT MONUMENT SIGN AND WAIVERS FROM THE TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW A 12-FOOT MONUMENT SIGN WHERE EIGHT FEET IS THE MAXIMUM HEIGHT ALLOWED, AND TO ALLOW A TWO-FOOT SIGN SETBACK WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED on .203 acres at 6403 North Durango Drive (APN 125-20-402-008), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Ross)

P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

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 Postcards

Motion made by RICHARD TRUESDELL to Hold in abeyance to 10/23/2008

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

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

Minutes:

CHAIR GOYNES declared the Public Hearing open.

PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

PETER LOWENSTEIN, Planning and Development Department, stated that the proposed Master Sign Plan (MSP) amendment would allow a monument-style ground sign to be placed on the subject site. The proposed sign would encroach into the required setback area and would exceed the height requirements by four feet. Placement of the sign would require removal of the existing 25-foot Mexican fan palm north of the ingress/egress driveway. He recommended denial. Should the MSP be approved, MR. LOWENSTEIN read an amendment to Condition 3 for the record.

TONY CELESTE, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. Using the overhead, he referred to the location map displaying the existing shopping center located at the corner of Durango Drive and Centennial Parkway. Currently there are no on-premise advertising although there is signage on some of the buildings. In addition to the monument sign, MR. CELESTE stated there is a request for a two-foot sign setback because the distance between the proposed sign and the property line is two feet with a pony wall that wraps around the site.

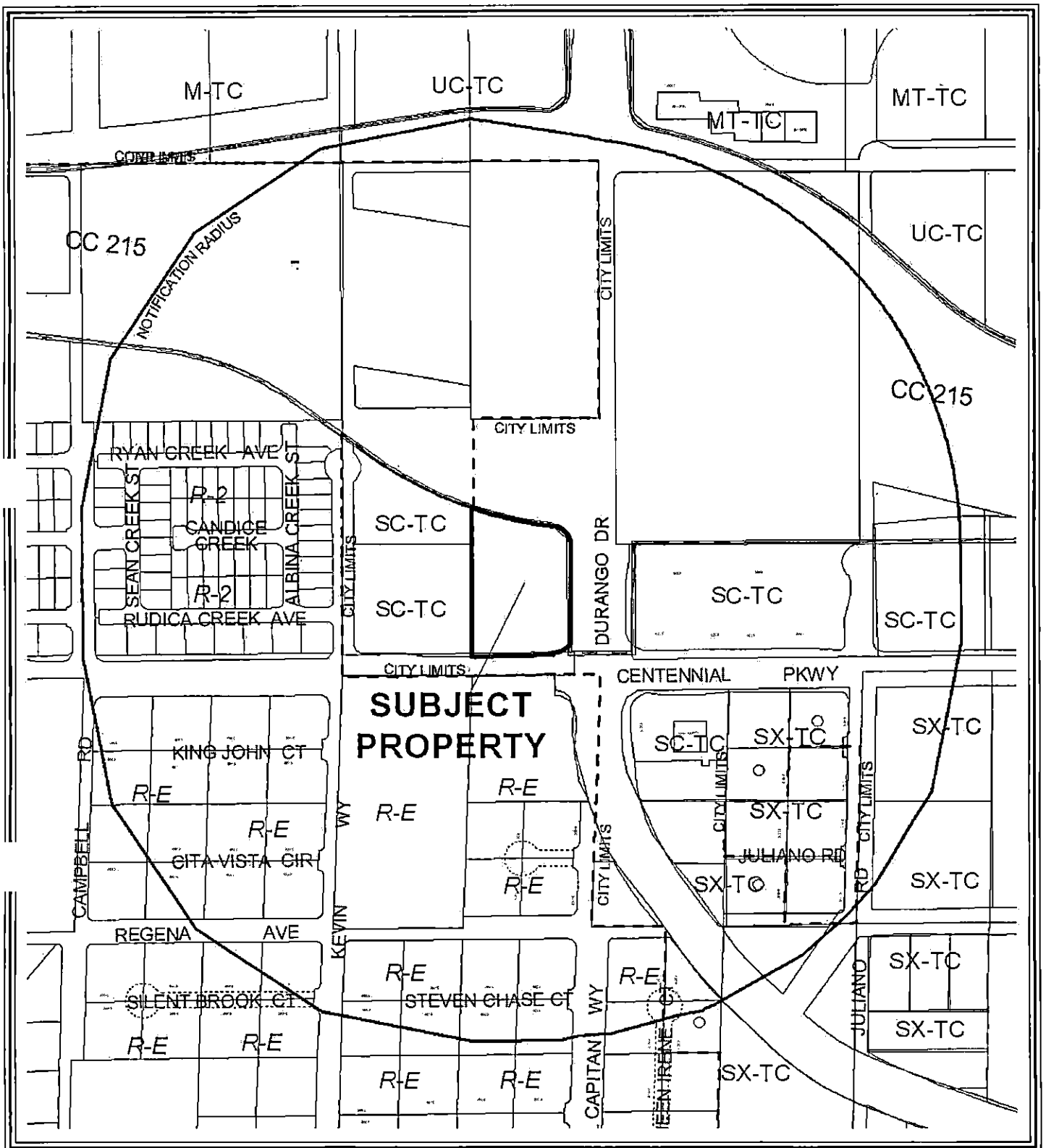
TODD FARLOW, 240 North 19th Street, stated the sign is unattractive.

COMMISSIONER TRUESDELL expressed concern with the sign's location and its impact on traffic. He suggested moving the sign to the north to improve the visibility for vehicles entering or exiting the shopping center. Considering the Commissioner's safety concerns, MR. CELESTE remarked that he would be unable to make a commitment to moving the sign as recommended and suggested holding the item in abeyance.

COMMISSIONER STEINMAN commented that the people who live in the area are fully aware of what stores are located within the shopping center. He concurred with COMMISSIONER TRUESDELL regarding the safety issue.

Considering COMMISSIONER TRUESDELL'S comments, MARGO WHEELER, Director of the Planning and Development Department, crafted the language for an additional condition. Observing MR. CELESTE'S hesitation, ASSISTANT CITY ATTORNEY BRYAN SCOTT suggested it might be appropriate to hold the item to enable MR. CELESTE to confer with the applicant.

CHAIR GOYNES declared the Public Hearing closed.



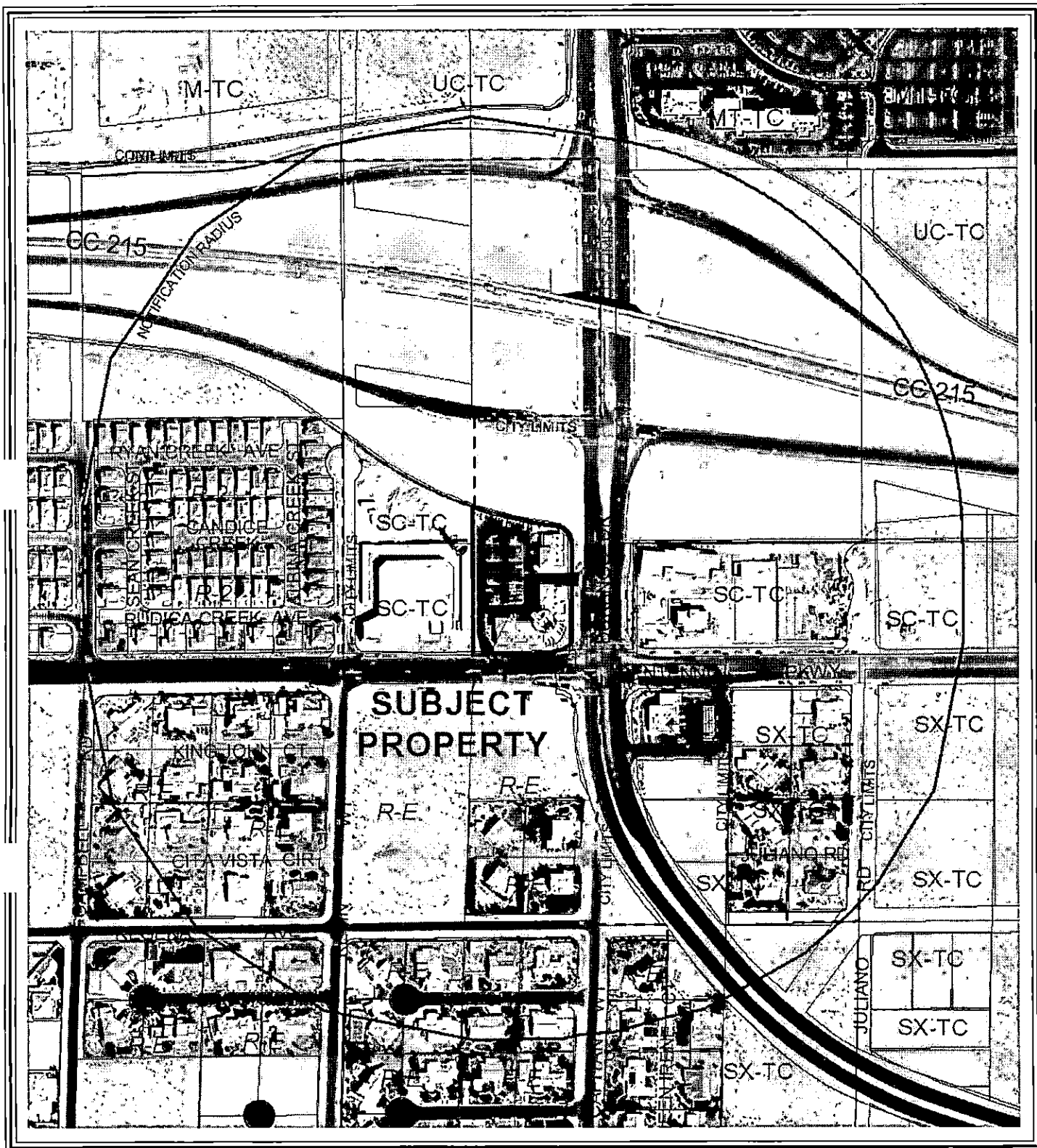
CASE: MSP-29350

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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





CASE: **MSP-29350**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: AEYANCE - MSP-29350 - APPLICANT/OWNER:
CENTENNIAL DURANGO PARTNERS, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: Denial, subject to:

Planning and Development

1. Conformance to the sign elevations and documentation as submitted in conjunction with this request, date stamped 08/07/08, except as amended by conditions herein.
2. All signage shall have proper permits obtained through the Building and Safety Department.
3. Any future amendments to the Master Sign Plan which are in compliance with the requirements of Title 19.14 for the subject zoning district may be reviewed and approved administratively by the Planning and Development Department.
4. Landscape material (i.e. trees and shrubs) removed to accommodate the monument sign is to be relocated within the same general area it was removed from to remain in compliance with Site Development Plan Review (SDR-9825).

Public Works

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

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October 9, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for the approval of a Major Amendment to an approved Master Sign Plan (ARC-26110). The applicant is requesting the approval of a 12-foot tall multi-tenant monument sign for the Shops at Town Center at 6403 North Durango Drive. The proposed monument sign would be located within the landscape buffer adjacent to Durango Drive. The applicant is also requesting Waivers from the Town Center Development Standards to allow for a 12-foot tall monument sign where eight feet is the maximum height allowed and to allow a two-foot sign setback where five feet is the minimum setback required.

Due to the excessive size of the proposed monument sign and the Waivers necessary to accommodate a sign of this magnitude within Town Center, staff is recommending denial of this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/01/00	The City Council approved a request for a Site Development Plan Review [Z-0076-98(18)] for a proposed 8,144 square-foot Commercial Development (Convenience Store and Restaurant with Drive-Through); a Special Use Permit (U-0114-00) for Gasoline Sales in conjunction with a proposed Convenience Store; a Special Use Permit (U-0115-00) for the sale of Packaged Liquor for Off-Premise Consumption in conjunction with a proposed Convenience Store; a Special Use Permit (U-0116-00) for a proposed Restaurant with Drive-Through; and a Special Use Permit (U-0161-00) to allow Gaming (Restricted) in conjunction with a proposed Convenience Store on 2.36 acres located at the northwest corner of the intersection of El Capitan Way and Centennial Parkway. The Planning Commission recommended approval.
04/12/01	The Planning Commission approved (final action) a request for a Tentative Map (TM-0011-01) for a One-Lot Commercial Subdivision on 1.98 acres on the northwest corner of Centennial parkway and El Capitan Way.
10/04/01	The Planning and Development Department Administratively approved a request for a Final Map Technical Review (FM-0051-01) at the northwest corner of El Capitan Way and Centennial Parkway. The Final Map was never recorded.
05/24/02	The Planning and Development Department Administratively approved a request for a Site Development Plan Review (SD-0023-02) for a Temporary Modular Trailer (Temporary Sales Office) on 1.93 acres located adjacent to the northwest corner of El Capitan Way and Centennial Parkway.

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October 9, 2008 - Planning Commission Meeting

12/18/02	The City Council approved a request for an Extension of Time (EOT-1028) of an approved Site Development Plan Review [Z-0076-98(18)] which allowed an 8,144 square-foot Commercial Development; an Extension of Time (EOT-1036) of an approved Special Use Permit (U-0116-00) which allowed a Restaurant with Drive-Through; an Extension of Time (EOT-1037) of an approved Special Use Permit (U-0161-00) which allowed Restricted Gaming in conjunction with a Convenience Store; an Extension of Time (EOT-1038) of an approved Special Use Permit (U-0115-00) which allowed the sale of Packaged Liquor for Off-Premise Consumption in conjunction with a Convenience Store; and an Extension of Time (EOT-1039) of an approved Special Use Permit (U-0114-00) which allowed Fuel Pumps in conjunction with a Convenience Store on 2.19 acres adjacent to the northwest corner of Centennial Parkway and El Capitan Way.
11/17/04	The City Council approved a request for an Extension of Time (EOT-5436) of an approved Site Development Plan Review [Z-0076-98(18)] which allowed an 8,144 square-foot Commercial Development; an Extension of Time (EOT-5437) of an approved Special Use Permit (U-0116-00) which allowed a Restaurant with Drive-Through; an Extension of Time (EOT-5438) of an approved Special Use Permit (U-0161-00) which allowed Restricted Gaming in conjunction with a proposed Convenience Store; an Extension of Time (EOT-5439) of an approved Special Use Permit (U-0015-00) which allowed the sale of Packaged Liquor for Off-Premise Consumption in conjunction with a proposed Convenience Store; and an Extension of Time (EOT-5440) of an approved Special Use Permit (U-0014-00) which allowed Fuel Pumps in conjunction with a proposed Convenience Store on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.
12/01/05	The Planning Commission approved (final action) a request for a Site Development Plan Review (SDR-9825) for a proposed 18,000 square-foot Retail Development and Waivers of the Town Center Development Standards for building placement and the parking lot and perimeter landscaping requirements on 1.92 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.
02/14/05	Code Enforcement received a complaint of illegal signage (#25983) at the northwest corner of El Capitan Way and Centennial Parkway. The case was resolved on 04/19/05.
06/07/06	The City Council approved a petition to Vacate a U.S. Government Patent Easement (VAC-12542) generally located at the northwest corner of Durango Drive and Centennial Parkway. The Planning Commission recommended approval.
07/18/07	The City Council denied an appeal for a Special Use Permit (SUP-20608) for an Auto Title Loan Establishment and Financial Institution-Specified and a Waiver of the minimum square-footage requirement at 6441 North Durango Drive, Suite #120. The Planning Commission denied this application (final action).

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11/21/07	The City Council approved a request for a Special Use Permit (SUP-23086) for a proposed 313 square-foot Massage Establishment within a 4,062 square-foot Day Spa with a Waiver to allow a distance separation of 350 feet from a residentially zoned property where 400 feet is required at 6461 North Durango Drive, Suite #110 through Suite #140. The Planning Commission recommended approval.
11/21/07	The City Council approved a request for a Variance (VAR-24502) to allow 102 parking spaces where 128 is the minimum required on 1.97 acres at the northwest corner of Centennial Parkway and Durango Drive. The Planning Commission recommended approval.
01/02/08	The Architectural Review Committee (CHARC-TC) approved a request for a Master Sign Plan (ARC-26110) and a Waiver of Town Center Development Standards Manual to allow Wall Signage on south elevation on building "B" to face residentially zoned property outside of Town Center boundary where no signage is allowed at 6401, 6441, and 6461 North Durango Drive.
09/25/08	The Planning Commission approved a request by the applicant to have a request for a Master Sign Plan (MSP-29350) for a Major Amendment to Master Sign Plan (ARC-26110) for a 12-foot Monument Sign and Waivers from the Town Center Development standards to allow a 12-foot Monument Sign where eight feet is the maximum height allowed, and to allow a two-foot sign setback where five feet is the minimum setback required on 2.03 acres at 6403 North Durango Drive to be held in abeyance until the 10/09/08 Planning Commission meeting.
<i>Related Building Permits/Business Licenses</i>	
12/29/06	A building permit (#6007540) was issued for onsite improvements at 6401 North Durango Drive. The permit was finalized on 12/21/07.
12/29/06	A building permit (#6007543) was issued for retail shell building A at 6441 North Durango Drive. The permit was finalized on 12/05/07.
12/29/06	A building permit (#6007539) was issued for retail shell building B at 6401 North Durango Drive. The permit was finalized on 12/05/07.
12/29/06	A building permit (#6007542) was issued for retail shell building C at 6461 North Durango Drive. The permit was finalized on 12/14/07.
02/07/07	A building permit (#81303) was issued for a 93-foot by six-foot retaining wall at 6441 North Durango Drive.
03/22/07	A building permit (#84235) was issued for a 134-foot by four-foot retaining wall at 6441 North Durango Drive.
04/16/07	A building permit (#7001259) was issued for a tenant improvement build-out for a certificate of occupancy at 6401 North Durango Drive, Suite #130. The permit was finalized on 12/05/07.
05/04/07	A building permit (#7001491) was issued for a tenant improvement build-out for a certificate of occupancy at 6401 North Durango Drive, Suite #110. The permit was finalized on 12/05/07.

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05/04/07	A building permit (#7001490) was issued for a tenant improvement build-out for a certificate of occupancy at 6441 North Durango Drive, Suite #120. The permit was finalized on 12/05/07.
06/05/07	A building permit (#7001841) was issued for a tenant improvement build-out for a certificate of occupancy at 6401 North Durango Drive, Suite #160. The permit was finalized on 12/24/07.
06/29/07	A building permit (#7002115) was issued for a tenant improvement build-out for a certificate of occupancy at 6441 North Durango Drive, Suite #130. The permit was finalized on 12/12/07.
07/03/07	A building permit (#93001) was issued for a retaining wall at 6401 North Durango Drive.
08/29/07	A building permit (#96582) was issued for a retaining wall at 6441 North Durango Drive.
09/08/07	A building permit (#6007541) was issued for a trash enclosure with roof at 6401 North Durango Drive. The permit expired on 09/08/07.
09/20/07	A building permit (#7002720) was issued for a sign (tag# 10053) at 6403 North Durango Drive. The permit expired on 07/12/08.
10/15/07	A building permit (#94686) was issued for a tenant improvement certificate of occupancy at 6441 North Durango Drive, Suite #110. The permit was finalized on 01/10/08.
10/17/07	A business license (#B10-02450) was issued for a building supplies/hardware facility at 6401 North Durango Drive, Suite #110.
10/23/07	A building permit (#99076) was issued for a tenant improvement certificate of occupancy at 6401 North Durango Drive, Suite #120.
11/13/07	A business license (#M21-01056) was issued for a merchandise broker at 6401 North Durango Drive, Suite #120.
11/13/07	A business license (#T18-00779) was issued for miscellaneous telephone sales/service at 6401 North Durango Drive, Suite #120.
11/20/07	A building permit (#96730) was issued for a tenant improvement certificate of occupancy at 6441 North Durango, Suite #140. The permit was finalized on 02/05/08.
12/18/07	A business license (#I04-03492) was issued for an insurance agent at 6401 North Durango Drive, Suite #130.
12/18/07	A business license (#K10-00280) was issued for an insurance firm at 6401 North Durango Drive, Suite #130.
01/04/08	A building permit (#105105) was issued for a non-work certificate of occupancy at 6441 North Durango Drive, Suite #130.
01/07/08	A business license (D10-00102) was issued for a dry cleaner at 6401 North Durango Drive, Suite #160.
01/16/08	A building permit (#7003409) was issued for a sign (tag# 10275) at 6441 North Durango Drive, Suite #110.

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01/25/08	A building permit (#7003429) was issued for a single-faced electric sign (tag# 10290) at 6401 North Durango Drive, Suite #160. The permit expired on 07/26/08.
01/30/08	A business license (#M15-03535) was issued for computer sales and service at 6441 North Durango Drive, Suite #120.
01/31/08	A building permit (#7003436) was issued for two wall signs (tag# 10296) at 6401 North Durango Drive, suite #120.
02/01/08	A building permit (#106266) was issued for a tenant improvement certificate of occupancy at 6441 North Durango Drive, Suite #120.
02/04/08	A building permit (#7003440) was issued for a sign (tag# 10299) at 6441 North Durango Drive, Suite #120.
02/04/08	A business license (R07-00804) was issued for a restaurant – seating under 45 at 6441 North Durango Drive, Suite #140.
02/07/08	A building permit (#7003446) was issued for a sign (tag# 10307) at 6441 North Durango Drive, Suite #140. The permit expired on 08/09/08.
03/11/08	A building permit (#105330) was issued for a tenant improvement at 6401 North Durango Drive, Suite #150.
03/13/08	A building permit (#8000017) was issued for a sign (tag# 10378) at 6401 North Durango Drive, Suite #110.
03/19/08	A building permit (#8000023) was issued for a sign (tag# 10383) at 6461 North Durango Drive.
04/02/08	A business license (#R05-00577) was issued for a restaurant – seating under 45 at 6441 North Durango Drive, Suite #110.
04/18/08	A building permit (#8000102) was issued for a sign (tag# 10457) at 6401 North Durango Drive, Suite #150.
05/02/08	A business license (#B05-03096) was issued for a cosmetological establishment at 6461 North Durango Drive, Suite #130.
05/02/08	A business license (#B08-01275) was issued for beauty/cosmetics sales at 6461 North Durango Drive, Suite #130.
05/02/08	A business license (#M03-00172) was issued for a massage establishment at 6461 North Durango Drive, Suite #130.
05/02/08	A business license (#Q07-01502) was issued for a medical firm at 6461 North Durango Drive, Suite #130.
05/02/08	A business license (#Q24-00006) was issued for massage administration at 6461 North Durango Drive, Suite #130.
06/10/08	A building permit (#8000217) was issued for a sign – channel letters, single faced, electric (tag# 10563) at 6401 North Durango Drive, suite #120.
07/09/08	A business license (#B02-00135) was issued for a bakery at 6401 North Durango Drive, Suite #150.

Pre-Application Meeting

08/07/08	A pre-application meeting was held where the submittal requirements for a Master Sign Plan were discussed.

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Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
08/19/08	Staff performed a routine field check where staff noted the trailing lantana has been allowed to die and not replaced in the landscape planter along Durango Drive and Centennial Boulevard. There were also approximately four (4) non-permitted temporary signs (banners) posted on the building and wall.
Details of Application Request	
Site Area	
Gross Acres	2.03

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	T-C (Town Center)	T-C (Town Center) [SC-TC (Service Commercial – Town Center) Special Land Use Designation]
North	I-215 Beltway	I-215 Beltway	I-215 Beltway
South	Vacant Land (Clark County)	ML [(Medium Low Density Residential) - Clark County]	R-E [(Rural Estates Residential District) - Clark County]
East	Shopping Center	T-C (Town Center)	T-C (Town Center) [SC-TC (Service Commercial – Town Center) Special Land Use Designation]
West	Storage Facility	T-C (Town Center)	T-C (Town Center) [SC-TC (Service Commercial – Town Center) Special Land Use Designation]

Special Districts/Zones	Yes	No	Compliance
Special Area Plan	X		Y
T-C Town Center District	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	X		Y
Centennial Hills Sector Plan	X		Y
Northwest Open Space Plan	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

NE

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October 9, 2008 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Town Center Development Standards:

Monument Signs: One Multi-Tenant Monument Sign		
Standards	Allowed	Provided
Maximum Number	One sign per 300 lineal feet of street frontage. Parcels less than 300 lineal feet of street frontage are permitted one (1) sign per street frontage.	1 / Street frontage 1 total (Approximately 330 feet of Street Frontage – Durango Drive)
Maximum Area	75 SF /Sign	46.69 SF
Maximum Height	8 Feet	12 Feet*
Minimum Setback	5 Feet	2 Feet*
Illumination	Must be designed so as to avoid any fugitive light. No exposed neon is permitted.	Internally illuminated with T-12 fluorescent lamps.

*The applicant is requesting Waivers from the Town Center Development Standards to allow for a 12-foot tall multi-tenant monument sign where eight feet is the maximum height allowed and to allow a two-foot sign setback where five feet is the minimum setback required.

ANALYSIS

The applicant is requesting the approval of a Major Amendment to the approved Master Sign Plan (ARC-26110) for 6403 North Durango Drive, also known as the Shops at Town Center. The request for a Major Amendment to an approved Master Sign Plan is being submitted in accordance with Condition #13 of Site Development Plan Review (SDR-9825) which states, “A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee – Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.” Site Development Plan Review (SDR-9825) granted the approval of an 18,000 square-foot retail building on the subject property. The original Master Sign Plan (ARC-26110) approved wall signs only within the shopping center.

The applicant is proposing a 12-foot tall multi-tenant monument sign to be located within the landscape buffer adjacent to Durango Drive. The Shops at Town Center have approximately 330 feet of street frontage along Durango Drive thus meeting the minimum standard of 300 feet of street frontage for a monument sign. The applicant has proposed the removal of a required 25-foot Mexican Fan Palm along Durango Drive in order to accommodate the proposed sign.

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A condition has been added for any landscape material removed to be relocated within the same general area it was removed from to remain in compliance with Site Development Plan Review (SDR-9825) and the Town Center Development Standards.

The proposed monument sign will be internally illuminated; as well as painted Sand Tex-Cote to match the existing shopping center.

The applicant is also requesting Waivers from the Town Center Development Standards to allow for a 12-foot tall monument sign where eight feet is the maximum height allowed and to allow a two-foot sign setback where five feet is the minimum setback required. The percent of deviation from the Town Center Development Standards is noted in the chart below.

Town Center Development Standards: Monument Sign			
Standard	Allowed	Proposed	Deviation from Standard
Height	8 feet	12 feet	50%
Setback	5 feet	2 feet	60%

Staff is recommending denial of this application due to the excessive size of the proposed monument sign and the Waivers necessary to accommodate a sign of this magnitude within Town Center.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

ASSEMBLY DISTRICT 13

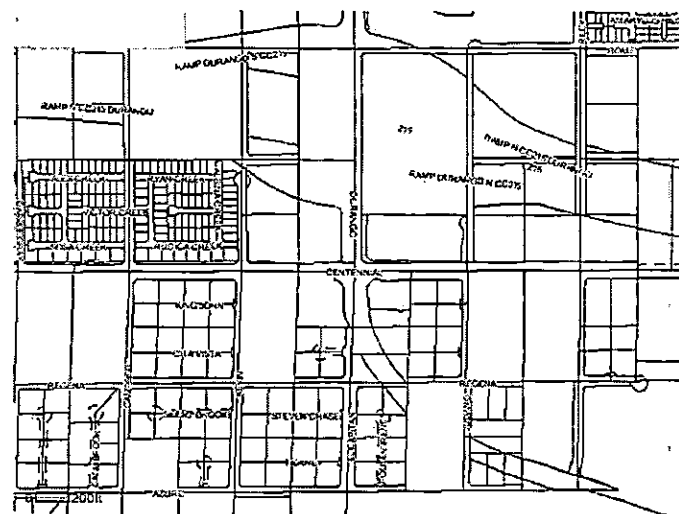
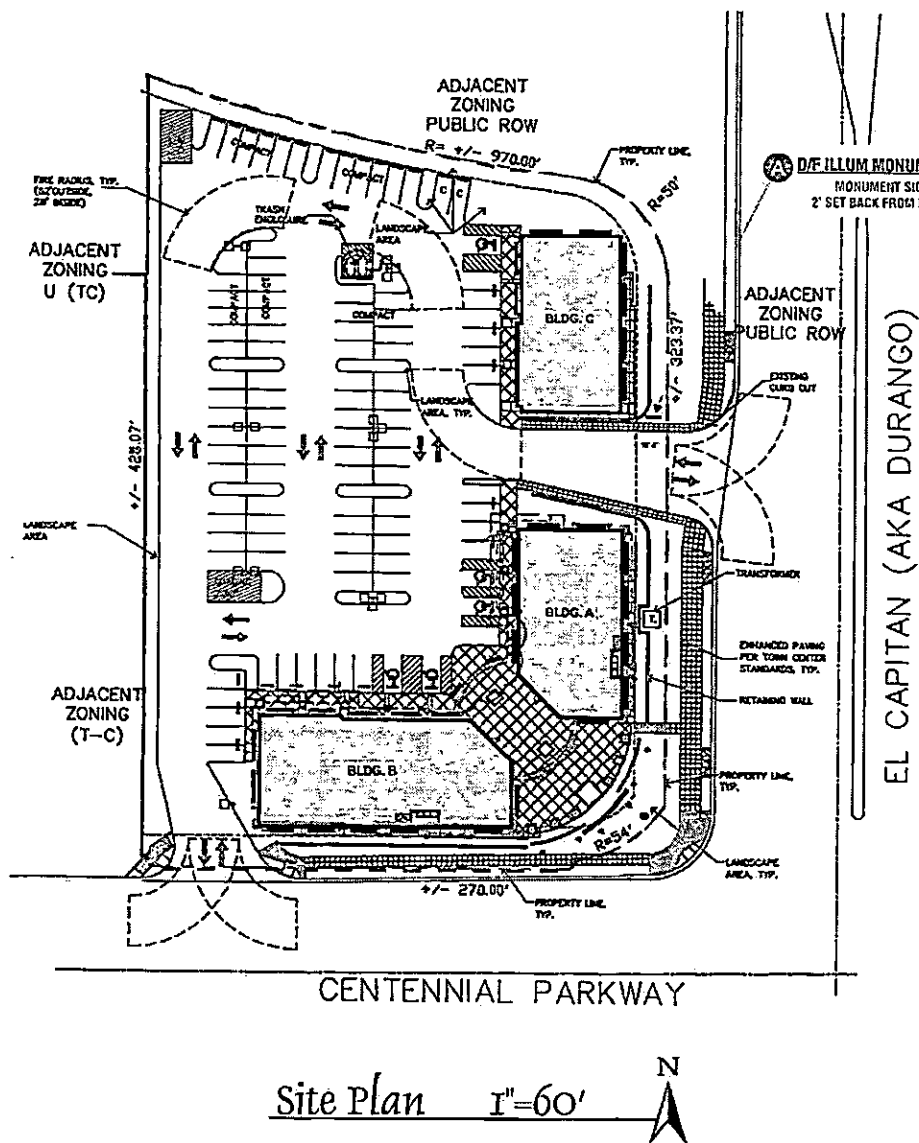
SENATE DISTRICT 9

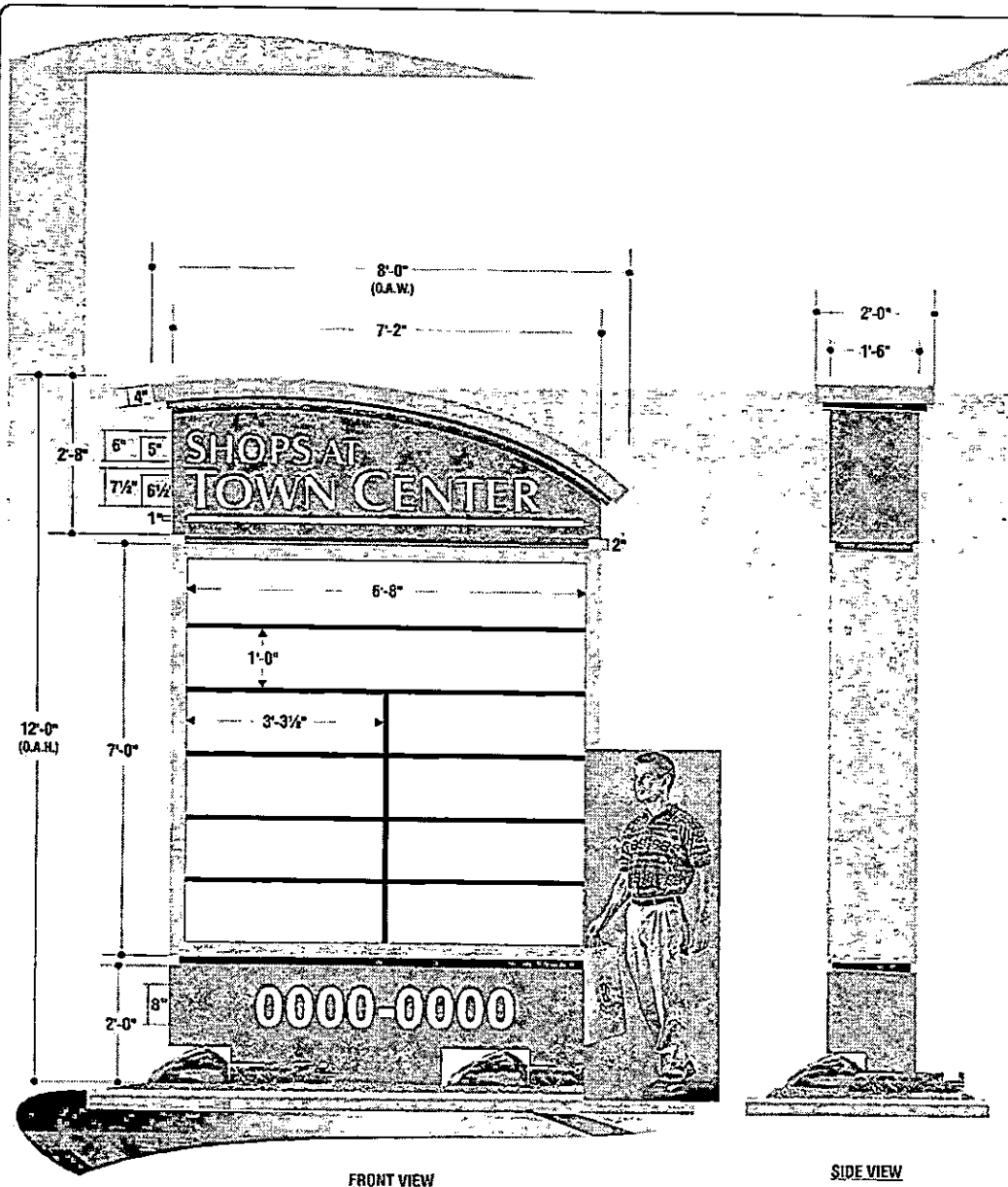
NOTICES MAILED 125

APPROVALS 0

PROTESTS 2







FRONT VIEW

SIDE VIEW



SIDE B

(1) D/F ILLUM MONUMENT SIGN $\frac{1}{2}"=1'-0"$

SCOPE OF WORK:

MFG & INSTALL (1) D/F INT. ILLUM, MONUMENT SIGN

METAL CORNICE TOP:

SAND TEX-COTE PAINTED TO MATCH EXISTING SIGN

ALUMINUM CABINET:

SAND TEX-COTE PAINTED TO MATCH BLDG

"SHOPS AT TOWN CENTER"

FACE: ROUTED-OUT COPY BACKED w/ WHITE PLEX

ILLUM: T-12 FLUORESCENT LAMPS

2" METAL REVEAL:

SAND TEX-COTE PAINTED TO MATCH EXISTING SIGN

TENANT CABINET:

SAND TEX-COTE PAINTED TO MATCH EXISTING SIGN

FACE: WHITE PLEX

VINYL: 1" BLACK VINYL DIVIDER LINES

& COPY T.B.D.

ILLUM: T-12 FLUORESCENT LAMPS

2" METAL REVEAL:

SAND TEX-COTE PAINTED TO MATCH EXISTING SIGN

BASE:

SAND TEX-COTE PAINTED TO MATCH EXISTING SIGN

FCO NUMBERS:

$\frac{1}{4}"$ ALUMINUM PAINTED WHITE

FLUSH MOUNT.

**SHOPS AT
TOWN CENTER**

DURANGO @ CENTENNIAL

(1) D/F ILLUM MONUMENT

VISION SIGN INC.

6630 Arroyo Springs Street Suite 600

Las Vegas, NV 89113

Phone: 702-895-7474

These plans were prepared and submitted by the contractor and are subject to the terms and conditions of the contract. The contractor is responsible for obtaining all necessary permits and for the accuracy of the information provided. The contractor is not responsible for any errors or omissions in the plans or for any damage to the property of the owner or third parties.

THIS AGREEMENT WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART IS PROHIBITED.

JOB NO. 12510
DATE 06-26-2008
DRAWN S. FORD
CHECKED J. QUINTANA
FILED SHOPSTOWNCTR12510.CDR
REVISED

REVISIONS MADE

NO.	DESCRIPTION

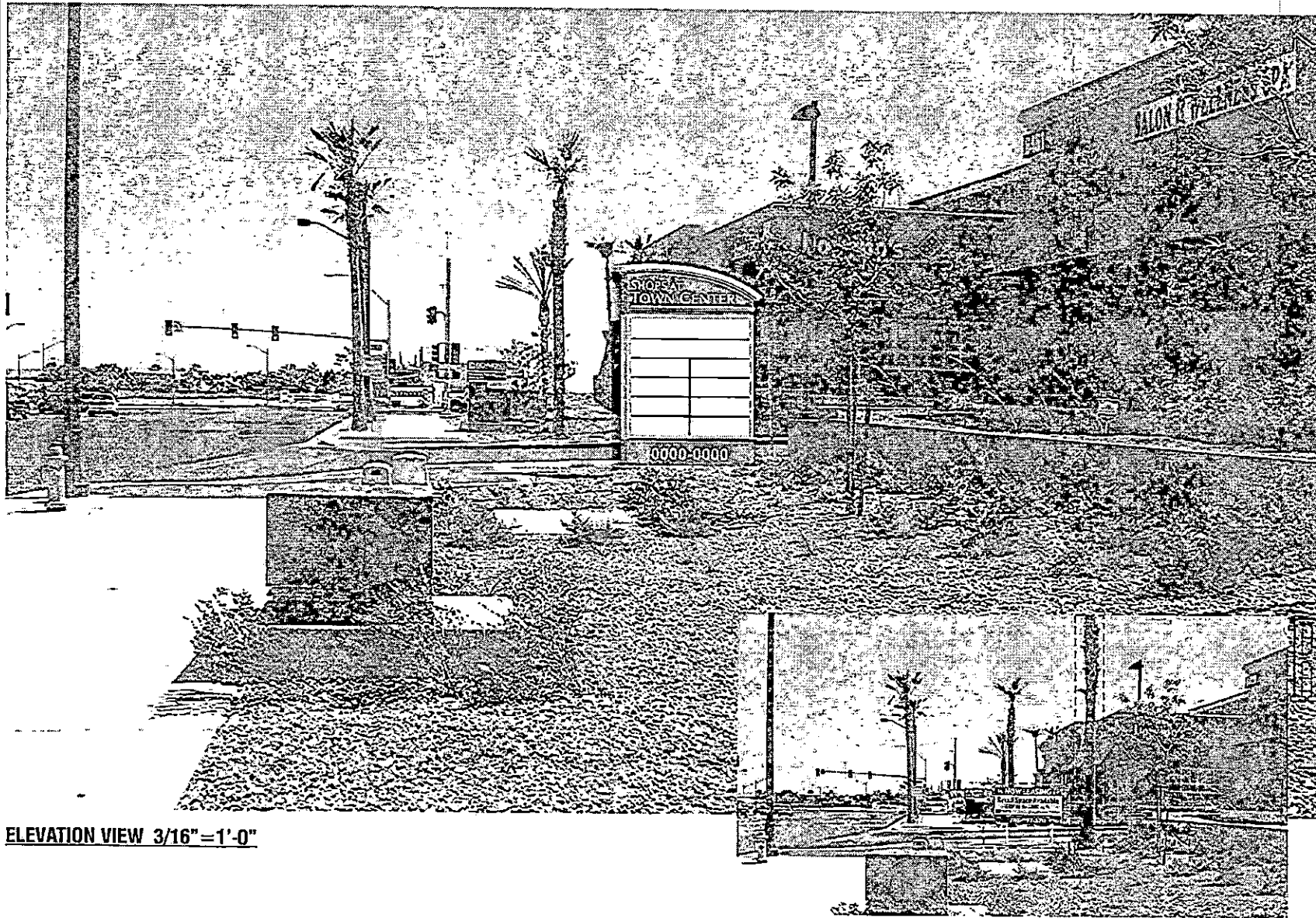
FINAL SIGN-OFF

DATE SOLD:
SALES PERSON:
DESIGNER:
CUSTOMER:

SHEET

001

MSP-29350
09/25/08 PC



ELEVATION VIEW 3/16"=1'-0"

REMOVE BILLBOARD - PALM TREE TO BE REMOVED BY OTHERS

SHOPS AT TOWN CENTER

DURANGO @ CENTENNIAL

ELEVATION VIEW

VISION SIGN INC.

6030 Arroyo Springs N Street Suite 600

Las Vegas, NV 89113

Phone: 702-892-7474

These plans are prepared by and for the use of the client and are not to be used for any other purpose without the written consent of Vision Sign, Inc. All work shall conform to the latest edition of the National Electrical Code (NEC) and the International Building Code (IBC).

NY CONTRACTOR LICENSE #42776

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF NAME, IN WHOLE OR PART IS PROHIBITED.

JOB NO. 12510
DATE 06-26-2008
BY S. FORD
CHKD J. QUINTANA
PROJECT SHOPSTOWNCTR12510.DWG

REVISIONS MADE	

FINAL SIGN-OFF

DATE SOLD:	
SALES PERSON:	
DESIGNER:	
CUSTOMER:	

SHEET
002

MSP-29350
09/25/08 PC



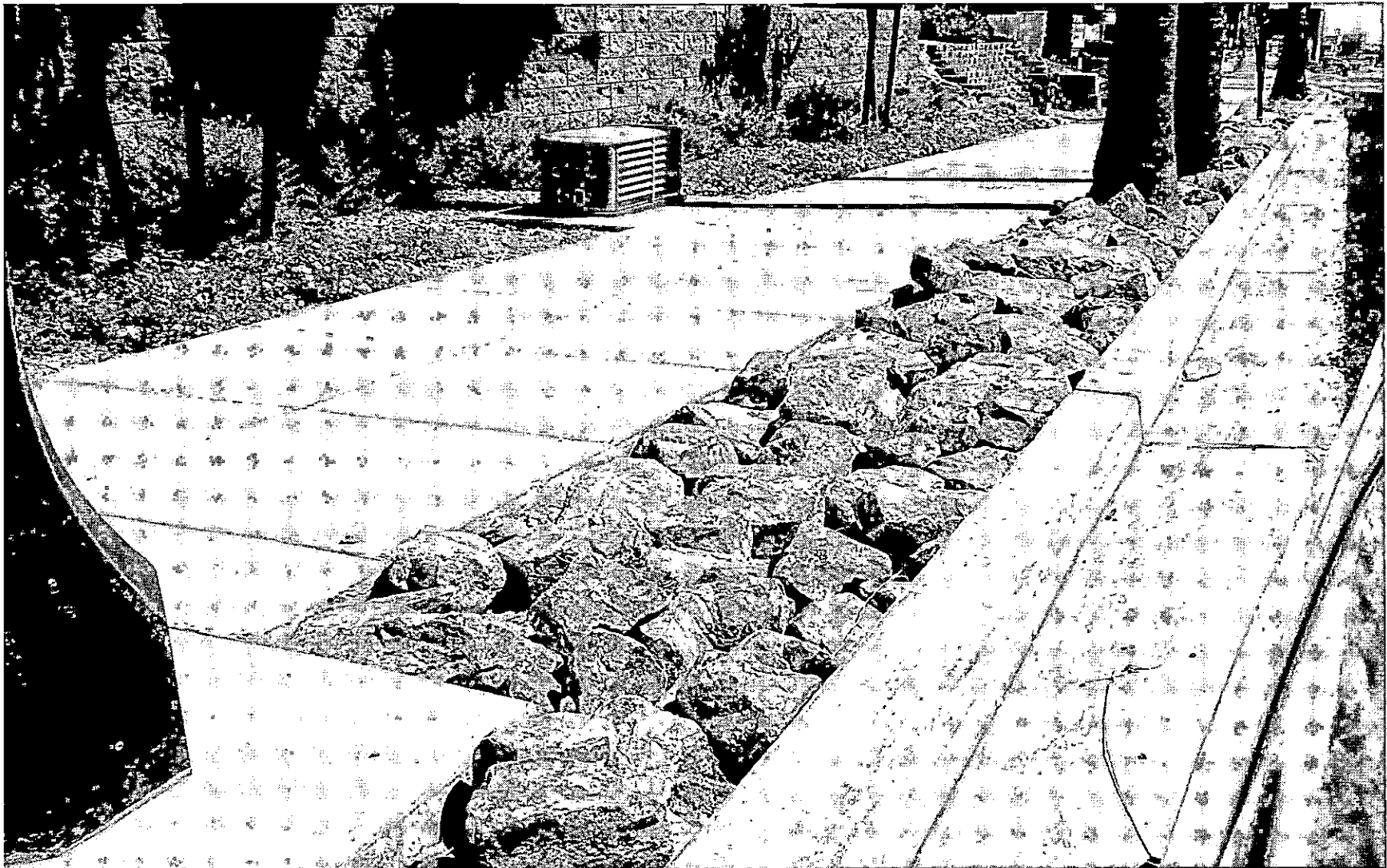
MSP-29350 - APPLICANT/OWNER: CENTENNIAL DURANGO PARTNERS, LLC
6403 NORTH DURANGO DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

8/20/08



MSP-29350 - APPLICANT/OWNER: CENTENNIAL DURANGO PARTNERS, LLC
6403 NORTH DURANGO DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

8/20/08



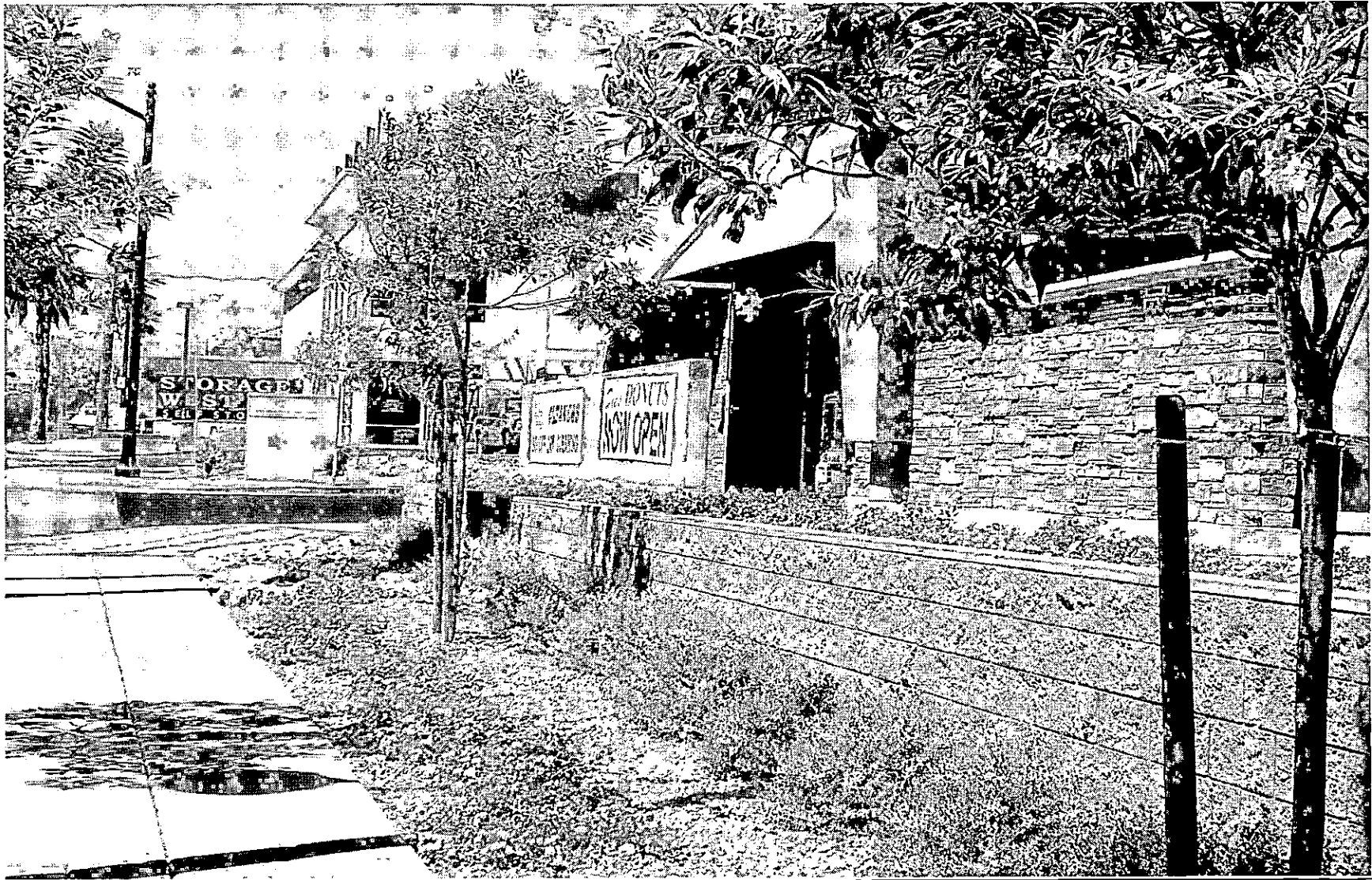
MSP-29350 - APPLICANT/OWNER: CENTENNIAL DURANGO PARTNERS, LLC
6403 NORTH DURANGO DRIVE
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8/20/08



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MSP-29350 - APPLICANT/OWNER: CENTENNIAL DURANGO PARTNERS, LLC
6403 NORTH DURANGO DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

8/20/08

VISION SIGN INC.

6630 Arroyo Springs Street Suite 600 • Las Vegas, NV 89113

Phone: (702) 895-7474

Fax: (702) 895-7444

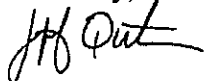
July 31, 2008

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

City of Las Vegas Planning,

We would like the planning department to consider the approval the amending of the Master Sign Plan for the property located at 6401 N Durango Drive for the Shops at Town Center. The master sign plan was previously approved for all of the wall signs on the buildings. The new owners would like to move forward with the approval of a 12' tall freestanding monument sign. The sign will be the primary sign for the center along the street and will be constructed at a height below the allowed height per code. Thank you for the consideration of this request. Please contact me with any questions regarding this request at 895-7474 x229

Sincerely,

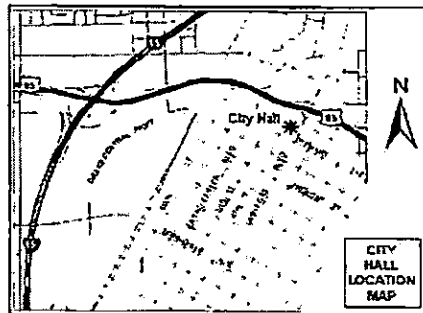


Jeff Quintana

RECEIVED
AUG 07 2008

MSP-29350
09/25/08 PC

Return Service Requested
Official Notice of Public Hearing



☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

MSP-29350

REC'D
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**PRESORTED
FIRST CLASS**



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MAILED FROM ZIP CODE 89101

Case: M
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KALKOWSKI KRISTOPHER J
8940 KING JOHN CT
LAS VEGAS NV 89149-3221

Case MSP-29350

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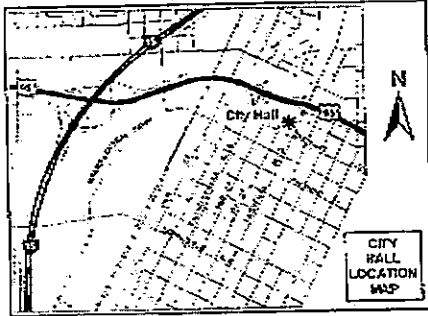
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PHONE NO. : 702+645+0837

FROM : LOGOMOTION

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.

MSP-29350

Planning Commission Meeting of 9/25/2008

PRESORTED
FIRST CLASS



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*There is To much
Light Pollution Now!*

12529104007
GOMOLL RANDY G & ARLIS D
8888 STEVEN CHASE CT
LAS VEGAS NV 89149-3212

Case: MSP-29350

RECEIVED
SEP 17 2008

GAUDS11 29149



46P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GPA-29565 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: DIBELLA LIVING TRUST - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: O (OFFICE) TO: SC (SERVICE COMMERCIAL) on 0.76 acres at the southwest corner of Charleston Boulevard and Pahor Drive (APN 162-04-110-001, 002 and 162-04-101-010), Ward 1 (Tarkanian)

C.C.: 11/05/2008

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

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

Motion made by RICHARD TRUESDELL to Hold in abeyance Items 20 and 21 to 12/4/2008

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

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

NOTE: MARGO WHEELER, Director of Planning and Development Department, disclosed that she owns property in the notice area and would not be participating in the discussion..

Minutes:

CHAIR GOYNES declared the Public Hearing open for Items 20 and 21.

DOUG RANKIN, Planning and Development Department, stated that the applications are not conducive to the goals and objectives of the Las Vegas 2020 Master Plan nor the Rancho Land Use Study and is not compatible or harmonious with the surrounding area. He recommended denial.

PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DAVID TURNER, Consulting Engineer, appeared on behalf of the JOHN DIBELLA, the applicant, who was present. MR. TURNER explained that in an effort to construct a new building, the applicant is requesting an amendment to the General Plan as well as the rezoning of his parcels. He asked for approval.

JOE FRCHO, 3382 Southridge Avenue, questioned whether it would be possible to build the intended structure as an O (Office) designation. MR. RANKIN replied that the florist shop requires a Commercial zoning in order to operate as a retail center. With regard to the other uses on the site, one is an office and the other is the storage facility.

TAMMY AKERMAN, 1113 Pahor Drive, expressed concern with the driveway located on Pahor Drive and the possibility of future commercial encroachment into the neighborhood.

TODD FARLOW, 240 North 19th Street, believed that both applications should be Limited Commercial (C-1). COMMISSIONER TRUESDELL explained that the General Plan Amendment with Service Commercial (SC) provides for C-1.

With regard to the driveway, MR. TURNER explained that it has access to Pahor Drive and is used by the delivery trucks. In the future, he planned to submit a Site Development Plan Review.

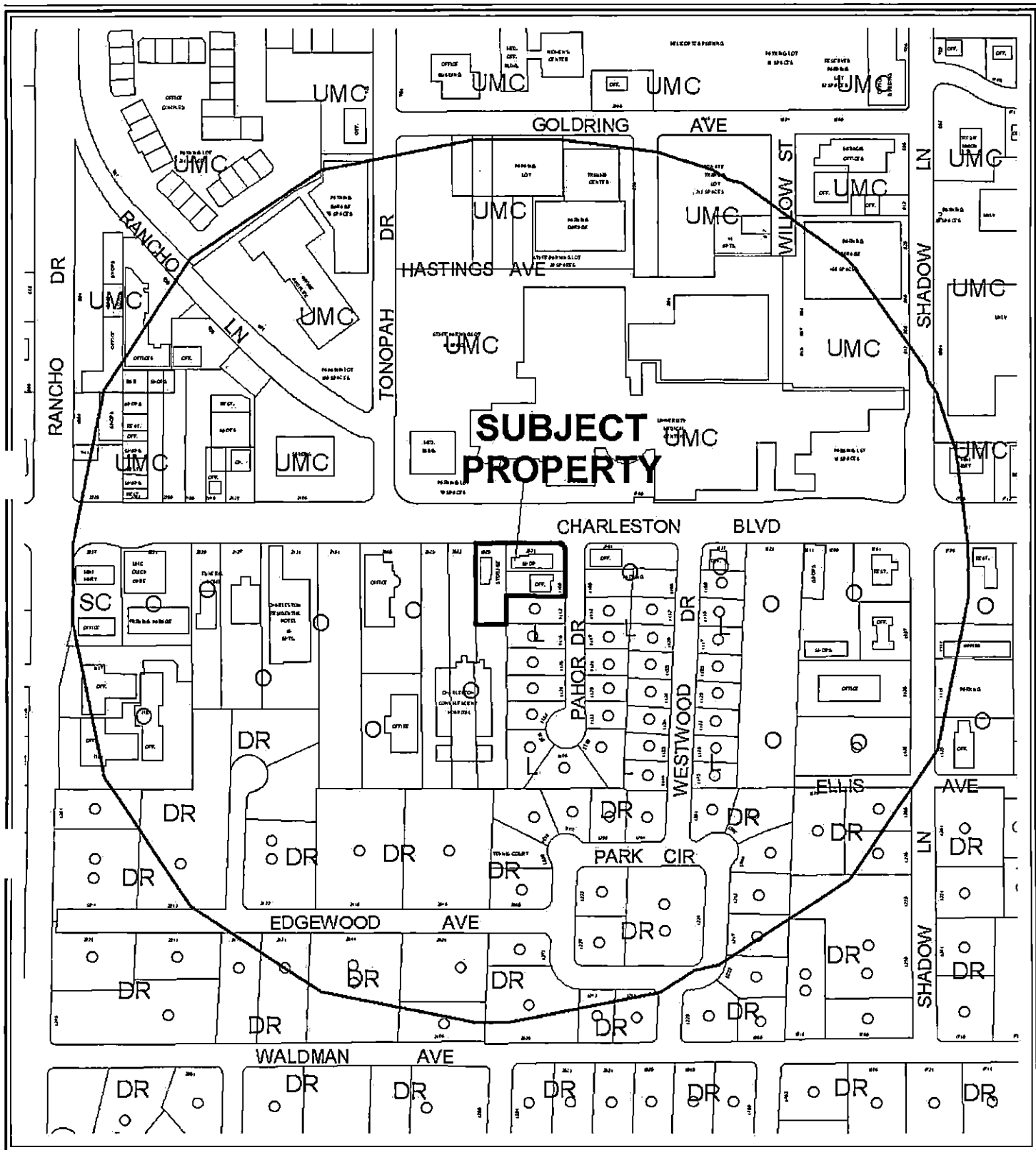
COMMISSIONER DUNNAM remarked that he was concerned with doing a zone change without a Site Development Plan Review. Once the zoning is changed to C-1, someone could develop anything allowed that is permitted within the C-1 zoning district. He stated he could not support the amendment unless the applicant consented to holding the item and returned with a Site Development Plan Review.

COMMISSIONER TRUESDELL agreed with COMMISSIONER DUNNAM'S comments and asked whether the applicant had a preliminary site plan. MR. TURNER replied one had not been submitted. COMMISSIONER EVANS encouraged the applicant to work with the neighbors to minimize any impact on the neighborhood.

COMMISSIONER QUINN commended the applicant for running his business from a small confined space.

MR. RANKIN stated that the Site Plan Review would be publicly noticed and would include the Zoning and the General Plan Amendment.

CHAIR GOYNES declared the Public Hearing closed for Items 20 and 21.



CASE: **GPA-29565**

RADIUS: 1000 FT

GENERAL LAND USE OF SUBJECT PROPERTY:

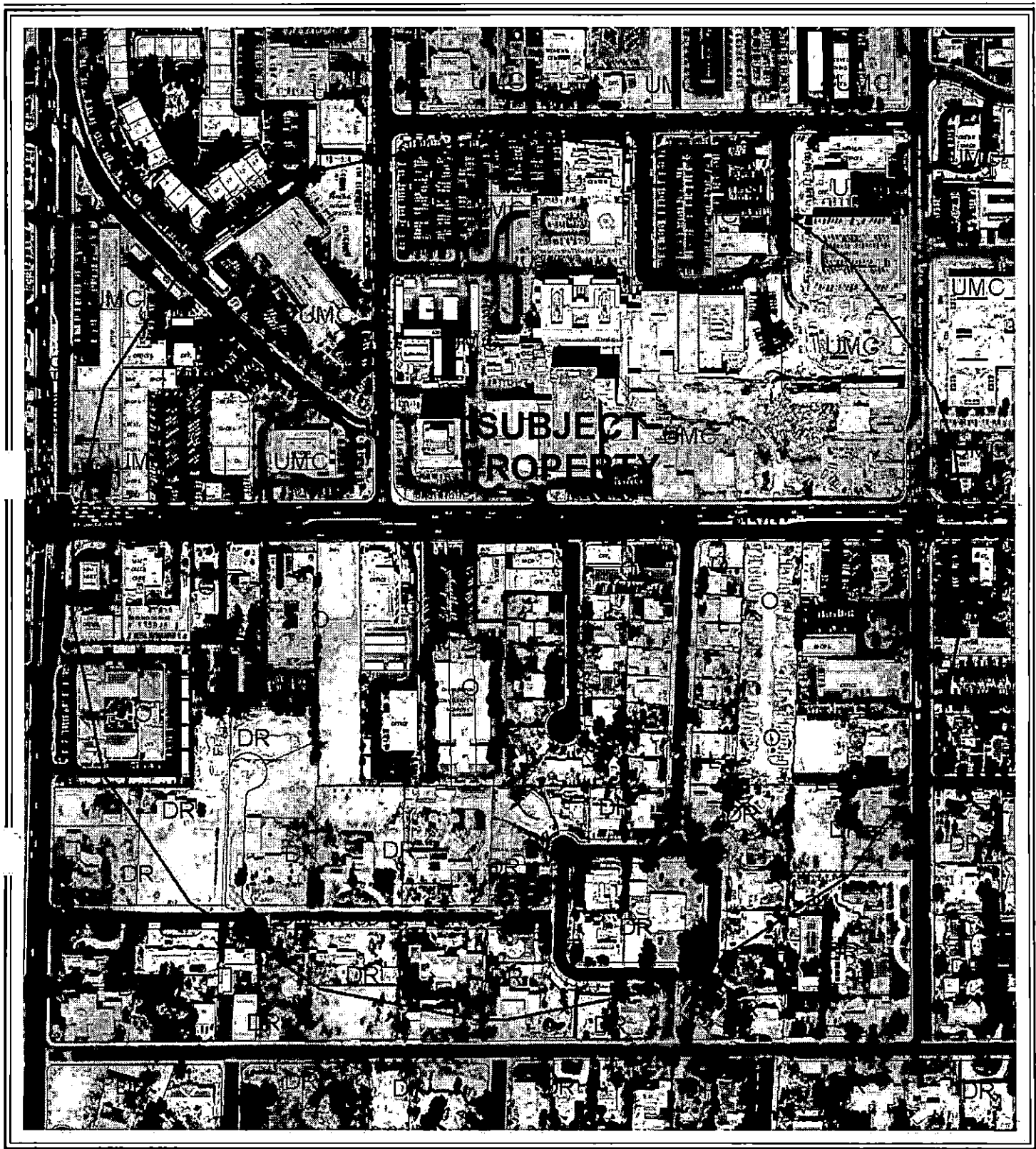
O (OFFICE)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

0 300 600 Feet





CASE: **GPA-29565**

RADIUS: 1000 FT

GENERAL LAND USE OF SUBJECT PROPERTY:

O (OFFICE)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-29565 - APPLICANT/OWNER: DIBELLA LIVING TRUST

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL

GPA-29565 - Staff Report Page One
October 9, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request to amend a portion of the Southeast Sector Plan of the General Plan from O (Office) to SC (Service Commercial) on 0.78 acres at the southwest corner of Charleston Boulevard and Pahor Drive.

Staff has determined that the range of uses within the SC (Service Commercial) land use category and the C-1 (Limited Commercial) zoning district are not compatible with the Rancho Charleston Land Use Study, which was developed to preserve the older, stable neighborhoods within the surrounding areas. Therefore, staff recommends denial of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/16/64	The Board of City Commissioners denied a request to Reclassify property (Z-0037-63) from R-1 (Single Family Residential) to P-R (Professional Office) at the southwest corner of West Charleston Boulevard and Pahor Drive. The Planning Commission recommended approval on 09/10/64.
01/20/65	The Board of City Commissioners denied a request to Reclassify property (Z-0092-64) generally located on the south side of West Charleston Boulevard between Rancho Road and Pahor Drive from R-E (Residence Estates) to C-1 (Limited Commercial). The Planning Commission recommended denial on 11/24/64.
07/03/74	The Board of City Commissioners approved a request to Reclassify property (Z-0022-74) generally located on the south side of Charleston Boulevard between Pahor Drive and Rancho Road from R-E (Residence Estates) to C-1 (Limited Commercial) and R-1 (Single Family Residential). The Planning Commission recommended approval on 6/13/74.
09/05/84	The City Council approved a request to Reclassify property (Z-0058-84) from R-1 (Single Family Residential) to C-1 (Limited Commercial), located at 2021 West Charleston Boulevard for a proposed Floral Shop. The Planning Commission recommended approval on 08/09/84.
12/07/88	The City Council approved a request to Reclassify property (Z-0115-88) from R-1 (Single Family Residential) to C-1 (Limited Commercial) located at the west side of Pahor Drive, south of Charleston Boulevard for a proposed Office and Storage Facility for a Floral Shop. The Planning Commission recommended approval on 11/10/88.

GPA-29565 - Staff Report Page Two
October 9, 2008 - Planning Commission Meeting

02/23/89	The Board of Zoning Adjustments approved a request for a Variance (V-0009-89) to allow storage for an existing flower shop on the adjoining property to the north (1106 Pahor Drive), where commercial storage is not permitted.
11/07/02	The Planning Commission approved a request for a Site Development Plan Review (SDR-1014) and a reduction of the on-site perimeter landscape requirements for a proposed restaurant at 7185 West Charleston Boulevard.
Related Building Permits/Business Licenses	
01/01/51	A business license (F04-00065) was issued for a Florist at 2021 West Charleston Boulevard. The license is still active.
09/26/90	A building permit (#90083963) was issued for an illuminated pylon sign at 2021 West Charleston Boulevard. The project was completed on 11/27/90.
01/23/96	A business license (N06-00318) was issued for an Administrative Office at 1106 Pahor Drive. The license is still active.
01/26/96	A business license (L33-00039) was issued for lawn maintenance at 2021 West Charleston Boulevard. The license is still active.
12/17/04	A business license (M18-03076) was issued to a consulting firm at 2021 West Charleston Boulevard. The license was discontinued on 11/02/06.
Pre-Application Meeting	
08/06/08	A pre-application meeting was held with the applicant to discuss Title 19 and the General Plan Amendment submittal requirements.
Neighborhood Meeting	
09/09/08	A neighborhood meeting was held on Tuesday, September 9, 2008 at 6:00 p.m. at Las Vegas Lodge #1468 located at 4100 West Charleston Boulevard, Las Vegas, Nevada 89102. The applicant gave a brief description of the proposed change in land use designation, rezoning, and future plans for the site. Members of the public had the following questions and concerns relative to the applications: • Residents had concerns about the height of the structure to be built on the site. The applicant responded that the proposed building will be no more than two stories in height, and that a Site Development Plan Review (SDR) application will be filed once the General Plan Amendment and Zoning applications are approved. • Residents requested clarification about the boundaries of the proposed land use change and rezoning. The applicant confirmed that the applications pertained solely to the parcels where the current business/structures are located. • Concerns were expressed that the applicant would “flip” the property upon receiving entitlements. • Concerns were expressed about commercial traffic on Pahor Drive. The applicant explained that the principal access to the property was from Charleston Boulevard, and the driveway on Pahor Drive was only to be used by his own delivery trucks.

GPA-29565 - Staff Report Page Three
October 9, 2008 - Planning Commission Meeting

Field Check	
09/02/08	A field check of the subject area was performed, where it is noted that the overall appearance of the business was neat and clean.

Details of Application Request	
Site Area	
Gross Acres	0.78 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Flower Shop	O (Office)	C-1 (Limited Commercial)
North	Hospital and Medical Offices	UMC (University Medical Center)	PD (Planned Development)
South	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
East	Office	O (Office)	C-1 (Limited Commercial)
	Parking	O (Office)	R-1 (Single Family Residential)
West	Convalescent Homes	O (Office)	C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	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

Airport Overlay District

No structure shall be erected, altered, or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitation defined by the McCarran Airport Overlay Map and the North Las Vegas Airport Overlay Map. The subject site is within the 200-foot contour limitation and does not exceed the height limitations, and is therefore in compliance with the Airport Overlay District.

GPA-29565 - Staff Report Page Four
October 9, 2008 - Planning Commission Meeting

ANALYSIS

- **O (Office) Master Plan Land Use Designation**

The Office category provides for small lot office conversions as a transition along primary and secondary streets from residential and commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

- **SC (Service Commercial) Master Plan Designation**

The applicant is proposing to amend the current O (Office) Master Plan Land Use designation to the SC (Service Commercial) Master Plan Land Use designation to allow low to medium intensity retail, office, or other commercial uses that primarily serve local area patrons. This particular proposal consists of three parcels totaling 0.78 acres.

This amendment was submitted in conjunction with a proposed Rezoning (ZON-29566) from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial). The SC (Service Commercial) designation is not compatible with the Rancho Charleston Land Use Study. The Master Plan Land Use Designation of O (Office) was established to provide a buffer to the older, established neighborhoods surrounding the area; therefore, staff recommends denial of this General Plan Amendment.

FINDINGS

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

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

GPA-29565 - Staff Report Page Five
October 9, 2008 - Planning Commission Meeting

In regard to “1”:

The proposed SC (Service Commercial) Land Use designation for the parcels currently designated as O (Office) is not compatible with the existing O (Office) and L (Low Density Residential) properties that surround the subject sites. The increase in the intensity of use will not only create an incompatibility with the surrounding area, but with the Rancho Charleston Land Use Study. Therefore, staff recommends denial of this request as well as the affiliated application.

In regard to “2”:

Staff finds that a commercially zoned district would be inappropriate for this location, as this zoning district is intended to allow retail and general personal services, and may be appropriate for mixed-use developments. This district should be confined to intersections of primary and secondary thoroughfares along major retail corridors.

In regard to “3”:

Access to the site is provided by Charleston Boulevard, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. Pahor Drive, a 50-foot local street provides secondary access to the subject site. The three parcels are in an area of the City where all utilities, fire and police services are currently in place and available to the subject area. Therefore, there are adequate facilities available to accommodate the uses and densities permitted by the proposed General Plan Amendment.

In regard to “4”:

This proposed amendment does not conform to the Las Vegas 2020 Master Plan or the Rancho Charleston Land Use Study; since the proposed land use designation of SC (Service Commercial) with a C-1 (Limited Commercial) zoning district is incompatible with the existing O (Office) and L (Low Density Residential) land uses that surround the subject properties. Because this application with the affiliated Rezoning (ZON-29566) is not compatible with the surrounding area, staff recommends denial.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 10

SENATE DISTRICT 9

GPA-29565 - Staff Report Page Six
October 9, 2008 - Planning Commission Meeting

NOTICES MAILED 97

APPROVALS 1

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-29565** APN: 162-04-110-001, 002 & ~~010~~ 162-04-101-010

Name of Property Owner: Dibella Living Trust

Name of Applicant: John Dibella

Name of Representative: Baughman & Turner Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

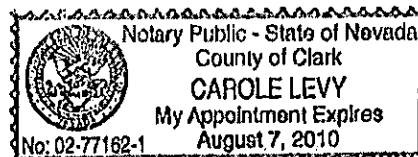
Signature of Property Owner: *John M. Dibella*

Print Name: John M. DiBella

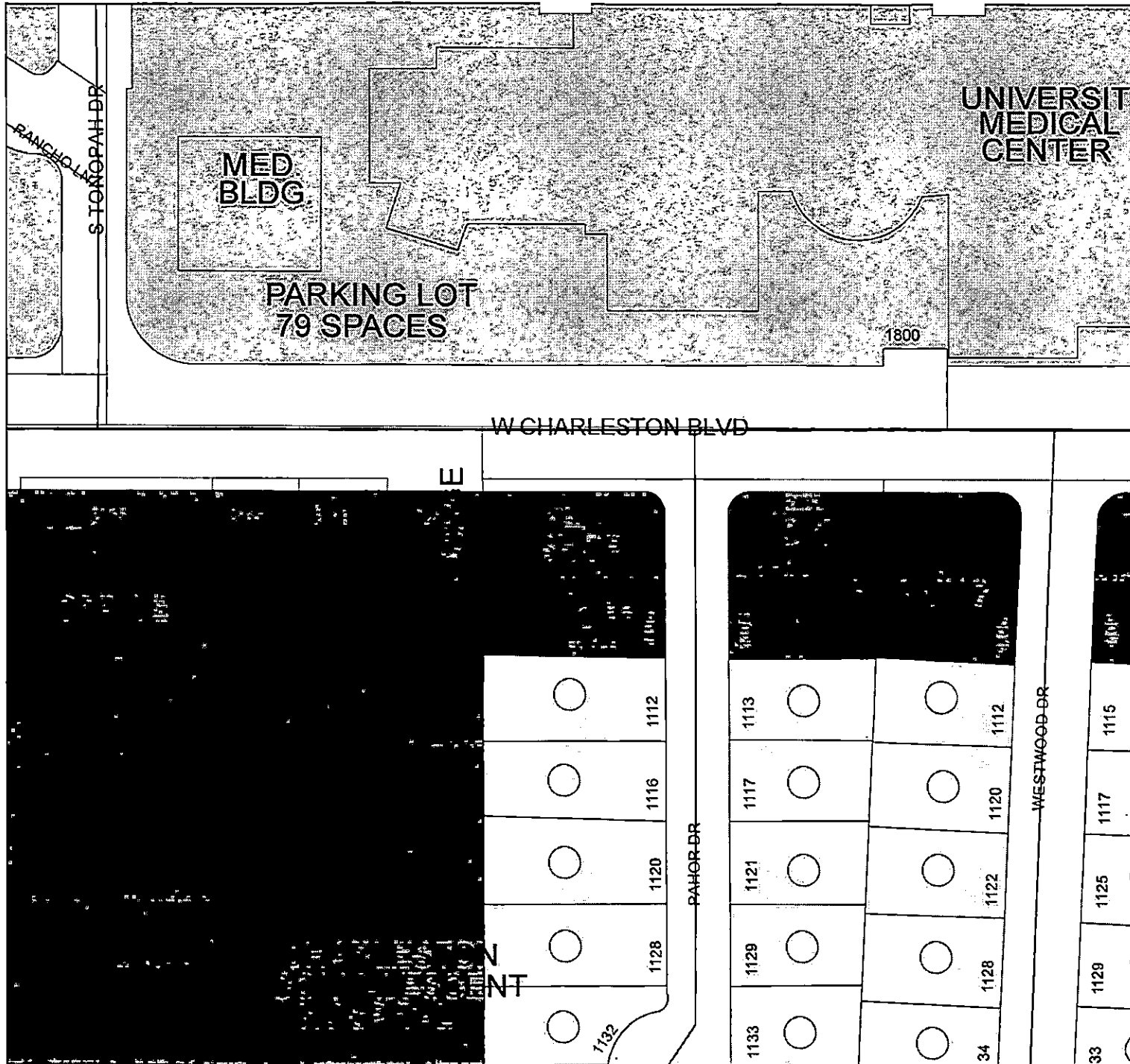
Subscribed and sworn before me

This 12th day of August, 2008

Carole Levy
Notary Public in and for said County and State



Cit Las Vegas Vicinity Map



General Plan Designations

- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium - Low
- Medium - Low Attached
- Medium
- High
- Office
- Service Commercial
- General Commercial
- Tourist Commercial
- Las Vegas Medical District
- Light Industrial / Research
- Planned Community Development
- Traditional Neighborhood Developr
- Downtown Redevelopment Area
- Parks/Recreation/Open Space
- Public Facility
- Public Facility - School
- Public Facility - Clark County
- Town Center
- Resource Conservation
- Downtown - Commercial
- Downtown - Mixed Use
- Not in City
- Right-of-Way

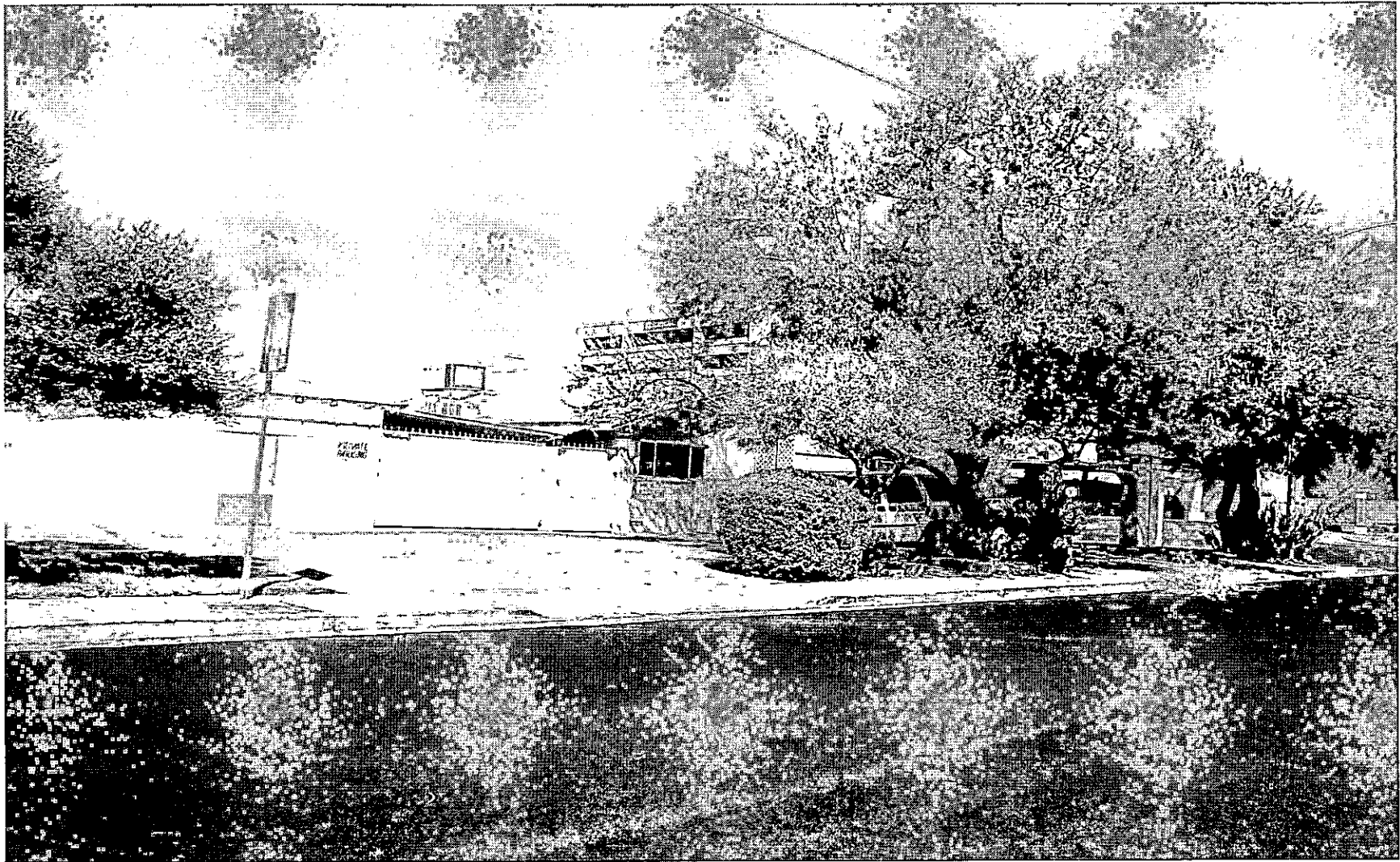
GPA-29565
ZON-29566
10/09/08 PC





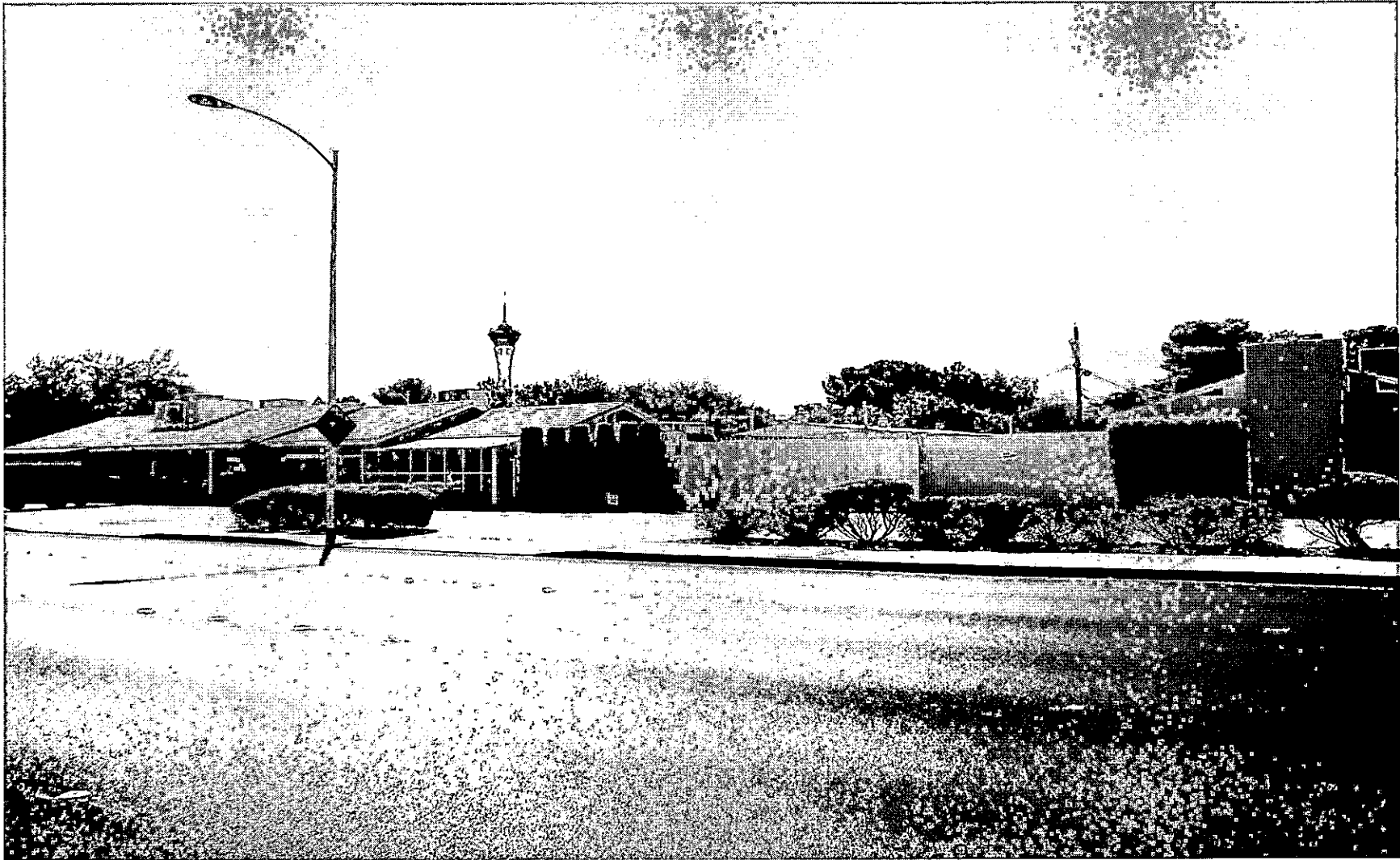
GPA-29565 - GENERAL PLAN AMENDMENT - APPLICANT/OWNER: DIBELLA LIVING TRUST
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND PAHOR DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



GPA-29565 - GENERAL PLAN AMENDMENT - APPLICANT/OWNER: DIBELLA LIVING TRUST
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND PAHOR DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



GPA-29565 - GENERAL PLAN AMENDMENT - APPLICANT/OWNER: DIBELLA LIVING TRUST
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND PAHOR DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



GPA-29565 - GENERAL PLAN AMENDMENT - APPLICANT/OWNER: DIBELLA LIVING TRUST
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND PAHOR DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08

Baughman & Turner, Inc.

Consulting Engineers & Land Surveyors

1210 HINSON ST.
LAS VEGAS, NEVADA 89102-1604

PHONE (702) 870-8771
FAX (702) 878-2695

August 19, 2008

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

Re: APNs 162-04-101-010 and 162-04-110-001 & 002

To Whom It May Concern,

Please let this letter serve as justification for a General Plan Amendment on the above-referenced properties. The current general plan designation is "Office" and the proposed designation is "Service Commercial". The owner is proposing to develop the site as a C-1 use (flower shop). One of the three properties (APN 162-04-110-001) is already zoned C-1.

There is C-1 zoning directly adjacent to the west and across Pahor Drive to the east. University Medical Center is across Charleston Blvd. to the north.

We feel this request is consistent with the uses in the area, and the approval of this application will not have a negative effect on the neighborhood or surrounding area.

I hope this addresses the proposed request. Should you have any questions, please feel free to contact me at this office.

Sincerely,
Baughman & Turner, Inc.



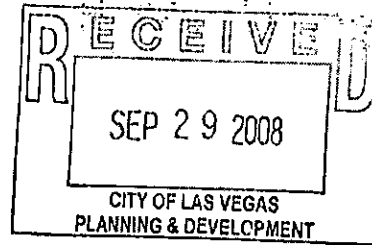
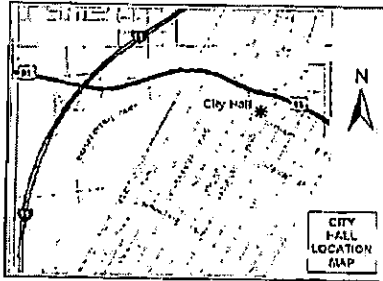
David S. Turner
President

DST/aw

GPA-29565
10/09/08 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.
GPA-29565 & ZON-29566
Planning Commission Meeting of 10/9/2008

16204102006
LEWIS TERRY R & CAROL J
2021 EDGEWOOD AVE
LAS VEGAS NV 89102-2202

Case: GPA-29565

GAVD511 89102

|||||

#20-21
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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ZON-29566 - REZONING - RELATED TO GPA-29565 - PUBLIC HEARING -
APPLICANT/OWNER: DIBELLA LIVING TRUST - Request for a Rezoning FROM: R-1
(SINGLE FAMILY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)
TO: C-1 (LIMITED COMMERCIAL) on 0.76 acres at the southwest corner of Charleston
Boulevard and Pahor Drive (APN 162-04-110-002 and 162-04-101-010), Ward 1 (Tarkanian)

C.C.: 11/05/2008

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

0

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

1

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RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

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

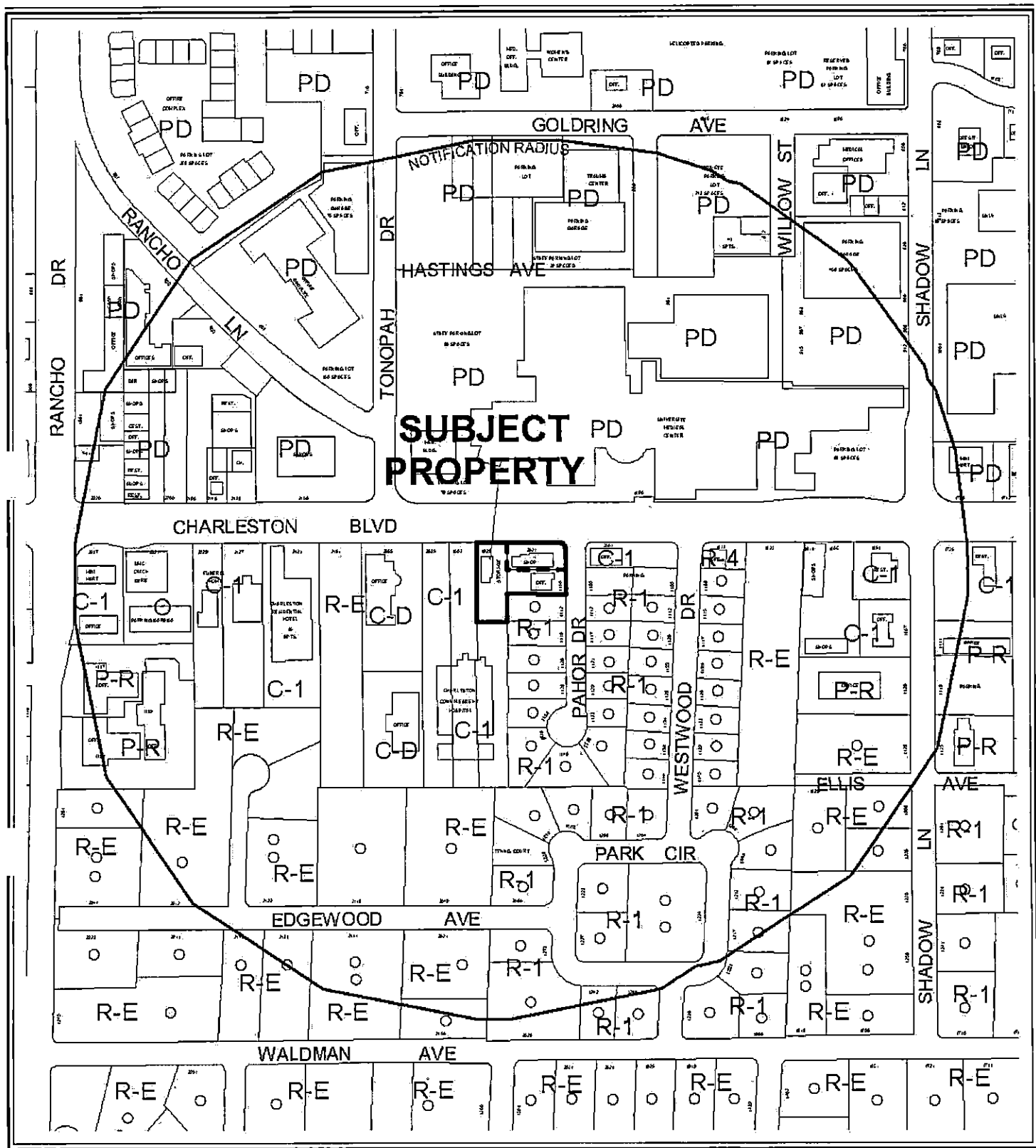
Motion made by RICHARD TRUESDELL to Hold in abeyance Items 20 and 21 to 12/4/2008

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

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

Minutes:

See Item 20 for related discussion.



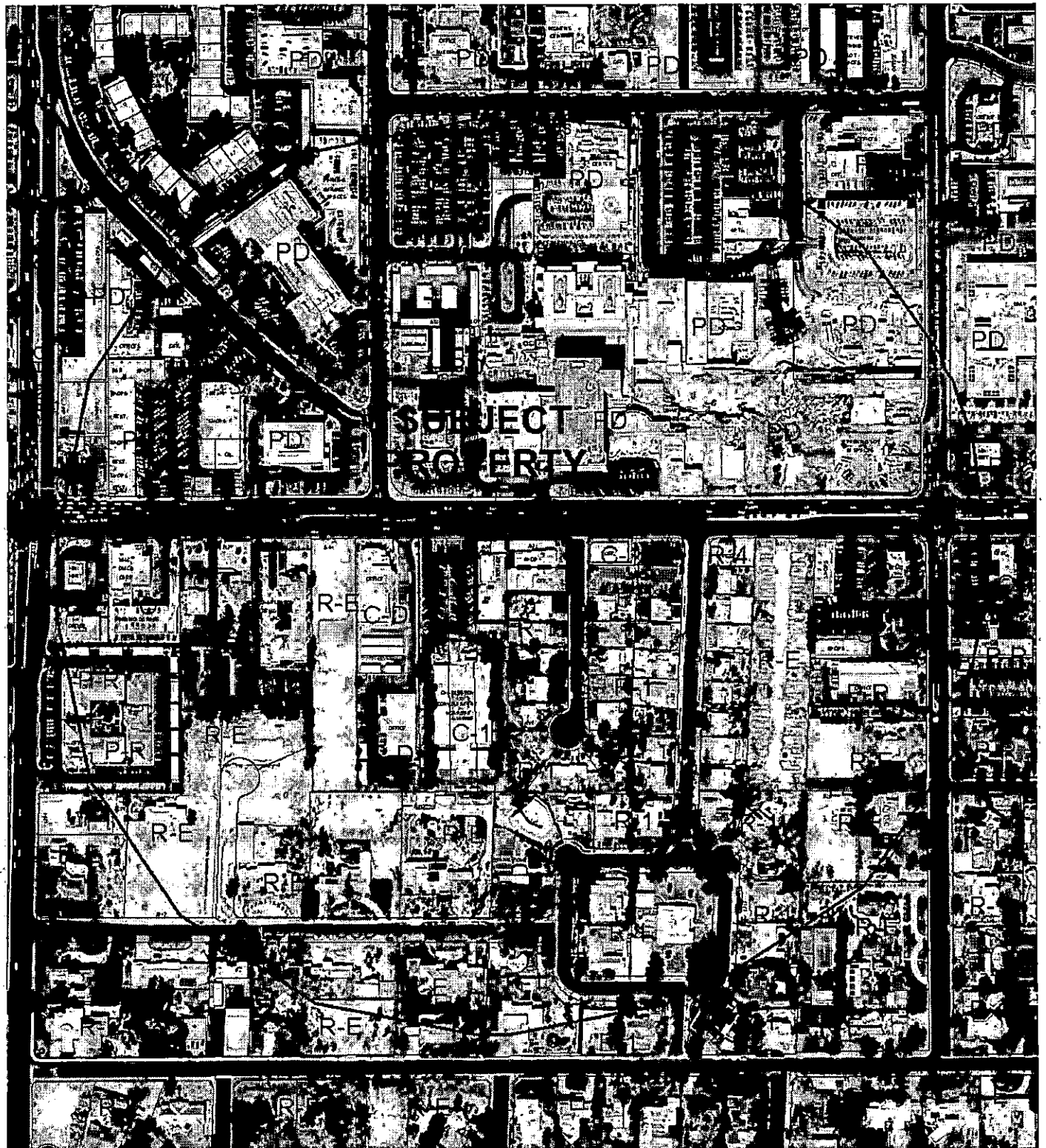
CASE: **ZON-29566**

RADIUS: 1000 FT

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

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





CASE: ZON-29566

RADIUS: 1000 FT

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

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

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-29566 - APPLICANT/OWNER: DIBELLA LIVING TRUST

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL.

ZON-29566 - Staff Report Page One
October 9, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for Rezoning of 0.55 acres from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial) on 0.78 acres at the southwest corner of West Charleston Boulevard and Pahor Drive. The site consists of three parcels used for a floral shop, office, and storage. Two of the subject parcels are requesting rezoning, while the third parcel has an existing zoning of C-1 (Limited Commercial).

A General Plan Amendment (GPA-29565) to amend a portion of the Southeast Sector Plan of the General Plan from the O (Office) land use designation to a SC (Service Commercial) land use designation accompanies this application. Staff is recommending denial of this Rezoning request as it an inappropriate zoning district for the area, and the associated General Plan Amendment (GPA-29565) application, which is too intense a land use and inconsistent with the Rancho Charleston Land Use Study.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/16/64	The Board of City Commissioners denied a request to Reclassify property (Z-0037-63) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at the southwest corner of West Charleston Boulevard and Pahor Drive. The Planning Commission recommended approval on 09/10/64.
01/20/65	The Board of City Commissioners denied a request to Reclassify property (Z-0092-64) generally located on the south side of West Charleston Boulevard between Rancho Road and Pahor Drive from R-E (Residence Estates) to C-1 (Limited Commercial). The Planning Commission recommended denial on 11/24/64.
07/03/74	The Board of City Commissioners approved a request to Reclassify property (Z-0022-74) generally located on the south side of Charleston Boulevard between Pahor Drive and Rancho Road from R-E (Residence Estates) to C-1 (Limited Commercial) and R-1 (Single Family Residential). The Planning Commission recommended approval on 6/13/74.
09/05/84	The City Council approved a request to Reclassify property (Z-0058-84) from R-1 (Single Family Residential) to C-1 (Limited Commercial), located at 2021 West Charleston Boulevard for a proposed Floral Shop. The Planning Commission recommended approval on 08/09/84.

ZON-29566 - Staff Report Page Two
October 9, 2008 - Planning Commission Meeting

12/07/88	The City Council approved a request to Reclassify property (Z-0115-88) from R-1 (Single Family Residential) to C-1 (Limited Commercial) located at the west side of Pahor Drive, south of Charleston Boulevard for a proposed Office and Storage Facility for a Floral Shop. The Planning Commission recommended approval on 11/10/88.
02/23/89	The Board of Zoning Adjustments approved a request for a Variance (V-0009-89) to allow storage for an existing flower shop on the adjoining property to the north (1106 Pahor Drive), where commercial storage is not permitted.
11/07/02	The Planning Commission approved a request for a Site Development Plan Review (SDR-1014) and a reduction of the on-site perimeter landscape requirements for a proposed restaurant at 7185 West Charleston Boulevard.
<i>Related Building Permits/Business Licenses</i>	
01/01/51	A business license (F04-00065) was issued for a Florist at 2021 West Charleston Boulevard. The license is still active.
09/26/90	A building permit (#90083963) was issued for an illuminated pylon sign at 2021 West Charleston Boulevard. The project was completed on 11/27/90.
01/23/96	A business license (N06-00318) was issued for an Administrative Office at 1106 Pahor Drive. The license is still active.
01/26/96	A business license (L33-00039) was issued for lawn maintenance at 2021 West Charleston Boulevard. The license is still active.
12/17/04	A business license (M18-03076) was issued to a consulting firm at 2021 West Charleston Boulevard. The license was discontinued on 11/02/06.
<i>Pre-Application Meeting</i>	
08/06/08	A pre-application meeting was held with the applicant to discuss Title 19 and Rezoning submittal requirements.
<i>Neighborhood Meeting</i>	
09/09/08	A neighborhood meeting was held on Tuesday, September 9, 2008 at 6:00 p.m. at Las Vegas Lodge #1468 located at 4100 West Charleston Boulevard, Las Vegas, Nevada 89102. The applicant gave a brief description of the proposed change in land use designation, rezoning and future plans for the site. Members of the public had the following questions and concerns relative to the applications: - Residents had concerns about the height of the structure to be built on the site. The applicant responded that the proposed building will be no more than two stories in height, and that a Site Development Plan Review (SDR) application will be filed once the General Plan Amendment and Zoning applications are approved. - Residents requested clarification about the boundaries of the proposed land use change and rezoning. The applicant confirmed that the applications pertain solely to the parcels where the current business/structures are located.

ZON-29566 - Staff Report Page Three
October 9, 2008 - Planning Commission Meeting

	- Concerns were expressed that the applicant would “flip” the property upon receiving entitlements. - Concerns were expressed about commercial traffic on Pahor Drive. The applicant explained that the principal access to the property was from Charleston Boulevard, and the driveway on Pahor Drive was only to be used by his own delivery trucks.
Field Check	
09/02/08	A field check of the subject area was performed, where it is noted that the overall appearance of the business was neat and clean.

Details of Application Request	
Site Area	
Gross Acres	0.78

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Flower Shop	O (Office)	C-1 (Limited Commercial)
North	Hospital and Medical Offices	UMC (University Medical Center)	PD (Planned Development)
South	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
East	Office	O (Office)	C-1 (Limited Commercial)
	Parking	O (Office)	R-1 (Single Family Residential)
West	Convalescent Homes	O (Office)	C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	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

ZON-29566 - Staff Report Page Four
October 9, 2008 - Planning Commission Meeting

Airport Overlay District

No structure shall be erected, altered, or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitation defined by the McCarran Airport Overlay Map and the North Las Vegas Airport Overlay Map. The subject site is within the 200-foot contour limitation and does not exceed the height limitations, and is therefore in compliance with the Airport Overlay District.

ANALYSIS

This is a request for Rezoning from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial). The C-1 (Limited Commercial) zoning district is intended to provide most retail and personal services, and may be appropriate for mixed-use development. This district should be confined to the intersections of primary and secondary thoroughfares along major retail corridors.

There is an affiliated application, General Plan Amendment (GPA-29565), proposing to change the current land use designation of O (Office) to SC (Service Commercial). The subject parcels are designated O (Office) on the Southeast Sector Plan Map of the General Plan and on the Rancho Charleston Land Use Study Map. The Office category allows for small lot office conversions as a transition, along primary and secondary streets, from residential and commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

The Rezoning of this property is not compatible with the surrounding areas. The Rancho Charleston Land Use Study was initiated to address the concerns of those families residing in the older, more established neighborhoods. It helped to preserve the quality, character, and style of existing neighborhoods by adding a buffer from the impacts of non-residential uses to the single-family dwellings in the surrounding areas. Therefore, staff is recommending denial of this request, along with the affiliated General Plan Amendment (GPA-29565).

FINDINGS

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

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

ZON-29566 - Staff Report Page Five
October 9, 2008 - Planning Commission Meeting

The applicant has submitted a General Plan Amendment (GPA-29565) to amend the current O (Office) General Plan designation to SC (Service Commercial) to allow low to medium intensity retail, office, or other commercial uses that primarily serve local area patrons. The Rezoning of the subject sites from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial) does not conform to the current General Plan designation. If the proposed General Plan Amendment (GPA-29565) is approved, the proposed zoning will conform to the General Plan. However, the Rancho Charleston Land Use Study deemed this site O (Office) and the proposed General Plan Amendment (GPA-29565) would contradict the intent of this study.

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

Although the requested C-1 (Limited Commercial) zoning district is the appropriate zoning district for the requested SC (Service Commercial) General Plan Land Use designation, this zoning district is incompatible with the surrounding residentially zoned properties and with the Rancho Charleston Land Use Study.

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

Growth and development factors in the community do not indicate the need for the Rezoning, nor its appropriateness. The subject sites are designated O (Office) by the Las Vegas 2020 Master Plan and Rancho Charleston Land Use Study in order to provide a transition along primary and secondary streets from residential to commercial uses. The subject site provides this transition for the R-1 (Single Family Residential) and P-R (Professional Office and Parking) zones properties to the east, west and south, and the PD (Planned Development) zoned properties to the north.

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

Adequate access to the site is provided by Charleston Boulevard, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. Pahor Drive, a 50-foot Local Street provides secondary access to the subject site. Rezoning the properties to a C-1 (Limited Commercial) zoning district will intensify the land use and vehicular traffic.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 10

ZON-29566 - Staff Report Page Six
October 9, 2008 - Planning Commission Meeting

SENATE DISTRICT 9

NOTICES MAILED 97

APPROVALS 1

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-29566**

APN: 162-04-110-002 & ~~070~~ 162-04-101-010 ⁷

Name of Property Owner: Dibella Living Trust

Name of Applicant: John Dibella

Name of Representative: Baughman & Turner Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

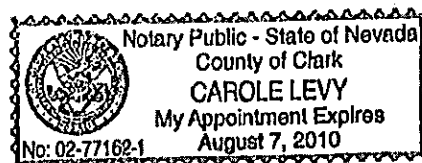
Signature of Property Owner: _____

Print Name: John M. DiBella

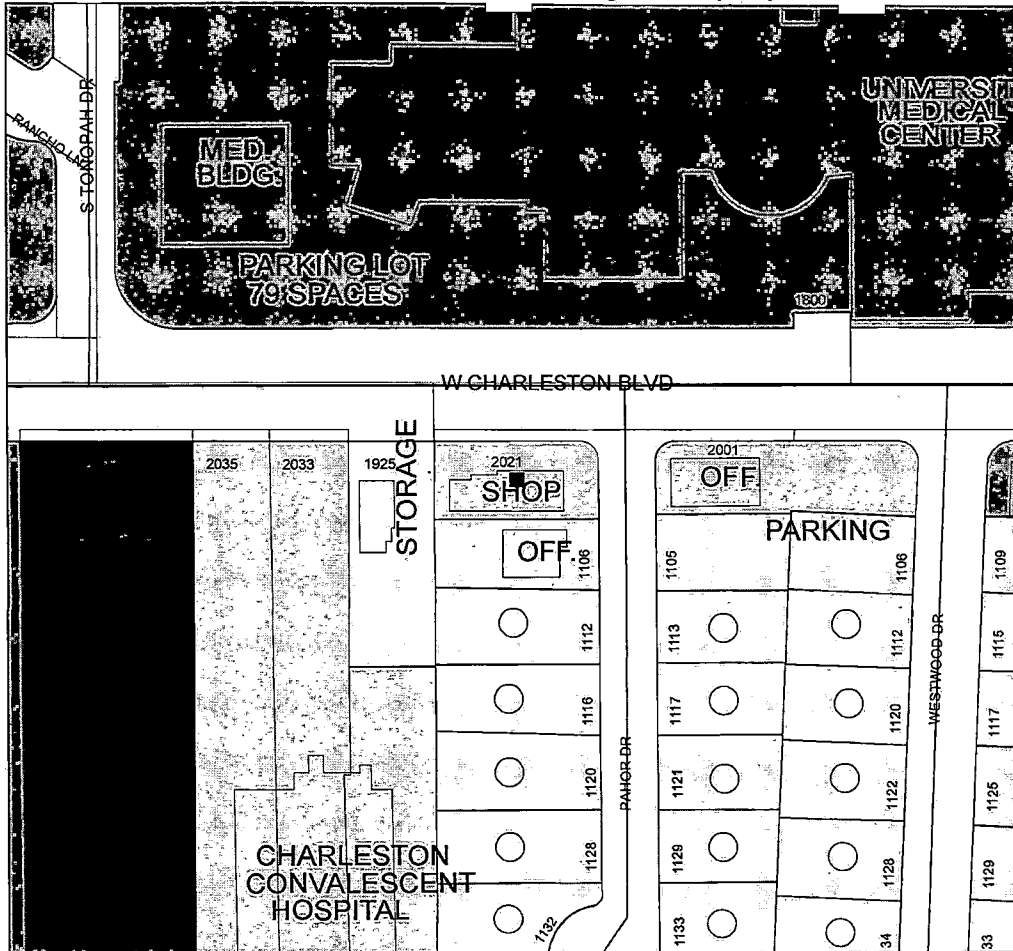
Subscribed and sworn before me

This 12th day of August, 2008

Carole Levy
Notary Public in and for said County and State



Cit Las Vegas Vicinity Map



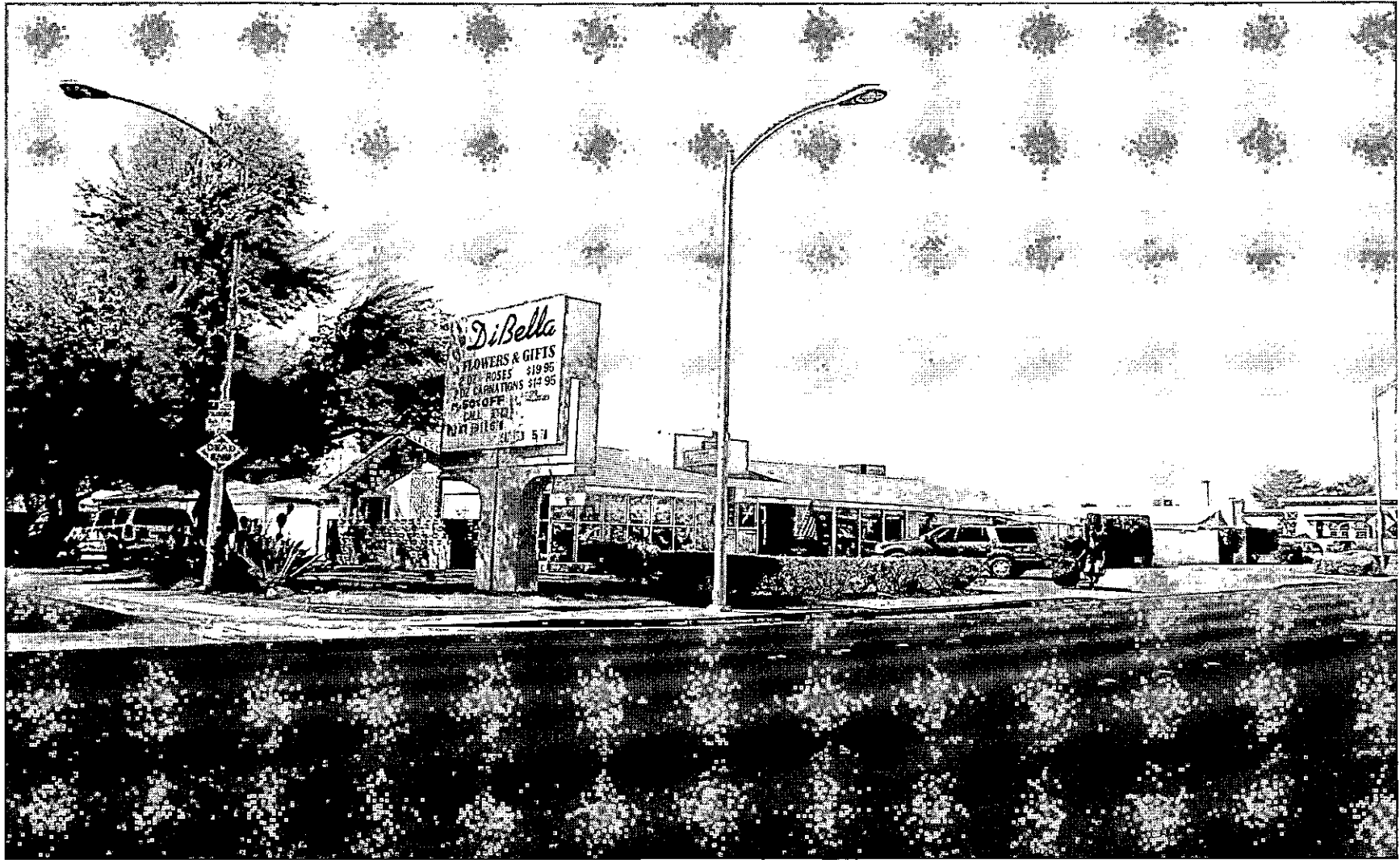
Zoning Designations

- U
- R-A
- R-E
- R-D
- R-PD
- R-1
- R-MH
- R-CL
- R-2
- R-3
- R-4
- R-5
- R-MHP
- P-R
- N-S
- O
- C-D
- C-1
- C-2
- C-M
- M
- C-V
- C-PB
- P-C
- PD
- T-D
- TC

GPA-29565
ZON-29566
10/09/08 PC

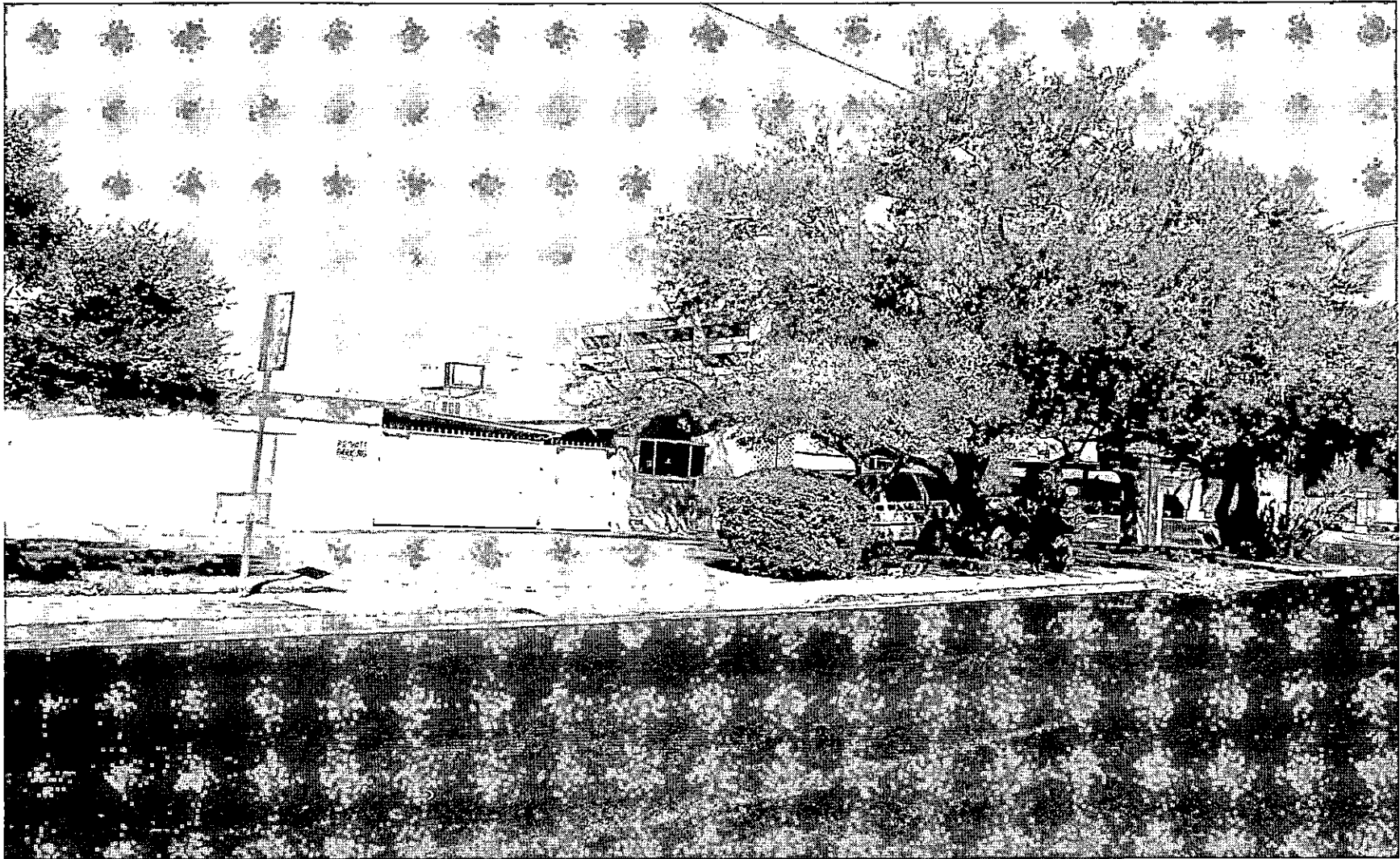
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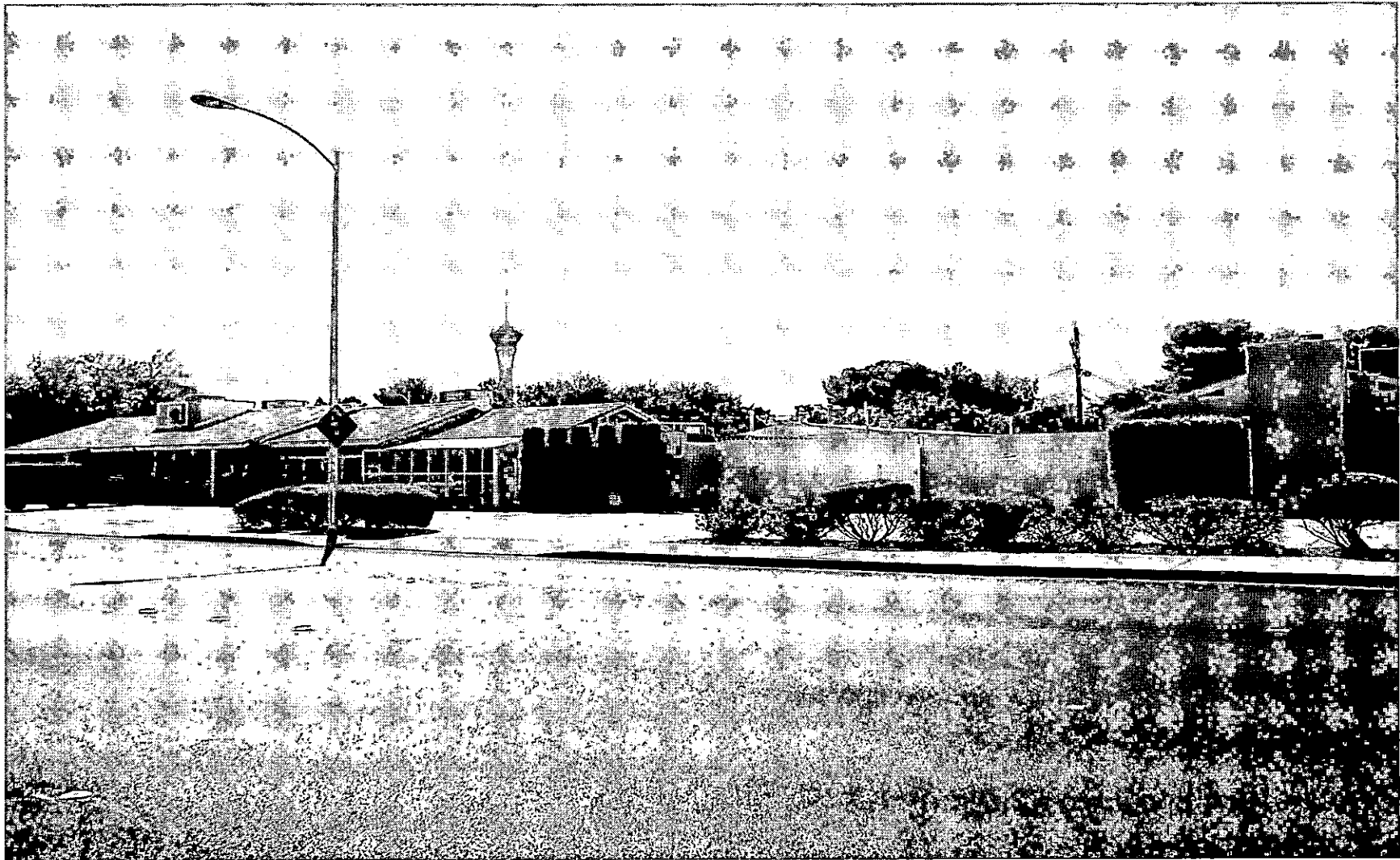
ZON-29566 - REZONING - APPLICANT/OWNER: DIBELLA LIVING TRUST
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND PAHOR DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



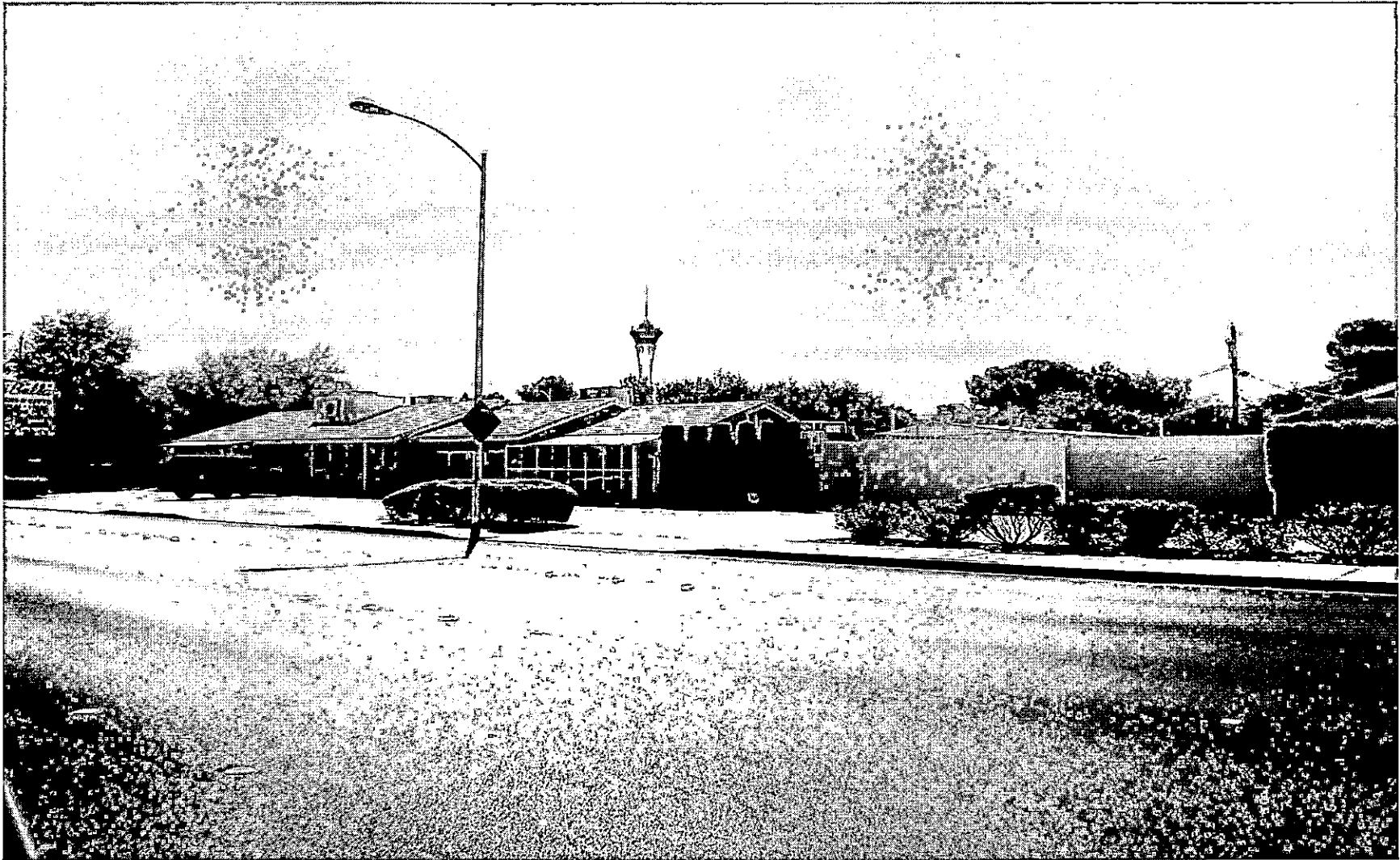
ZON-29566 - REZONING - APPLICANT/OWNER: DIBELLA LIVING TRUST
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND PAHOR DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



ZON-29566 - REZONING - APPLICANT/OWNER: DIBELLA LIVING TRUST
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND PAHOR DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



ZON-29566 - REZONING - APPLICANT/OWNER: DIBELLA LIVING TRUST
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND PAHOR DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08

Baughman & Turner, Inc.

Consulting Engineers & Land Surveyors

1210 HINSON ST.
LAS VEGAS, NEVADA 89102-1604

PHONE (702) 870-8771
FAX (702) 878-2695

August 19, 2008

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

Re: APNs 162-04-101-010 and 162-04-110-002

To Whom It May Concern,

Please let this letter serve as justification for Re-Zoning on the above-referenced properties. The zoning classification we are requesting is C-1. APN 162-04-101-010 is currently zoned R-1 and APN 162-04-110-002 is zoned P-R. The intention is to join the above-referenced parcels with APN 162-04-110-001 (currently zoned C-1) for the development of a flower shop.

There is C-1 zoning directly adjacent to the west and across Pahor Drive to the east. University Medical Center is across Charleston Blvd. to the north.

We feel this request is consistent with the uses in the area, and the approval of this application will not have a negative effect on the neighborhood or surrounding area.

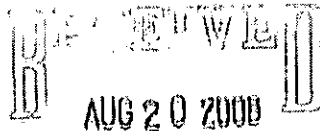
I hope this addresses the proposed request. Should you have any questions, please feel free to contact me at this office.

Sincerely,
Baughman & Turner, Inc.



David S. Turner
President

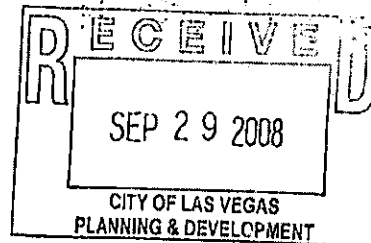
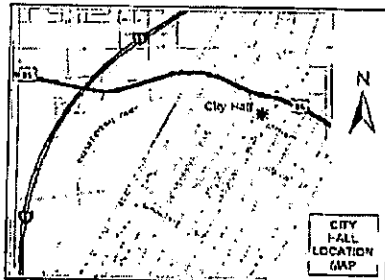
DST/aw



ZON-29566
10/09/08 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.

GPA-29565 & ZON-29566

Planning Commission Meeting of 10/9/2008

Case: GPA-29565
16204102006
LEWIS TERRY R & CAROL J
2021 EDGEWOOD AVE
LAS VEGAS NV 89102-2202

GAVES11 59102

|||||

#20-21
A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GPA-29582 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to Amend a portion of the Northwest Sector Plan of the Centennial Hills Sector Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: PF (PUBLIC FACILITIES) on a portion of a 8.2 acre site at the northwest corner of Tropical Parkway and Durango Drive (APN 125-29-601-021), Ward 6 (Ross)

C.C.: 11/05/2008

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

2

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

0

0

RECOMMENDATION:

APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after Final Agenda – Protest Postcards for Items 22 and 23

Motion made by RICHARD TRUESDELL to Approve

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

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

Minutes:

CHAIR GOYNES declared the Public Hearing open for Items 22 and 23.

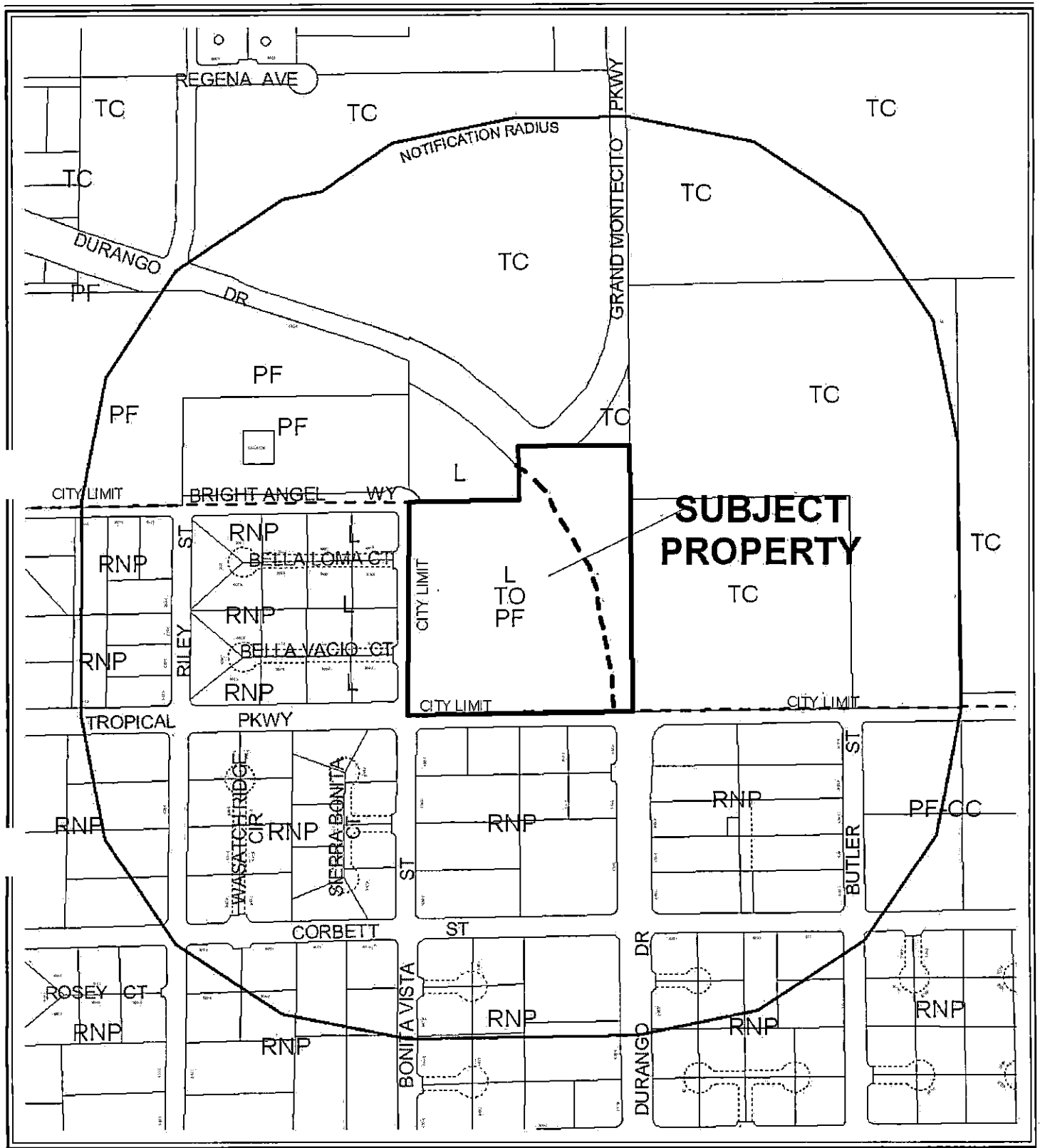
PETER LOWENSTEIN, Planning and Development Department, stated that both the General Plan Amendment and the related Zoning application meet the goals of the Las Vegas 2020 Master Plan and the Centennial Sector Plan with regard to open space and recreation. He recommended approval.

PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

TODD FARLOW, 240 North 19th Street, inquired about a section of the property located on the other side of the main road and whether a bridge would be constructed for access. MARGO WHEELER, Director of the Planning and Development Department, explained that there would not be any development on that northeast section of the subject property.

BART ANDERSON, Public Works Department, explained that the portion located on the other side of Durango would be incorporated into a different project which would be addressed in a later agenda item.

CHAIR GOYNES declared the Public Hearing closed for Items 22 and 23.



CASE: **GPA-29582**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

PF (PUBLIC FACILITIES)





PF (PUBLIC FACILITIES)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-29582 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION:

APPROVAL, subject to:

GPA-29582 - Staff Report Page One
October 9, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to Amend a portion of the Centennial Hills Sector Plan of the General Plan from L (Low Density Residential) to PF (Public Facilities) on approximately 8.20 acres on the northwest corner of Tropical Parkway and Durango Drive. There is an associated application requesting a Rezoning (ZON-29584) from U (Undeveloped) [L (Low Density Residential) General Plan designation] to C-V (Civic). The proposed Rezoning and anticipated civic use are consistent with the proposed land use designation of PF (Public Facilities). Therefore, staff recommends approval of this amendment.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/20/99	The City Council approved an Amendment to the Master Plan of Streets and Highways (MSH-03-99) to establish the alignment of Durango Drive between Centennial Parkway and Tropical Parkway. This alignment created an S-Curve; the proposed Rezoning is located west of this realignment at Tropical Parkway and Durango Drive. The Planning Commission and staff recommended approval of this request.
<i>Related Building Permits/Business Licenses</i>	
There are no related building permits or business licenses.	
<i>Pre-Application Meeting</i>	
08/05/08	A pre-application meeting was held to discuss the requirements of submitting a General Plan Amendment request on the subject property.

GPA-29582 - Staff Report Page Two
October 9, 2008 - Planning Commission Meeting

<i>Neighborhood Meeting</i>	
Meeting Start: 5:32pm Meeting End: 5:55pm Representatives: Applicant (CLV): 2 (1-Office of Architectural Services , 1-Ward 6 Liaison) General Public: 4 attendees Staff: 1 (Planning and Development)	
A presentation was made by staff members regarding the change in land use designation and the Rezoning. A site plan was displayed, depicting a proposed park facility on the site. The following questions and comments were raised by the public: Questions were raised about the number of parking spaces provided on site; the applicant responded that about 25-35 spaces would be available. A resident asked about picnic facilities; the applicant indicated that a ramada would be constructed with picnic tables underneath. Questions were asked about access from Bonita Vista; it was indicated that pedestrian access would be available from Bonita Vista, but that vehicular access would only be available from Durango. Questions were raised about the development schedule; the applicant indicated that funds were limited, so the park would be built in phases, and it was hoped that the first phase would begin construction by May 2009. A concern was noted about control of the facility; it was indicated that the city would construct and maintain the facility, and that the Marshals would patrol the facility. Questions were also raised about the proposed Little League facility to be located on the east side of Durango.	
<i>Field Check</i>	
09/02/08	A field check was performed by staff at the subject property. This parcel is currently an undeveloped site in natural desert condition. Staff found evidence of illegal dumping and small amounts of trash and debris.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	8.2

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land	L (Low Density Residential)	Undeveloped [L (Low Density Residential) General Plan Designation]
North	Undeveloped Land – Anticipated City Park Use	SC-TC (Service Commercial-Town Center)	T-C (Town Center)

GPA-29582 - Staff Report Page Three
October 9, 2008 - Planning Commission Meeting

South	Single-Family Residential	L (Low Density Residential)	RE (Rural Estates Residential 2 Units Per Acre) - Clark County
East	Undeveloped Land - Anticipated City Park Use	PF-TC (Public Facilities-Town Center)	T-C (Town Center)
West	Single Family Residential	L (Low Density Residential)	RE (Rural Estates Residential 2 Units Per Acre) - Clark County

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

ANALYSIS

This request is for a General Plan Amendment from L (Low Density Residential) to PF (Public Facilities) on an 8.20 acre parcel located on the Centennial Hills Sector Map of the General Plan. The proposed designation allows large governmental building sites, complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, schools, parks and other uses considered public or quasi-public such as libraries, clubs and public utility facilities. The documentation submitted with this application indicates that the subject site is intended to be utilized as part of a 31-acre park complex. That park is anticipated to have an assortment of baseball fields and associated recreation amenities which will be subject to a future Site Development Plan Review. This anticipated recreational amenity is intended to serve the growing northwestern part of the valley.

The PF (Public Facilities) General Plan designation is generally compatible with the surrounding residential uses and the anticipated use designation; therefore, staff supports this General Plan Amendment.

GPA-29582 - Staff Report Page Four
October 9, 2008 - Planning Commission Meeting

FINDINGS

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

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

In regard to “1”:

The proposed General Plan Amendment to PF (Public Facilities) allows large governmental building sites, complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, schools, parks and other uses considered public or quasi-public such as libraries, clubs and public utility facilities. The adjacent designations include PF (Public Facilities) to the north and east and residential to the south and west, which are compatible with the proposed designation.

In regard to “2”:

The zoning district applicable under the proposed General Plan designation is a C-V (Civic) district. There is an associated application requesting a Rezoning (ZON-29584) from U (Undeveloped) [L (Low Density Residential) General Plan Designation] to C-V (Civic). If that application is approved, the subject site will have the appropriate land use designation. Surrounding land use is residential and is compatible with the proposed C-V (Civic) Zoning allowed by the General Plan Amendment, if approved.

In regard to “3”:

Access to the property is provided by Tropical Parkway, an 80-foot wide Secondary Collector Road and Durango Drive, a 120-foot wide Parkway Arterial as designated by the Master Plan of Streets and Highways. These roadways are more than adequate for the subject parcel and the proposed PF (Public Facilities) General Plan Designation, and the proposed C-V (Civic) Land Use Designation.

GPA-29582 - Staff Report Page Five
October 9, 2008 - Planning Commission Meeting

In regard to “4”:

The proposed amendment complies with the following objectives of the Centennial Hills Sector Plan, the Las Vegas 2020 Master Plan and the Parks Element of the Las Vegas 2020 Master Plan.

- **Centennial Hills Sector Plan**

5.3 Goals, Objectives, Policies and Programs for Recreation and Open Space in Centennial Hills:

Objective A: Continue to provide an adequate and diverse system of parks, open space, recreation facilities and services at the local, district, and regional levels.

- **Las Vegas 2020 Master Plan – Focus of the Master Plan**

Objective 3.6: To ensure that adequate amounts of park space and trail systems are designated and developed to meet or exceed national standards and standards established in the Master Plan Parks Element.

- **Las Vegas 2020 Master Plan – Parks Element**

Under Acquisition Priorities, acquiring the park land for Community Parks while the land is still available and then developed as the population in the area served by the park expands.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 97

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-29582** APN: A Portion of 125-29-601-021

Name of Property Owner: City Of Las Vegas

Name of Applicant: Patrick Batte, City of Las Vegas

Name of Representative: Patrick Batte, City of Las Vegas

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): _____

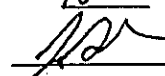
APN: _____

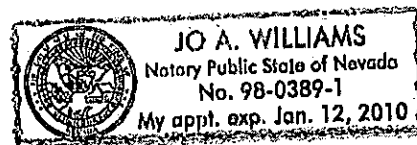
Signature of Property Owner: 

Print Name: PATRICK BATTE

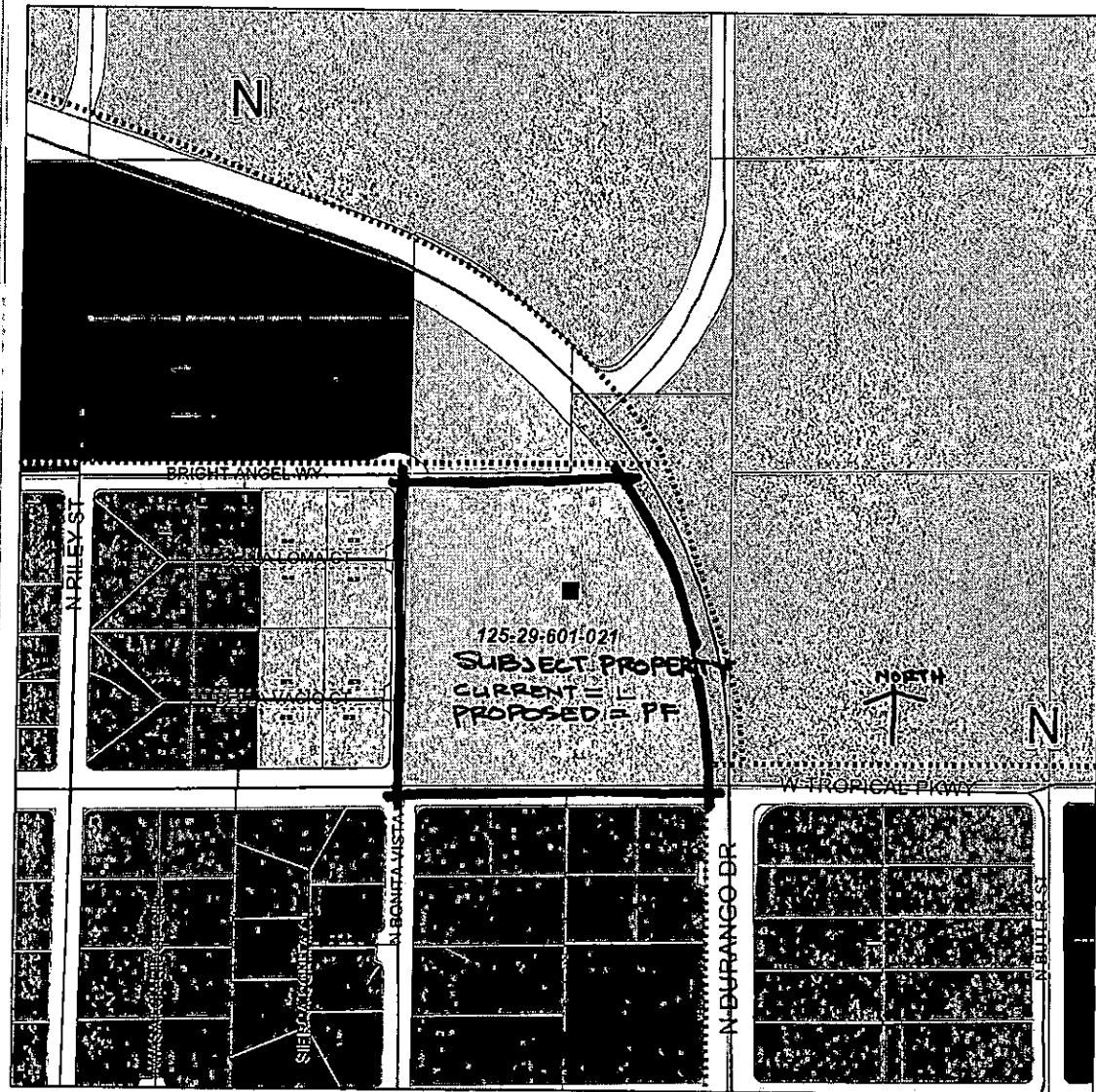
Subscribed and sworn before me

This 18th day of AUGUST, 2008


Notary Public in and for said County and State

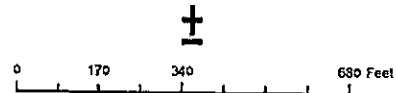


City of Las Vegas Vicinity Map



General Plan

Rural Neighborhood Preservation	Light Industrial / Research
Rural Estates	Planned Community Development
Desert Rural	Traditional Neighborhood Development
Rural	Downtown Redevelopment Area
Low	Parks/Recreation/Open Space
Medium - Low	Public Facility
Medium - Low Attached	Public Facility - School
Medium	Public Facility - Clark County
High	Town Center
Office	Resource Conservation
Service Commercial	Downtown - Commercial
General Commercial	Downtown - Mixed Use
Tourist Commercial	Not In City
Las Vegas Medical District	Right-of-Way

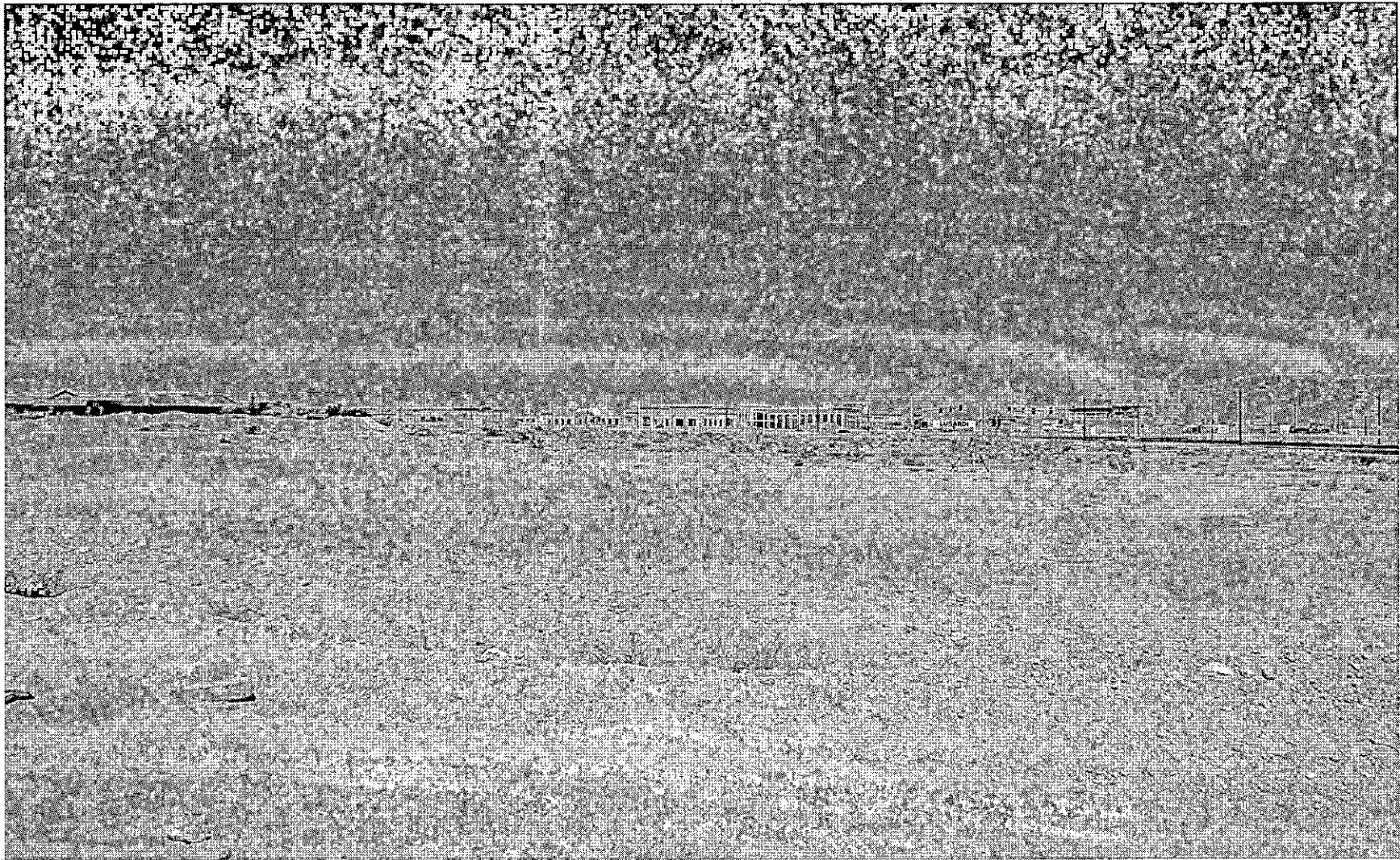


G-S maps are prepared, produced, and maintained by the City of Las Vegas. Due to continuous development activity, this map is for reference only. Geographic Information System. Planning & Development Dept. Tel: 228-4307



RECEIVED
AUG 20 2008

GPA-29582 ZON-29584
10/09/08 PC



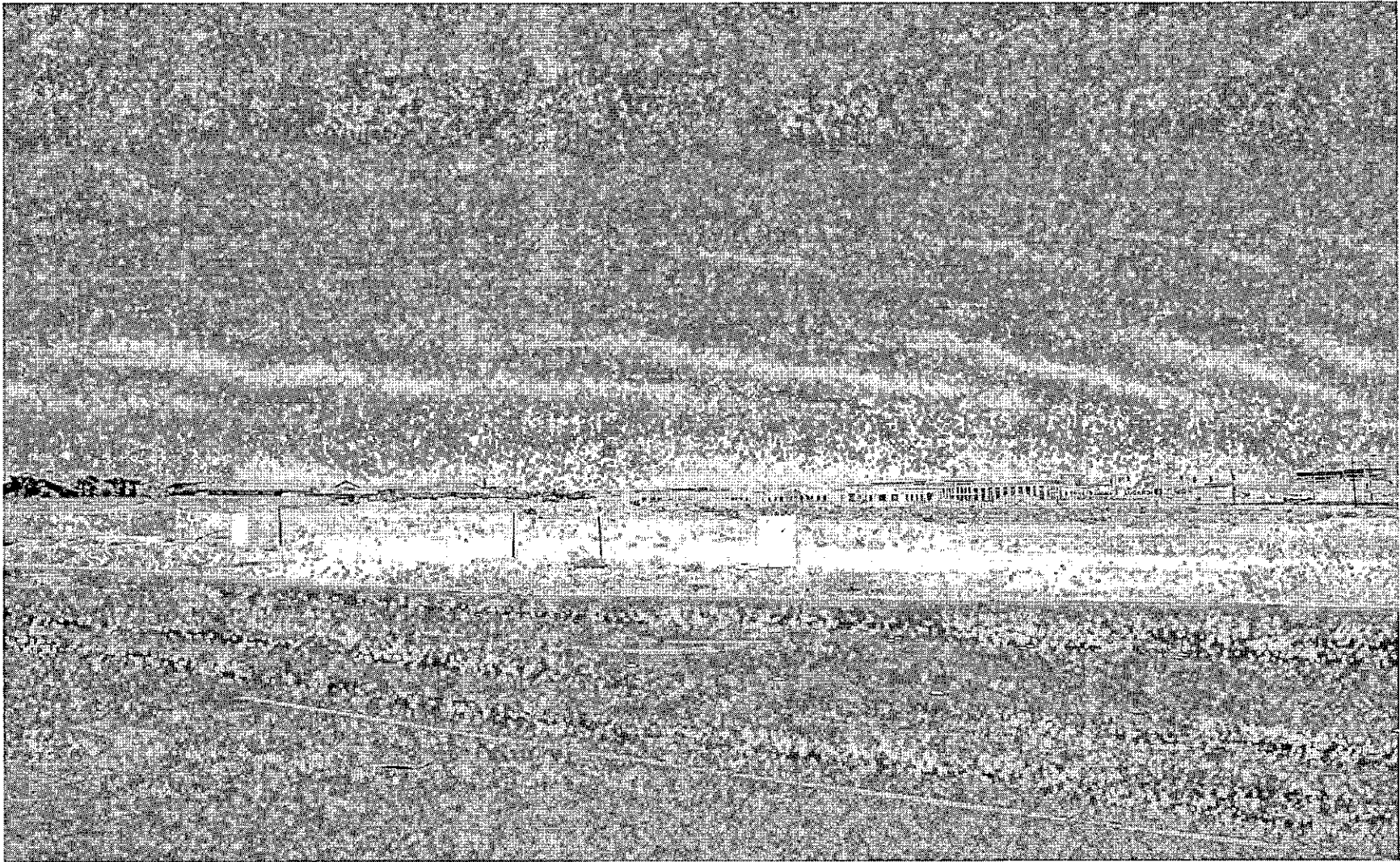
**GPA-29582 - GENERAL PLAN AMENDMENT - APPLICANT/OWNER: CITY OF LAS VEGAS
NORTHWEST CORNER OF TROPICAL PARKWAY AND DURANGO DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION**

09/02/08



GPA-29582 - GENERAL PLAN AMENDMENT - APPLICANT/OWNER: CITY OF LAS VEGAS
NORTHWEST CORNER OF TROPICAL PARKWAY AND DURANGO DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



**GPA-29582 - GENERAL PLAN AMENDMENT - APPLICANT/OWNER: CITY OF LAS VEGAS
NORTHWEST CORNER OF TROPICAL PARKWAY AND DURANGO DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION**

09/02/08



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

JORGE CERVANTES
PUBLIC WORKS DIRECTOR

DEPARTMENT OF PUBLIC WORKS
CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

OFFICE 702.229.6535

FAX 702.384.4846

TDD 702.386.9108

www.lasvegasnevada.gov

July 21st, 2008
Revised August 15th, 2008

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

Attn: Current Planning:

Re: Justification Letter
General Plan Amendment
Zone Change
Tropical/Durango Park
For a portion of A.P.N. 125-29-601-021, 8.2 Acres

The City of Las Vegas requests a General Plan Amendment and Zone change for Tropical/Durango Park. The park is to be located on approximately 8.2 acres at the Northwest corner of Tropical Parkway and Durango Drive.

Currently, the General Plan is designated as "L", we request a change to "PF". Current Zoning is designated as "UL", we request a change to "CV".

The park development intends to provide recreational opportunities for the citizens of Las Vegas. Development of this park will be achieved in phases, with the final build-out to include a parking lot, shaded tot lot, splash pad, restroom and open turf area.

In support of our application the following is presented:

- This project will provide expanded recreational opportunities and promote healthy lifestyles for the citizens of Las Vegas, as stated in the City's published priorities.
- This project promotes the objectives of NRS 278.

This project will further develop raw land into a City park. This project will enhance the general health, safety and welfare of the surrounding area.

If you have any questions, please contact me at 229-1046.

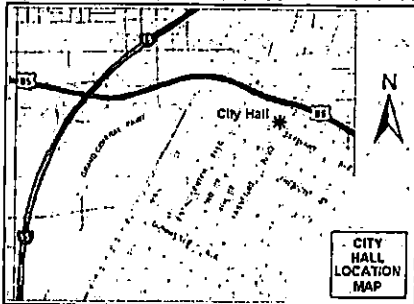
A handwritten signature in black ink, appearing to read "Patrick Batte".

Patrick Batte, AIA
Architectural Project Manager
City of Las Vegas Public Works
229-1046 (fax) 464-5702

GPA-29582 ZON-29584
10/09/08 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

☒

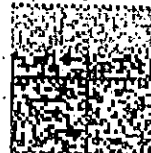
I OPPOSE
 this Request

Please use available blank space on card for your comments.

GPA-29582 & ZON-29584

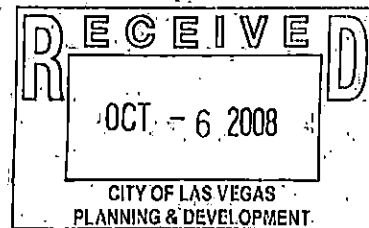
Planning Commission Meeting of 10/9/2008

PRESORTED
 FIRST CLASS



UNITED STATES POSTAGE

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12528101008
 BARTSAS MARY 20, L.L.C.
 601 S RANCHO DR #C23
 LAS VEGAS NV 89106-4825

Case: GPA-29582

GA00P11 28108



Submitted after final agenda

Date: P Item: #22-23

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ZON-29584 - REZONING RELATED TO GPA-29582 - PUBLIC HEARING -
APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U
 (UNDEVELOPED) [L (LOW DENSITY RESIDENTIAL)] TO: C-V (CIVIC) on a portion of a
 8.2 acre site at the northwest corner of Tropical Parkway and Durango Drive (APN 125-29-601-
 021), Ward 6 (Ross)

C.C.: 11/05/2008

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

APPROVAL

BACKUP DOCUMENTATION:

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

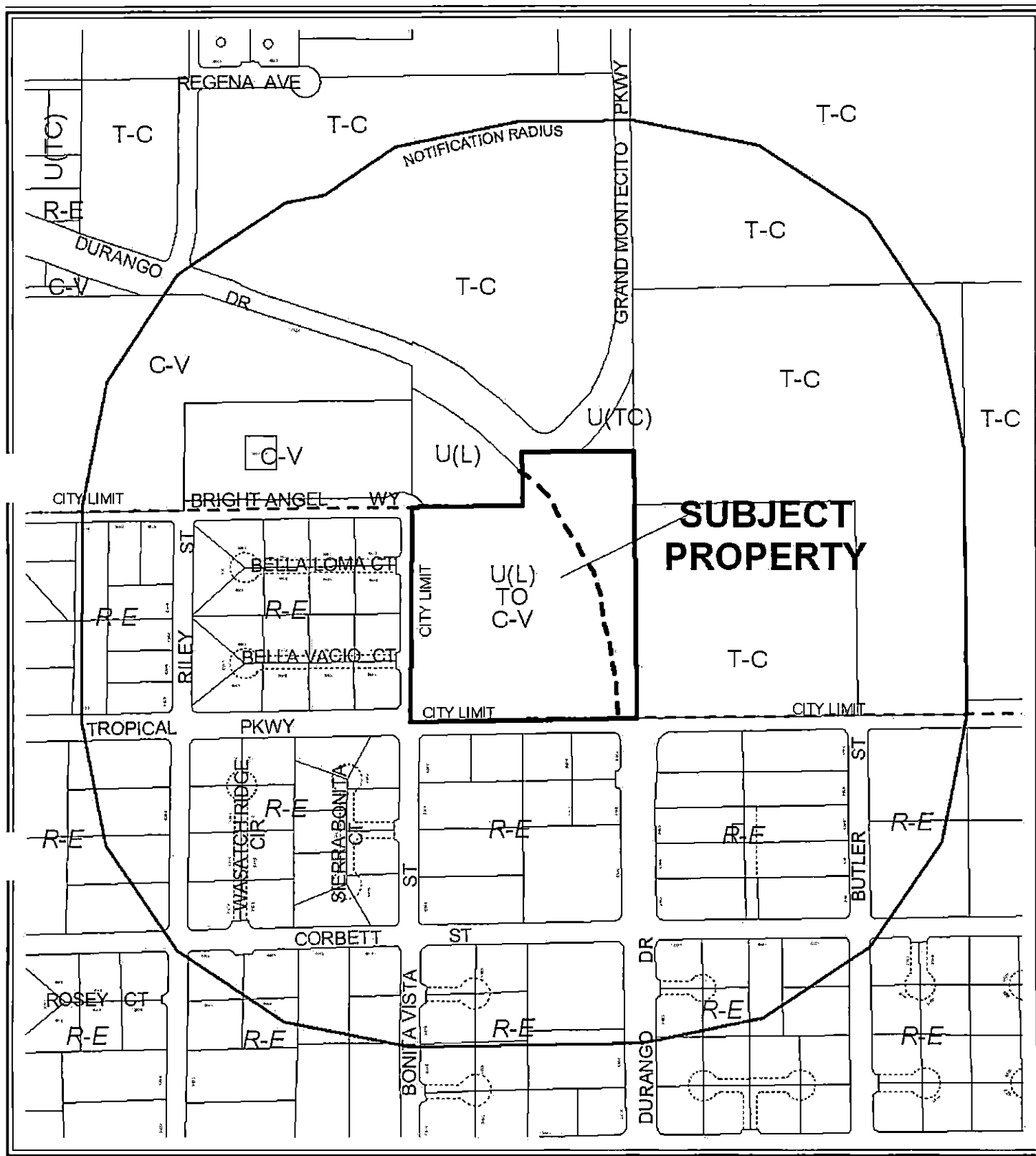
Motion made by RICHARD TRUESDELL to Approve

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

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

Minutes:

See Item 22 for related backup and discussion.



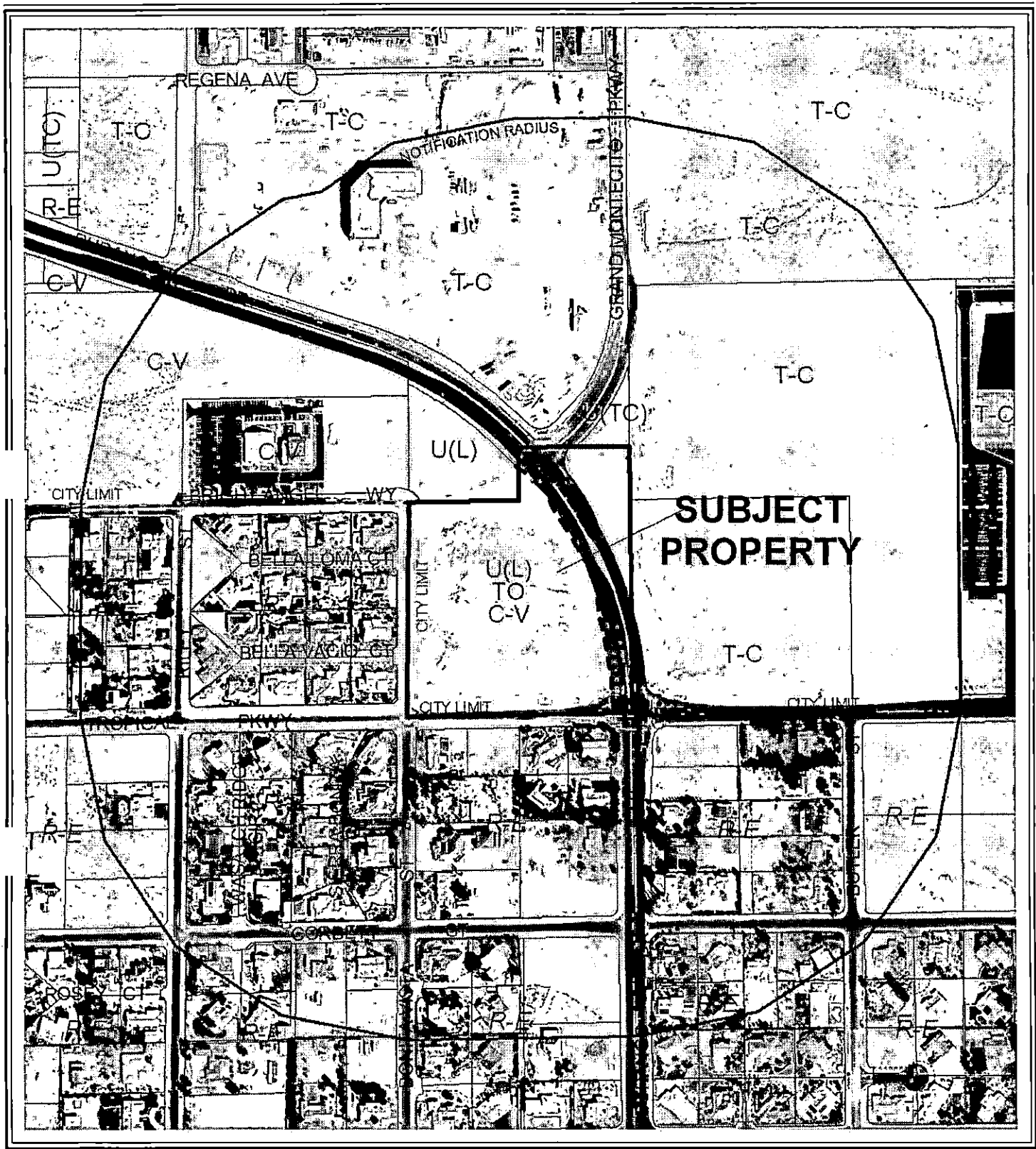
CASE: **ZON-29584**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [L (LOW DENSITY RESIDENTIAL)]

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)





CASE: **ZON-29584**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [L (LOW DENSITY RESIDENTIAL)]

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-29584 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION:

APPROVAL, subject to:

ZON-29584 - Staff Report Page One
October 9, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from U (Undeveloped) [L (Low Density Residential) General Plan designation] to C-V (Civic) on 8.20 acres generally located on the northwest corner of Tropical Parkway and Durango Drive. There is an associated request for an Amendment to the General Plan (GPA-29582) from L (Low Density Residential) to PF (Public Facilities). The proposed rezoning conforms to the proposed PF (Public Facilities) land use designation; therefore, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/20/99	The City Council approved an Amendment to the Master Plan of Streets and Highways (MSH-03-99) to establish the alignment of Durango Drive between Centennial Parkway and Tropical Parkway. This alignment created an S-Curve; the proposed Rezoning is located west of this realignment at Tropical Parkway and Durango Drive. The Planning Commission and staff recommended approval of this request.
<i>Related Building Permits/Business Licenses</i>	
There are no related building permits or business licenses.	
<i>Pre-Application Meeting</i>	
08/05/08	A pre-application meeting was held to discuss the requirements of submitting a Rezoning request on the subject property.

ZON-29584 - Staff Report Page Two
October 9, 2008 - Planning Commission Meeting

Neighborhood Meeting	
Meeting Start: 5:32pm Meeting End: 5:55pm Representatives: Applicant (CLV): 2 (1-Office of Architectural Services , 1-Ward 6 Liaison) General Public: 4 attendees Staff: 1 (Planning and Development)	
A presentation was made by staff members regarding the change in land use designation and the Rezoning. A site plan was displayed, depicting a proposed park facility on the site. The following questions and comments were raised by the public: Questions were raised about the number of parking spaces provided on site; the applicant responded that about 25-35 spaces would be available. A resident asked about picnic facilities; the applicant indicated that a ramada would be constructed with picnic tables underneath. Questions were asked about access from Bonita Vista; it was indicated that pedestrian access would be available from Bonita Vista, but that vehicular access would only be available from Durango. Questions were raised about the development schedule; the applicant indicated that funds were limited, so the park would be built in phases, and it was hoped that the first phase would begin construction by May 2009. A concern was noted about control of the facility; it was indicated that the city would construct and maintain the facility, and that the Marshals would patrol the facility. Questions were also raised about the proposed Little League facility to be located on the east side of Durango.	
Field Check	
09/02/08	A field check was performed by staff at the subject property. This parcel is currently an undeveloped site in natural desert condition. Staff found evidence of illegal dumping and small amounts of trash and debris.

Details of Application Request	
Site Area	
Net Acres	8.2

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land	L (Low Density Residential)	Undeveloped [L (Low Density Residential) General Plan Designation]
North	Undeveloped Land – Anticipated City Park Use	SC-TC (Service Commercial-Town Center)	T-C (Town Center)
South	Single-Family Residential	L (Low Density Residential)	RE (Rural Estates Residential 2 Units Per Acre) - Clark County

ZON-29584 - Staff Report Page Three
October 9, 2008 - Planning Commission Meeting

East	Undeveloped Land - Anticipated City Park Use	PF-TC (Public Facilities-Town Center)	T-C (Town Center)
West	Single Family Residential	L (Low Density Residential)	RE (Rural Estates Residential 2 Units Per Acre) - Clark County

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		Y*
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
T-C Town Center District	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

**The Subject site is not included in the Town Center Master Plan Area; however, Durango Drive adjacent to this site, is designated as a Parkway Arterial (120') within the plan. Therefore, the streetscape standards for Town Center Parkway Arterial (120') shall apply to the site along Durango Drive.*

ANALYSIS

The applicant is requesting a Rezoning from U [Undeveloped (L (Low Density Residential) – General Plan designation)] to C-V (Civic). This parcel is intended to become a part of a 31 acre park, which will have an assortment of baseball fields and associated recreation amenities which will be subject to a future Site Development Plan Review. The Subject site is located on the Centennial Hills Sector Map of the General Plan. A companion General Plan Amendment (GPA-29582), if approved, would change the land use designation from L (Low Density Residential) to PF (Public Facilities) on 8.2 acres. The anticipated use of this property is an appropriate public purpose and the C-V (Civic) zoning district is compatible with the existing residential developments in the area; therefore, staff is in support of this request.

- **Centennial Hills Sector Plan**

5.3 Goals, Objectives, Policies and Programs for Recreation and Open Space in Centennial Hills:

Objective A: Continue to provide an adequate and diverse system of parks, open space, recreation facilities and services at the local, district, and regional levels.

ZON-29584 - Staff Report Page Four
October 9, 2008 - Planning Commission Meeting

- **Las Vegas 2020 Master Plan – Focus of the Master Plan**

Objective 3.6: To ensure that adequate amounts of park space and trail systems are designated and developed to meet or exceed national standards and standards established in the Master Plan Parks Element.

- **Las Vegas 2020 Master Plan – Parks Element**

Under Acquisition Priorities, acquiring the park land for Community Parks while the land is still available and then developed as the population in the area served by the park expands.

- **Zoning**

The C-V (Civic) District is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities.

In addition, the C-V (Civic) District may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V (Civic) District is consistent with the Public Facilities category of the General Plan.

- **Title 19.06 Special Purpose and Overlay Districts**

As listed in Title 19.06.020, the C-V District is intended to provide for the continuation of existing public uses and for the development of new municipal services and public utility facilities. The C-V District is also intended to provide for additional quasi-public uses which are operated or controlled by a recognized religious service organization.

The minimum development standards for property in the C-V District shall be established by the City Council in connection with the approval of a Rezoning application or administratively in connection with the approval of a Site Development Plan Review. The proposed standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area.

The applicant has not proposed any development standards associated with this Rezoning; therefore, the development standards for this property will be established through a future Site Development Plan Review.

ZON-29584 - Staff Report Page Five
October 9, 2008 - Planning Commission Meeting

FINDINGS

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

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

Currently the Centennial Hills Sector Plan designates the subject site for a L (Low Density Residential) land uses. However there is an associated application for a General Plan (GPA-29582) from L (Low Density Residential) to PF (Public Facilities). The proposed C-V (Civic) zoning would be in conformance with the proposed PF (Public Facilities) land use designation.

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

The proposed Rezoning will be compatible with the residential developments and the adjacent C-V (Civic) zoning district in this area.

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

Growth and development factors in this area indicate a need for more parks and open spaces in this area of the city.

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

Access to the property is provided by Tropical Parkway, an 80-foot wide Secondary Collector as designated by the Master Plan of Streets and Highways and Durango Drive, a 120-foot wide Parkway Arterial as designated by the Town Center Master Plan. These roadways are more than adequate for the subject parcel and the proposed C-V (Civic) zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

ZON-29584 - Staff Report Page Six
October 9, 2008 - Planning Commission Meeting

NOTICES MAILED 97

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-29584** APN: A Portion of 125-29-601-021
Name of Property Owner: City Of Las Vegas
Name of Applicant: Patrick Batte, City of Las Vegas
Name of Representative: Patrick Batte, City of Las Vegas

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

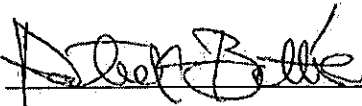
☒ No

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: _____

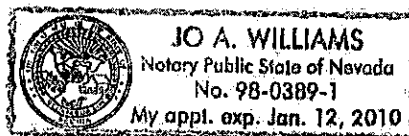
X Signature of Property Owner: 

Print Name: PATRICK BATTE

Subscribed and sworn before me

This 18th day of AUGUST, 2008

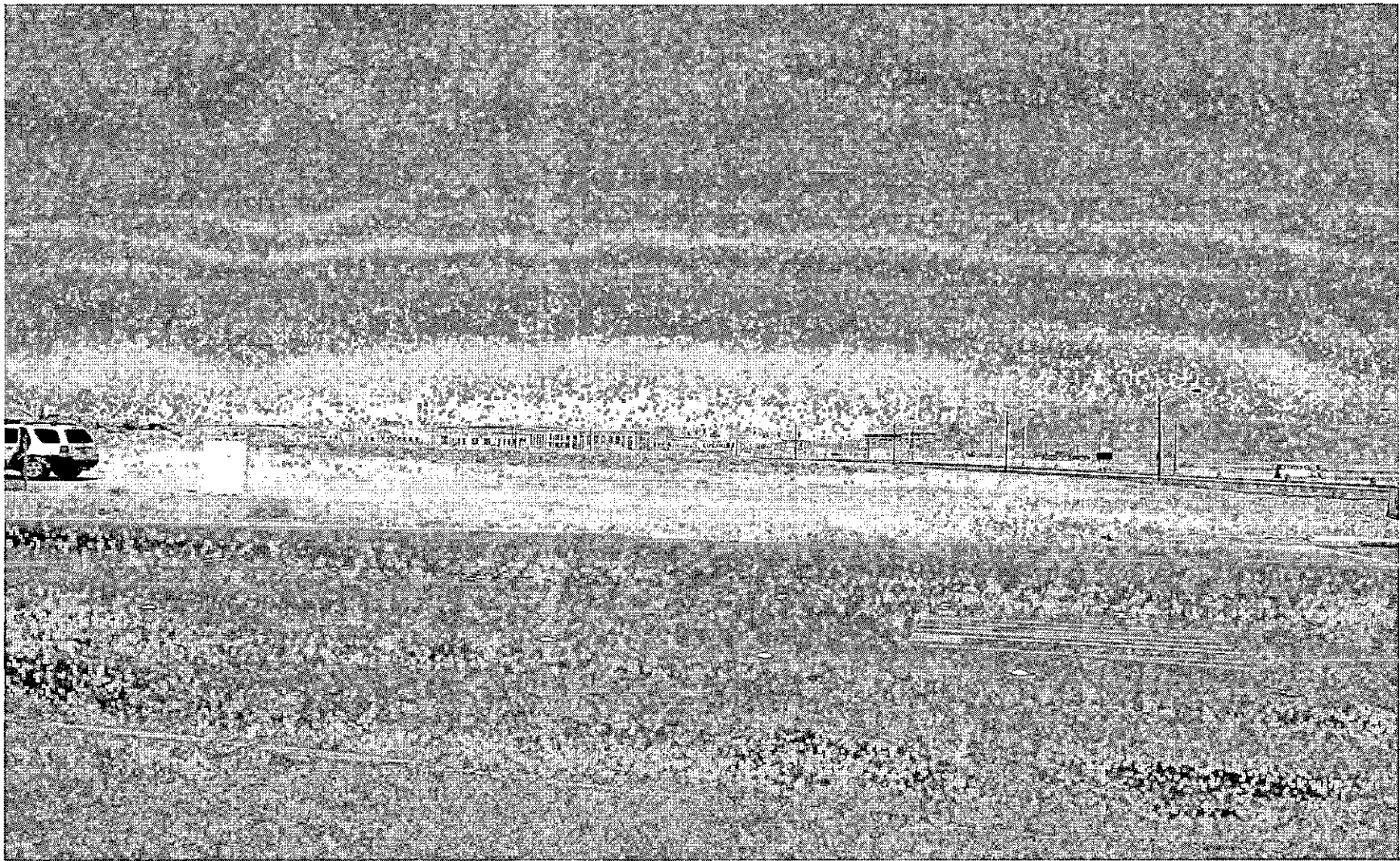

Notary Public in and for said County and State





ZON-29584 - REZONING - APPLICANT/OWNER: CITY OF LAS VEGAS
NORTHWEST CORNER OF TROPICAL PARKWAY AND DURANGO DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



ZON-29584 - REZONING - APPLICANT/OWNER: CITY OF LAS VEGAS
NORTHWEST CORNER OF TROPICAL PARKWAY AND DURANGO DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



ZON-29584 - REZONING - APPLICANT/OWNER: CITY OF LAS VEGAS
NORTHWEST CORNER OF TROPICAL PARKWAY AND DURANGO DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
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www.lasvegasnevada.gov

July 21st, 2008
Revised August 15th, 2008

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

Attn: Current Planning:

Re: Justification Letter
General Plan Amendment
Zone Change
Tropical/Durango Park
For a portion of A.P.N. 125-29-601-021, 8.2 Acres

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In support of our application the following is presented:

- This project will provide expanded recreational opportunities and promote healthy lifestyles for the citizens of Las Vegas, as stated in the City's published priorities.
- This project promotes the objectives of NRS 278.

This project will further develop raw land into a City park. This project will enhance the general health, safety and welfare of the surrounding area.

If you have any questions, please contact me at 229-1046.

A handwritten signature in black ink, appearing to read "Patrick Batte".

Patrick Batte, AIA
Architectural Project Manager
City of Las Vegas Public Works
229-1046 (fax) 464-5702

GPA-29582 ZON-29584
10/09/08 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ZON-29661 - REZONING - PUBLIC HEARING - APPLICANT: PAGEANTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL, LLC - Request for a Rezoning FROM: C-M (COMMERCIAL/INDUSTRIAL) UNDER RESOLUTION OF INTENT TO R-PD16 (RESIDENTIAL PLANNED DEVELOPMENT - 16 UNITS PER ACRE) TO: R-PD20 (RESIDENTIAL PLANNED DEVELOPMENT - 20 UNITS PER ACRE) on 33.47 acres at the northwest corner of Rancho Drive and Smoke Ranch Road (APN 139-18-410-012), Ward 5 (Barlow)

C.C.: 11/05/2008

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

9

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

RECOMMENDATION:

DENIAL

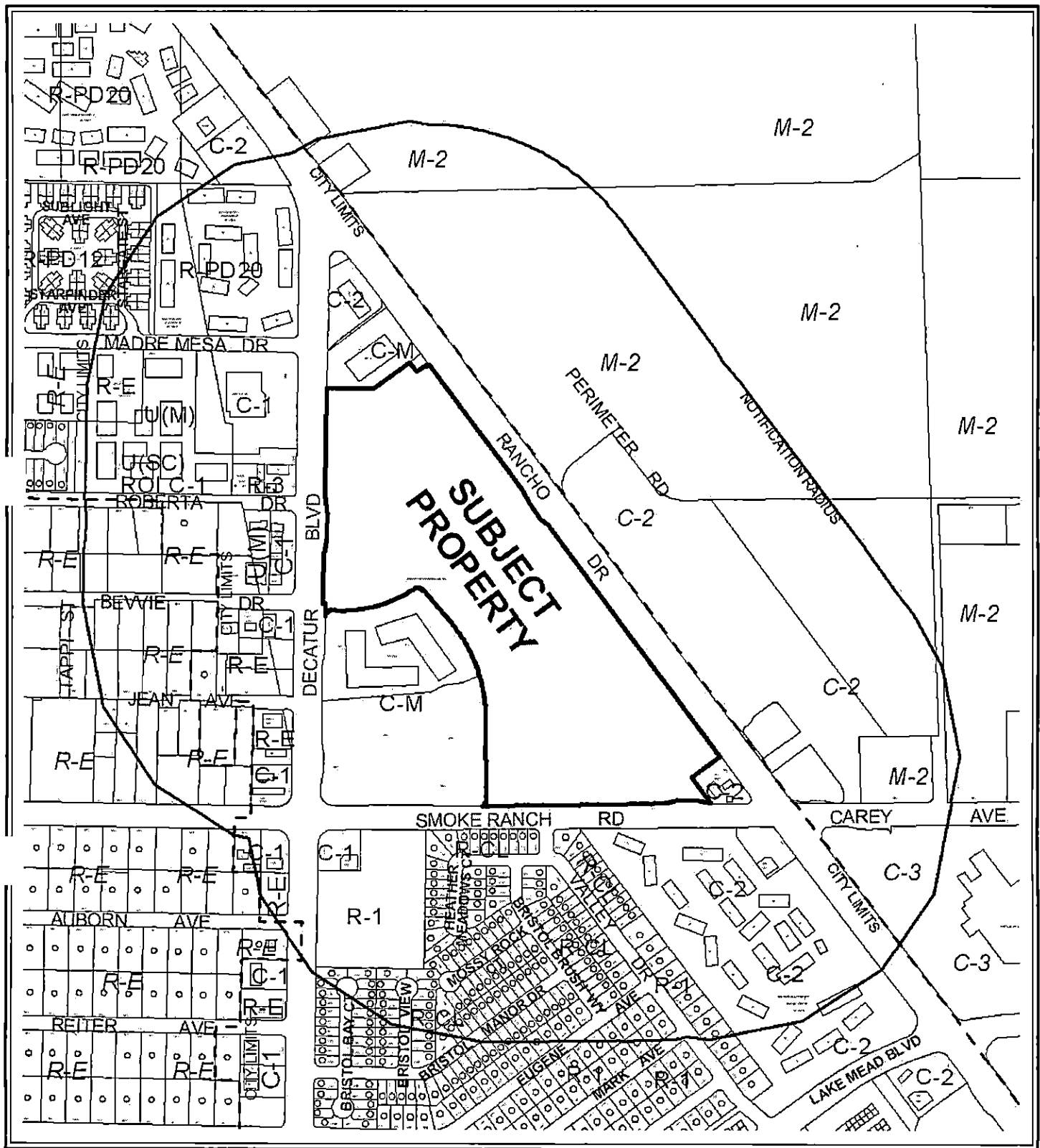
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Submitted after Final Agenda – Abeyance Request by Kummer Kaempfer Bonnier Renshaw & Ferrario for Items 24-27 and Protest Postcards for Items 24 and 25
8. Submitted after Meeting – Protest Postcard for Items 24 and 25

Motion made by GLENN TROWBRIDGE to Hold in abeyance Items 16 and 30 to 11/6/2008; Items 24-27 to 10/23/2008; and Items 17 and 18 to 12/4/2008

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

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



CASE: **ZON-29661**

RADIUS: 1000 FT

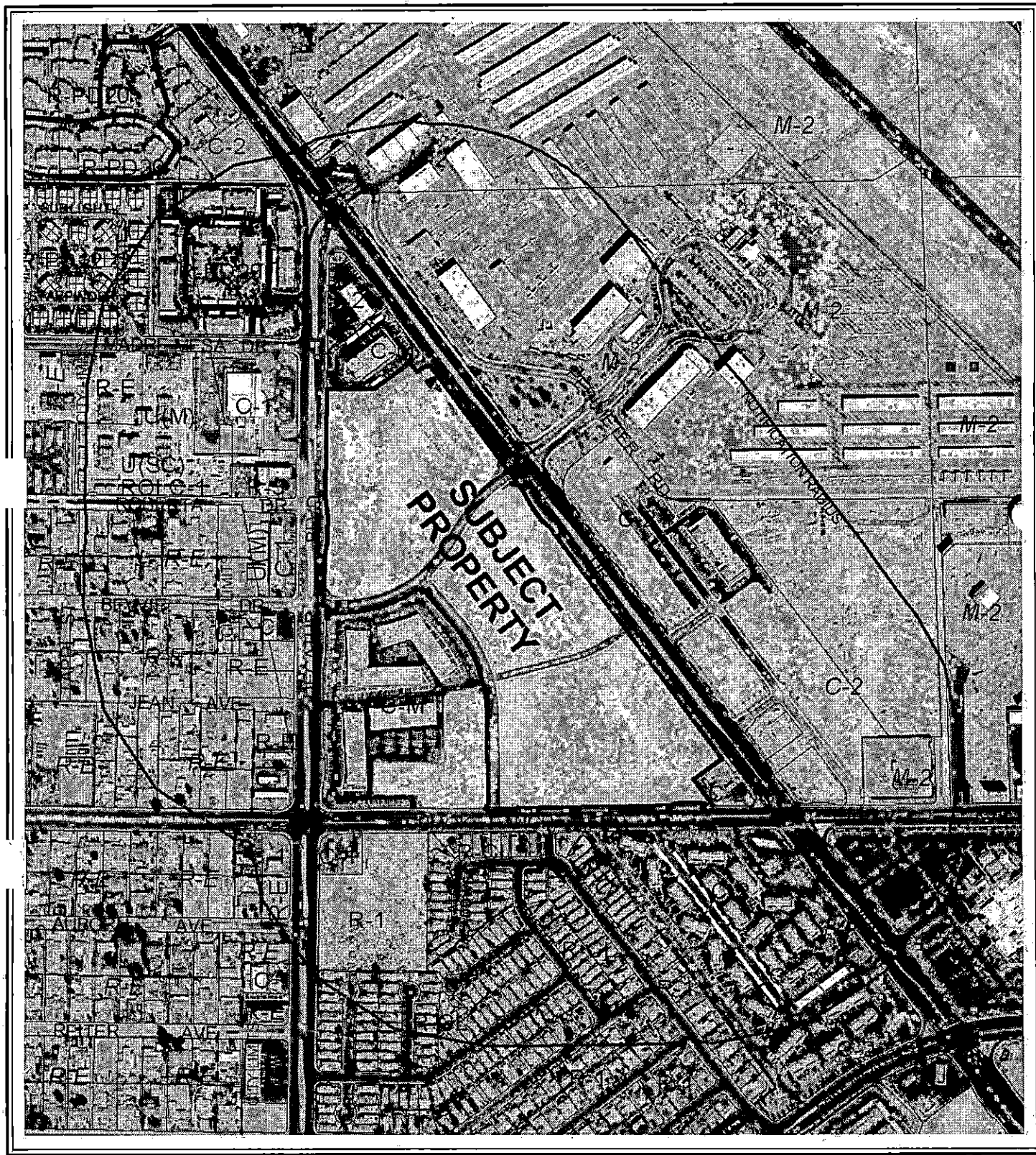
ZONING OF SUBJECT PROPERTY:

C-M (COMMERCIAL/INDUSTRIAL) UNDER RESOLUTION OF INTENT TO R-PD16
(RESIDENTIAL PLANNED DEVELOPMENT - 16 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD20 (RESIDENTIAL PLANNED DEVELOPMENT - 20 UNITS PER ACRE)





CASE: ZON-29661

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

**C-M (COMMERCIAL/INDUSTRIAL) UNDER RESOLUTION OF INTENT TO R-PD16
(RESIDENTIAL PLANNED DEVELOPMENT - 16 UNITS PER ACRE)**

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD20 (RESIDENTIAL PLANNED DEVELOPMENT - 20 UNITS PER ACRE)

0 800 1600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-29661 - APPLICANT: PAGEANTRY HOMES - OWNER :
RANCHO PARK RESIDENTIAL, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

ZON-29661 - Staff Report Page One
October 9, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning (ZON-29661) to change the zoning designation from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units per Acre) to R-PD20 (Residential Planned Development - 20 Units per Acre) on 33.47 acres at the northwest corner of Rancho Drive and Smoke Ranch Road. The subject property is adjacent to existing commercial/industrial uses, single-family residences and the North Las Vegas Airport.

In addition to this request, the applicant has submitted a Variance (VAR-29663) to allow 1,185 parking spaces where 1,231 parking spaces are required, a Variance (VAR-29958) to allow 361,548 square feet of open space in a Residential Planned Development district where 469,577 square feet is required and a Site Development Plan Review (SDR-29658) for a proposed two and three-story multi-family development consisting of 350 condominium units and 304 apartment units. The subject property has already received approvals for a less-intense, 535-unit condominium development on the subject site with R-PD16 (Residential Planned Development – 16 Units per Acre) without the need for a Variance request. Staff finds that the proposed development of 654 Multi-Family units is too intense for the subject property. The current configuration of this proposal necessitates a parking and open space Variance which highlights the overbuilt nature of this development; therefore, staff recommends denial of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/21/89	The City Council approved a Special Use Permit (U-0054-89) for a 12-foot by 24-foot Off-Premise Advertising (Billboard) Sign to a height of 40 feet, on property located on the west side of Rancho Drive, approximately 425 feet north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval of this request.
08/21/91	The City Council approved a Variance (V-0081-91) to allow a three-sided billboard on property located on the northeast corner of Smoke Ranch Road and Decatur Boulevard. This Variance was never exercised. The Board of Zoning Adjustment took no action due to a tie vote.
07/20/94	The City Council approved a Five-Year Review [U-0054-89(1)] on an approved 12 foot by 24 foot Off-Premise Advertising (Billboard) Sign to a height of 40 feet, on property located on the west side of Rancho Drive, approximately 425 feet north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval of this request.

ZON-29661 - Staff Report Page Two
October 9, 2008 - Planning Commission Meeting

09/20/95	The City Council approved a Special Use Permit (U-0092-95) for two (2) Off-Premise Advertising (Billboard) Signs on the west side of Rancho Drive north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval of this request.
11/01/00	The City Council accepted the Withdrawal of a Five Year Review [U-0092-95(1)] for two (2) Off-Premise Advertising (Billboard) Signs on west side of Rancho Drive, approximately 350 and 1,100 feet north of Smoke Ranch Road. The Planning Commission and staff recommended approval of this request.
08/01/01	The City Council approved an appeal of a Planning Commission denial for a Special Use Permit (U-0059-01) for five (5) Off-Premise Advertising (Billboard) Signs on the south side of the intersection of Rancho Drive and Decatur Boulevard subject to a Two-Year Review. The Planning Commission denied the request, whereas staff recommended approval.
12/20/01	The Planning Commission approved a Tentative Map (TM-0049-01) for a 1-lot commercial subdivision on the subject site. Staff recommended approval of this request.
02/19/03	The City Council approved a General Plan Amendment (GPA-1400) and a Rezoning (ZON-1401) on 48.49 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road. On 01/23/03, the Planning Commission recommended approval of the Rezoning application, but failed to achieve a super majority on the General Plan Amendment.
02/19/03	The City Council approved a Site Development Plan Review (SDR-1404) for a proposed commercial/industrial development on 14.45 acres consisting of an 18,500 square-foot office building on 1.85 acres adjacent to the west side of Rancho Drive approximately 320 feet south of Decatur Boulevard intersection, and a 166,900 square-foot commercial/industrial development on 12.6 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road. The Planning Commission recommended approval, whereas staff recommended denial of this application.
05/21/03	The City Council approved a required Two-Year Review (RQR-1994) for an approved Special Use Permit (U-0059-01) for five Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended approval of this request.
06/02/03	The Department of Planning and Development administratively approved a Site Development Plan Review (SDR-2394) for a 3,000 square-foot second floor addition to an approved 18,500 square-foot office building on 1.85 acres adjacent to the west side of Rancho Drive, approximately 320 feet south of Decatur Boulevard.
06/24/04	The Planning Commission approved a Master Sign Plan (MSP-4388) application for an approved commercial/industrial development on 47.93 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Drive. Staff recommended approval of this request.

ZON-29661 - Staff Report Page Three
October 9, 2008 - Planning Commission Meeting

07/07/04	The City Council approved a required Two-Year Review (RQR-4239) for an approved Special Use Permit (U-0059-01) for five (5) Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended approval of this request.
12/02/04	The Planning Commission approved a Site Development Plan Review (SDR-5312) application for a proposed 40,016 square-foot office complex consisting of eight single-story buildings on 3.30 acres adjacent to the east side of Decatur Boulevard, approximately 875 feet north of Smoke Ranch Road. Staff recommended approval of this request.
04/06/05	The City Council approved a request for a Site Development Plan Review (SDR-5916) for a proposed 5,000 square-foot Liquor Establishment (Tavern) on a 1.34 acre portion of a 31.42 acre site adjacent to the west side of Rancho Drive, approximately 250 feet north of Smoke Ranch Road. The Planning Commission recommended approval, whereas staff recommended denial of this request.
09/07/05	The City Council approved a required One-Year Review (RQR-6794) of an approved Special Use Permit (U-0059-01) for two 14-Foot x 48-Foot Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended denial of this request.
3/01/06	The City Council approved a General Plan Amendment to amend a portion of the Southeast Sector Plan of the Master Plan from L-I/R (Light Industry/Research) to M (Medium Density Residential), a Rezoning from C-M (Commercial/Industrial) to R-PD16 (Residential Planned Development – 16 Units per Acre) and a Site Development Plan Review (SDR-10806) for a 513-unit condominium development on 33.70 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission recommended approval whereas staff recommended denial of this request.
03/23/06	The Planning Commission approved a Tentative Map (TMP-11703) for a 513-unit condominium subdivision on 33.70 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. Staff recommended approval of this request.
08/01/06	A Code Enforcement Citation (#45071) was issued for weeds/grass and refuse code violations for property located at the northeast corner of Smoke Ranch Road and Rancho Drive. The case was resolved 08/31/06.
12/20/06	The City Council approved a required One-Year Review (RQR-17040) of an approved Special Use Permit (U-0059-01) which allowed two 14-foot x 48-foot Off-Premise Advertising (Billboard) Signs at the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended approval of this request.

ZON-29661 - Staff Report Page Four
October 9, 2008 - Planning Commission Meeting

06/06/07	The City Council approved a Rezoning (ZON-20512) from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units per Acre) to R-PD16 (Residential Planned Development - 16 Units per Acre) and a Site Development Plan Review (SDR-20523) for a proposed 535-unit condominium development on 33.52 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission and staff recommend approval of these requests.
06/28/07	The Planning Commission approved a Tentative Map (TMP-21699) for a 535-unit condominium development on 33.52 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. Staff recommended approval of this request.
05/21/08	The City Council approved an Extension of Time (EOT-27588) of an approved Rezoning from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units per Acre) to R-PD16 (Residential Planned Development - 16 Units per Acre) and an Extension of Time (EOT-27588) for a proposed 535-unit condominium development on 33.52 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. Staff recommended approval of these requests.
<i>Related Building Permits/Business Licenses</i>	
There are no related building permits or business licenses related to this project. There are no permits on file regarding the demolition or removal of the two existing Off-Premise Signs (Billboards) that were required to be removed as a condition of approval to SDR-20523.	
<i>Pre-Application Meeting</i>	
08/07/08	A pre-application meeting was held where elements of a Rezoning, Site Development Plan Review, a Variance for parking and a Variance for Open Space within a Residential Planned Development zoning district were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	
<i>Field Check</i>	
09/02/08	A field check was performed by staff at the subject property. The site was noted as undeveloped, relatively flat and graded. Some weeds and debris were noted on site.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	33.47

ZON-29661 - Staff Report Page Five
October 9, 2008 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped (Approved Through SDR-20523 for a 535-unit Condominium Development)	M (Medium Density Residential)	C-M (Commercial/ Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre)
North	Industrial	LI/R (Light Industry/ Research)	C-M (Commercial/ Industrial)
South	Single-Family Residential	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
	Multi-Family Residential	M (Medium Density Residential)	C-2 (General Commercial)
	Commercial	GC (General Commercial)	C-2 (General Commercial)
East	Airport	Public/Semi-Public – City of North Las Vegas	C-2 (General Commercial) and M-2 (General Industrial) – City of North Las Vegas
West	Light Industrial	LI/R (Light Industry/ Research)	C-M (Commercial/ Industrial)
	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O Airport Overlay District (35 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

*The subject property is located within the North Las Vegas Airport Overlay within the 35-foot height limitation contour. None of the buildings on the subject property extend beyond this limitation.

ZON-29661 - Staff Report Page Six
October 9, 2008 - Planning Commission Meeting

ANALYSIS

This is a Rezoning proposal to change the zoning of the subject property from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units per Acre) to R-PD20 (Residential Planned Development - 20 Units per Acre). The R-PD (Residential Planned Development) District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. The R-PD20 (Residential Planned Development - 20 Units per Acre) is consistent with the M (Medium Density Residential) category of the General Plan.

The subject property is located within the Southwest Sector of the General Plan with a land use designation of M (Medium Density Residential). The Medium Density Residential category includes a variety of multi-family units such as plexes, townhouses, and low-density apartments. This category allows up to 25.49 units per acre.

The proposed Rezoning request is in conformance with the General Plan land use designation. Title 19.06.040 states that the R-PD (Residential Planned Development) District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. Staff finds that the applicant is choosing to have the density advantage offered by R-PD zoning without providing any offsetting benefit to the community at large by providing a reduction in open space required and limited site amenities; therefore, denial of this request is recommended.

FINDINGS

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

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

The proposed Rezoning is consistent with the M (Medium Density Residential) category of the General Plan, which allows up to 25.49 dwelling units per acre.

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

Residential development is not compatible with the adjacent commercial/industrial development, adjacent airport or the single-family residences to the south. The proposed development is too intense for the site and may negatively impact the existing neighbors with increased traffic and noise complaints.

ZON-29661 - Staff Report Page Seven
October 9, 2008 - Planning Commission Meeting

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

Growth and development factors in the community indicate the need for affordable and market-rate housing; however, the subject site, located adjacent to the North Las Vegas Airport and commercial/industrial properties is not appropriate for this scale of proposed density.

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

The site is accessed from Rancho Drive, a Freeway, and Decatur Boulevard and Smoke Ranch Road, each 100-Foot Primary Arterials, according to the Master Plan of Streets and Highways. All roads are adequate to serve the proposed development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 244

APPROVALS 3

PROTESTS 4



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-29661** APN: 138-18-410-012

Name of Property Owner: Rancho Park Residential, LLC

Name of Applicant: Pageantry Homes

Name of Representative: Tony Celeste/Kummer Kaempfer Bonner Renshaw & Ferrario

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

 Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner:

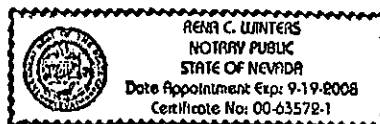
Print Name:

Subscribed and sworn before me

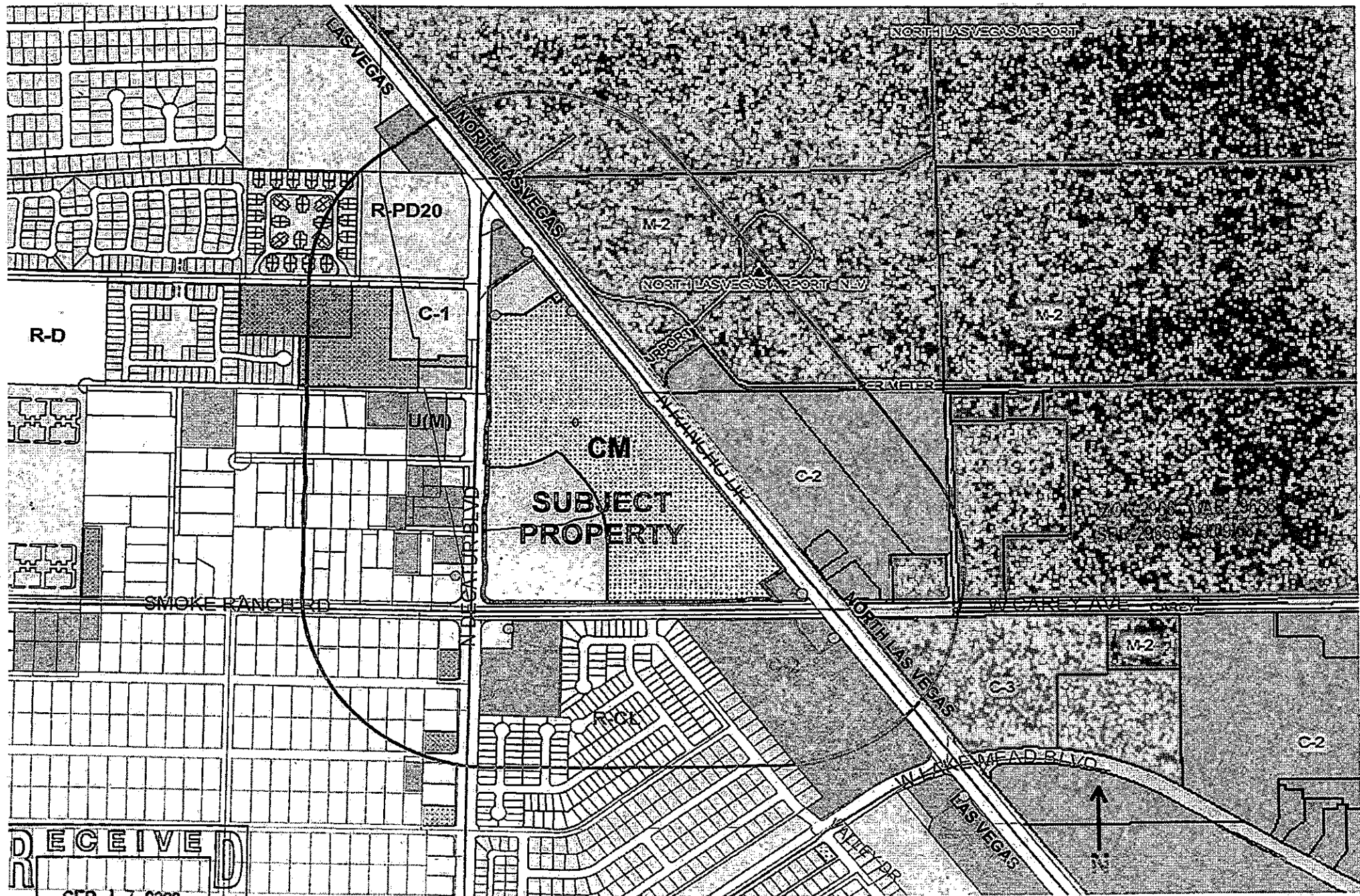
This 26 day of August, 2008

Reva C. Winkler
Notary Public in and for said County and State

Revised 11-14-06

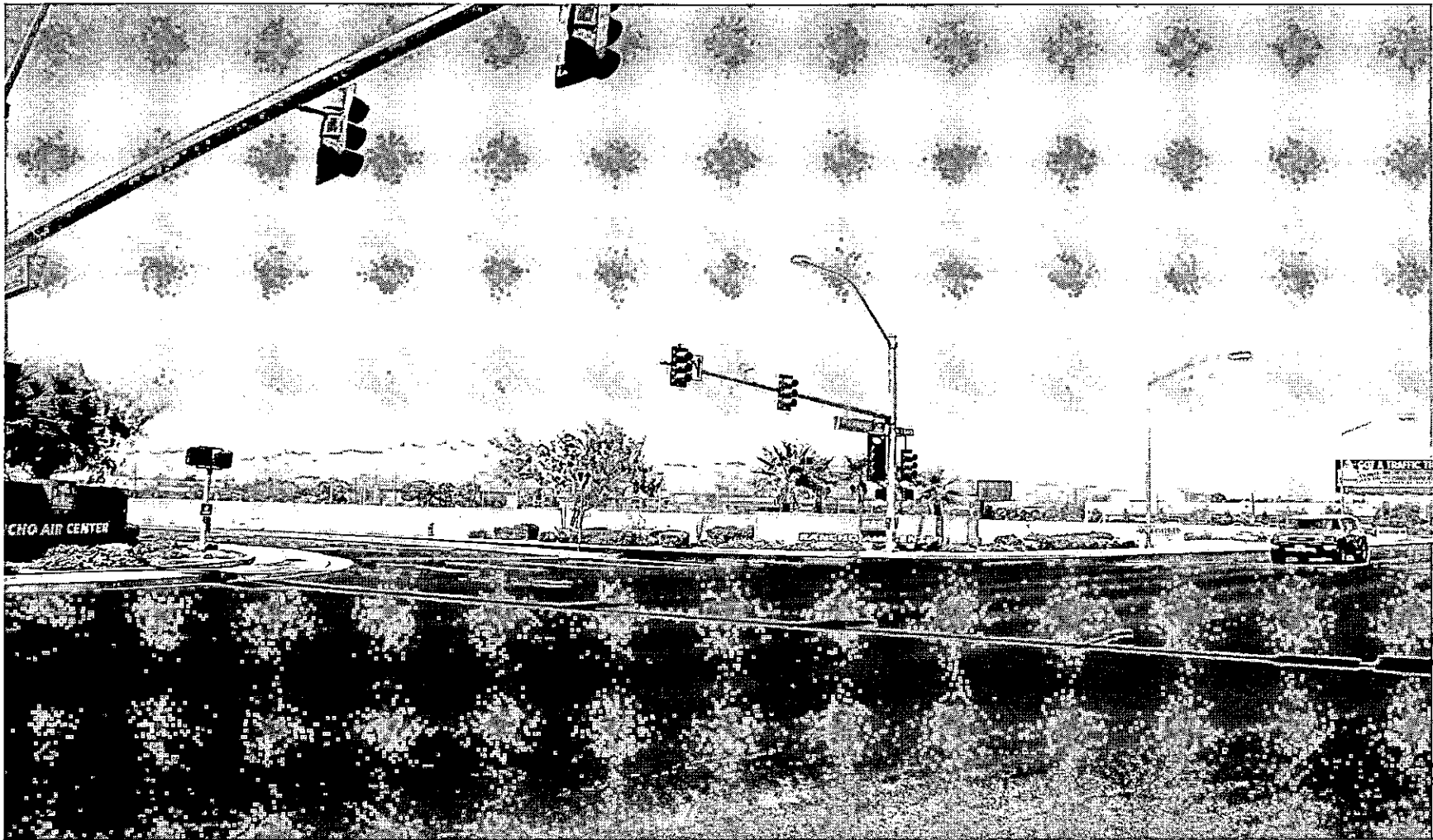


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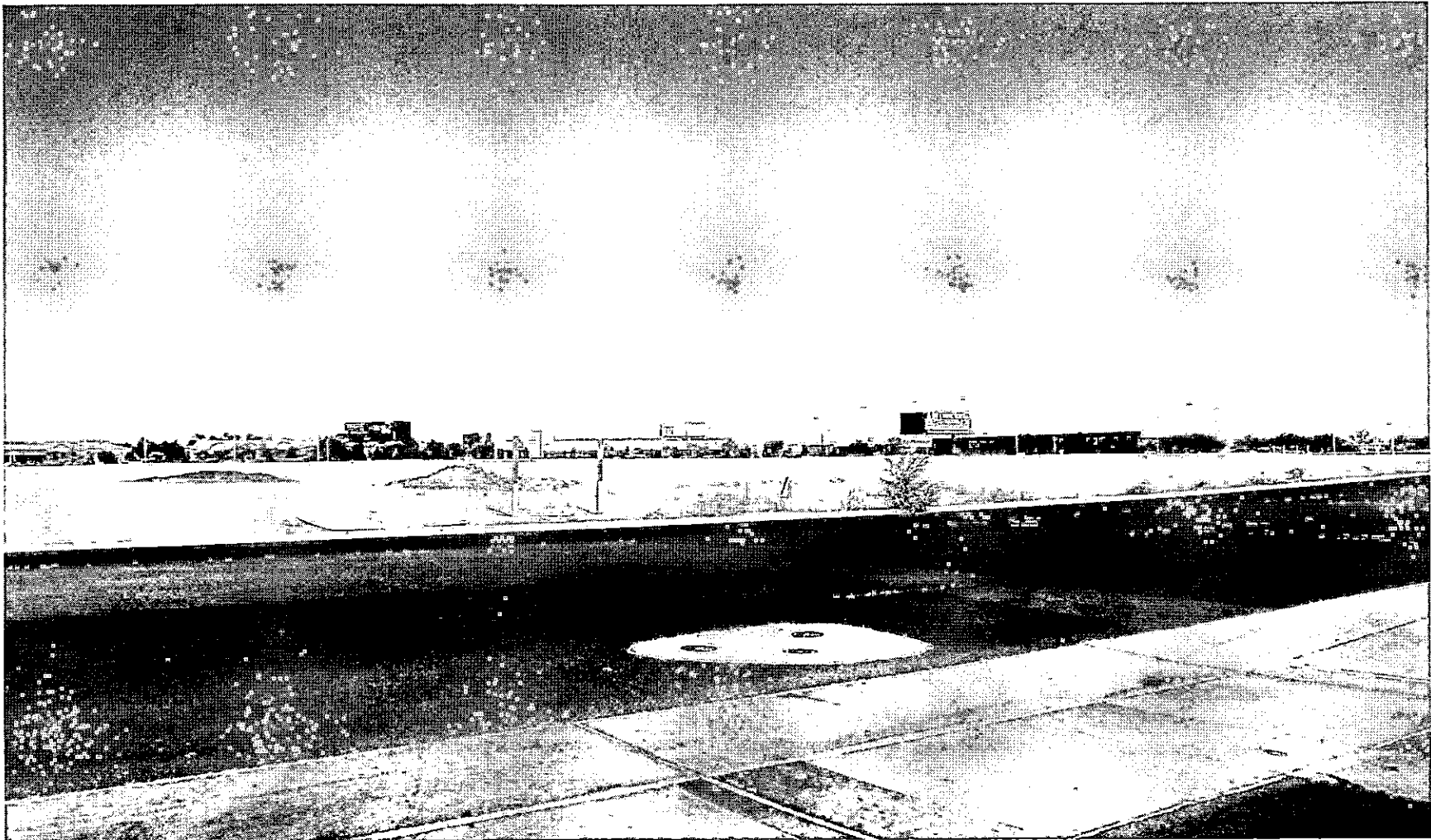
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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

ZON-29661
10/09/08 PC - REVISED



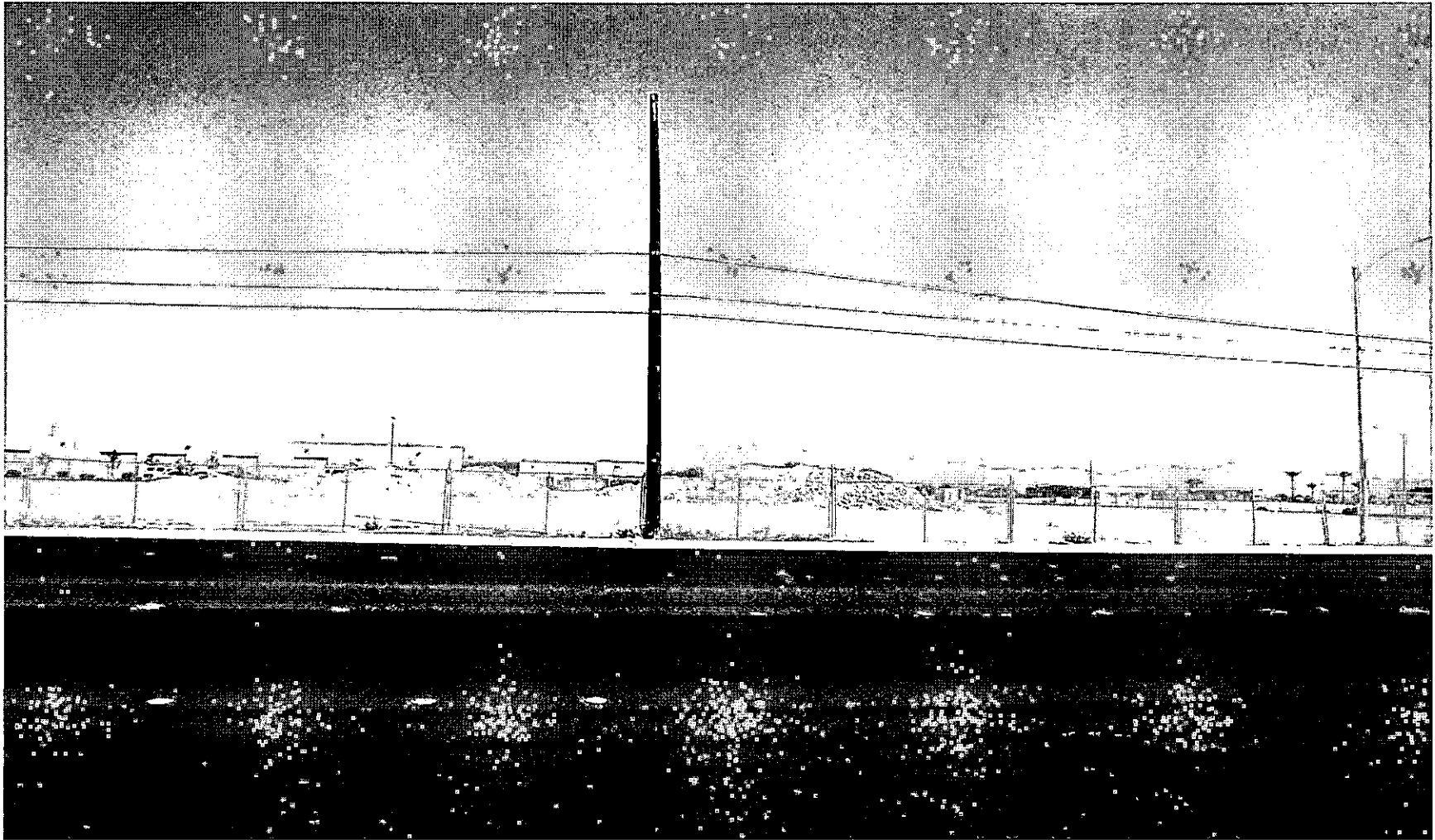
ZON-29661 - REZONING - APPLICANT: PAGEANTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL, LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



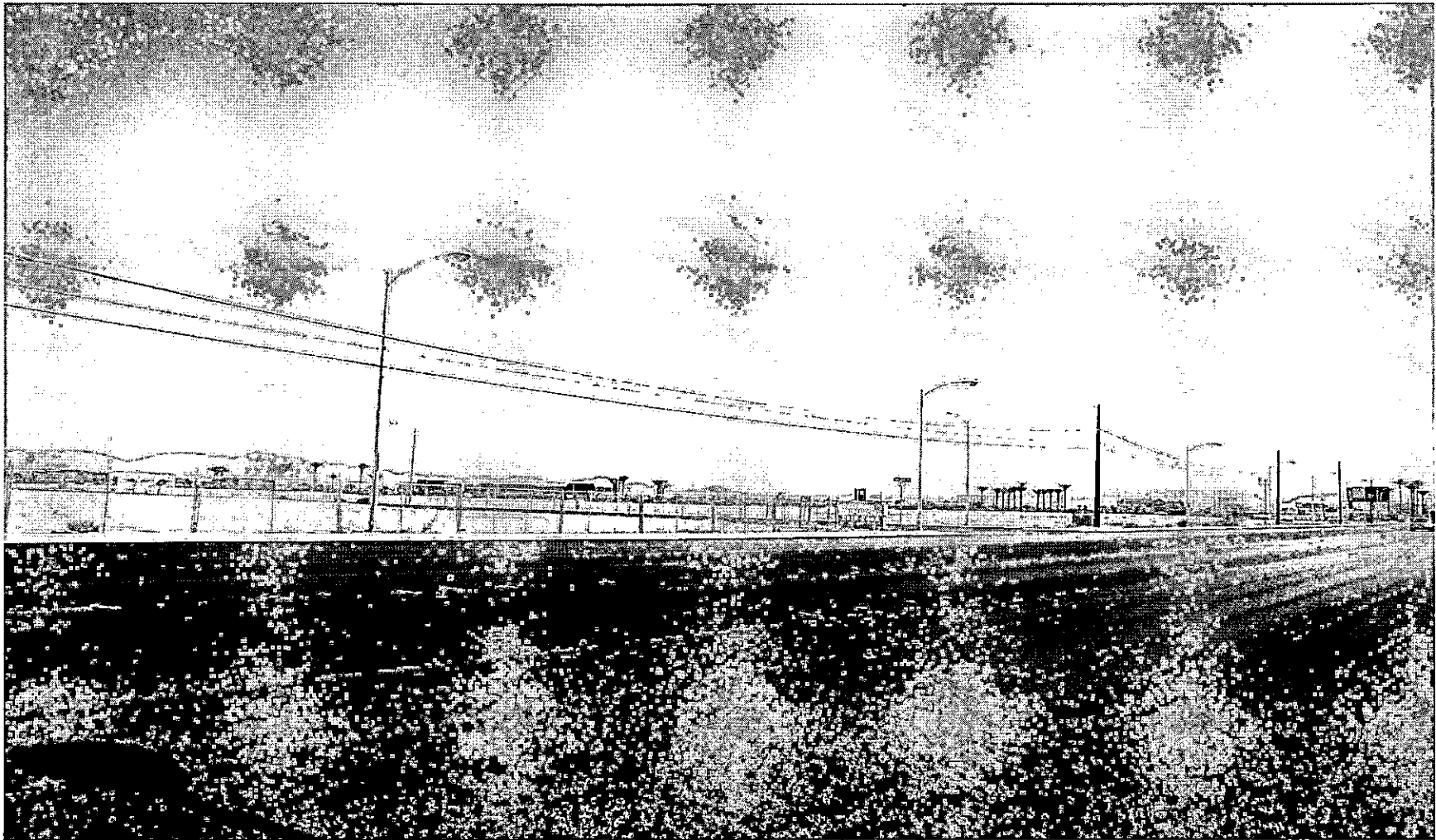
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NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



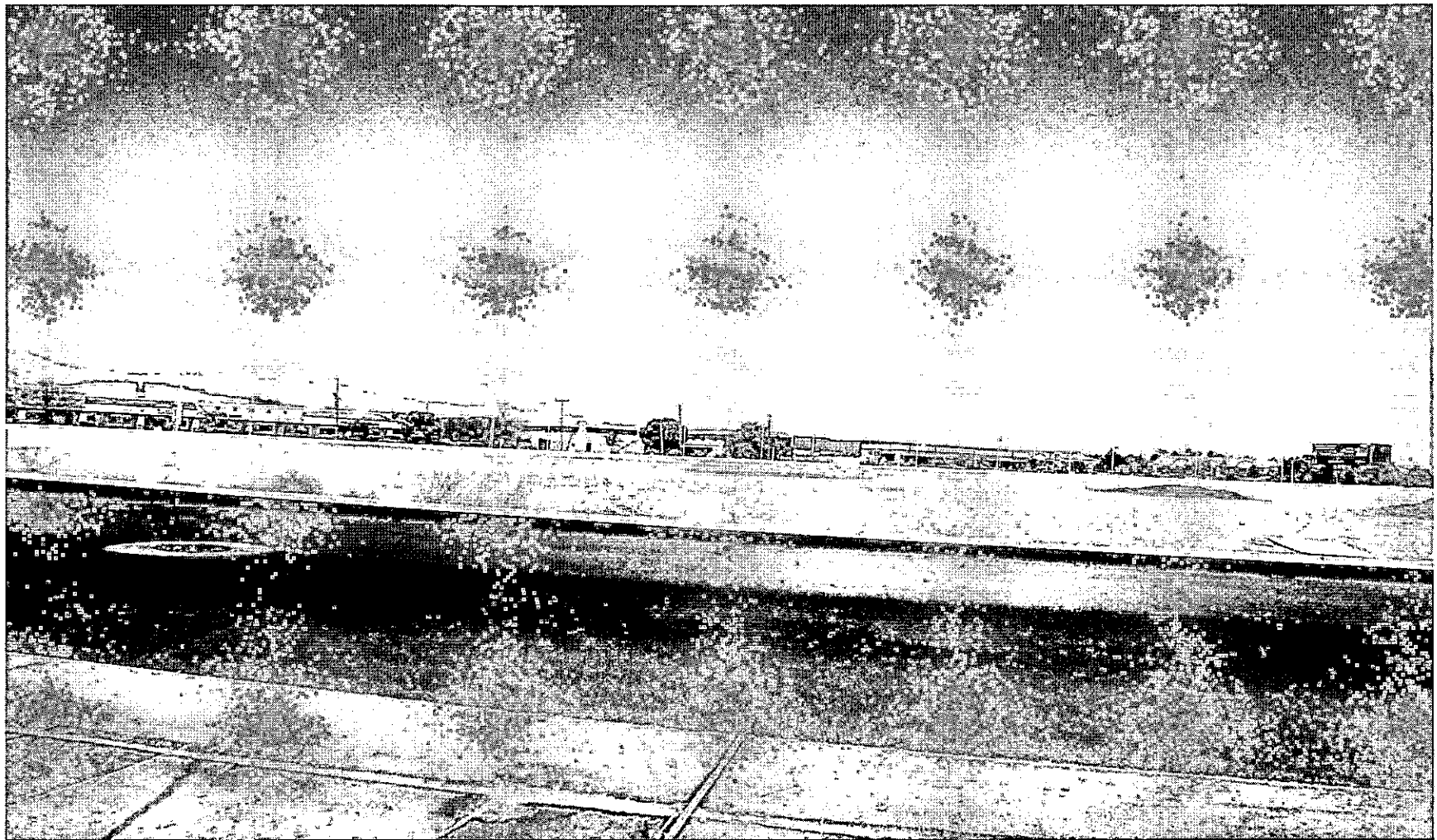
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LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



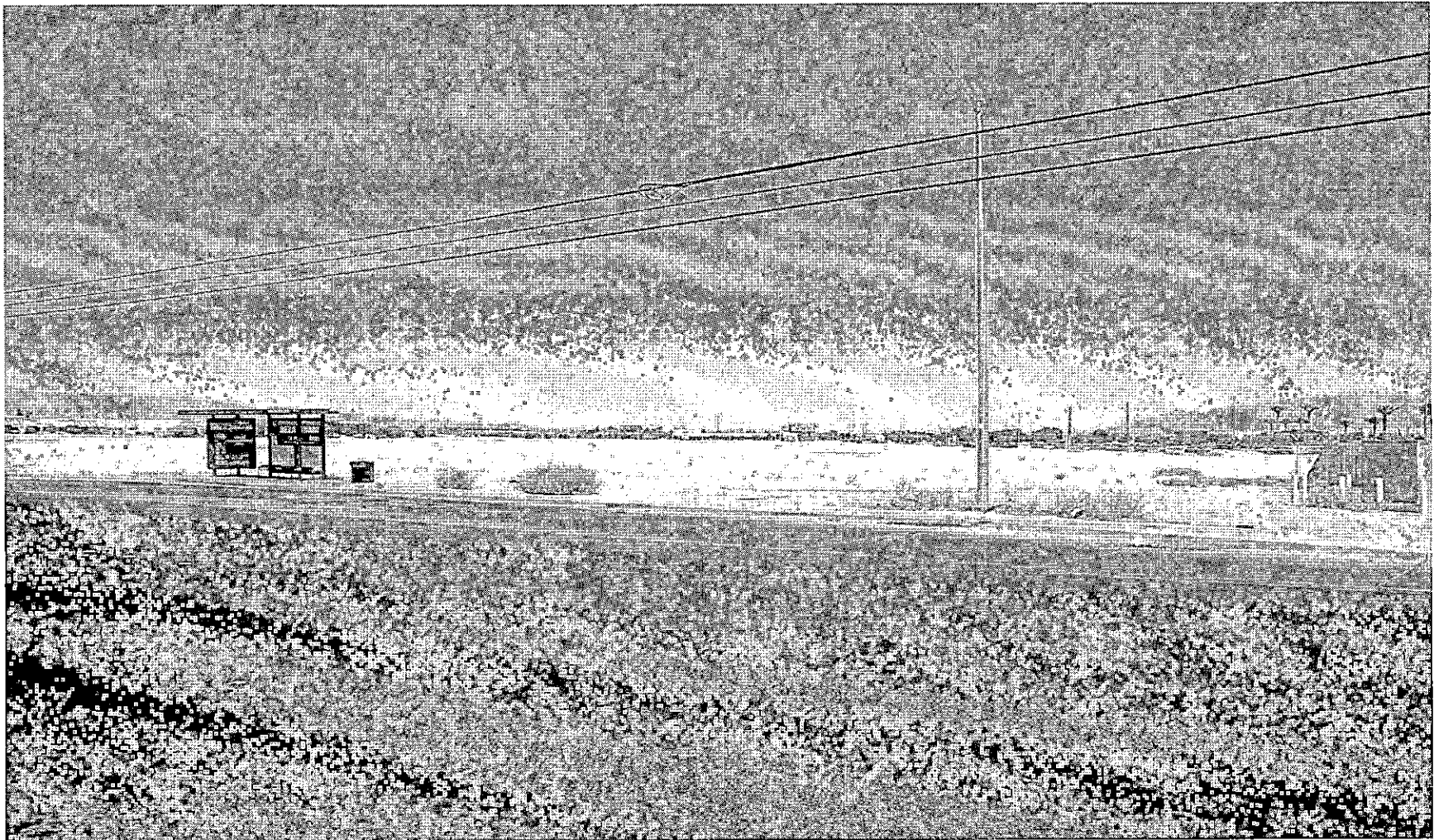
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LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



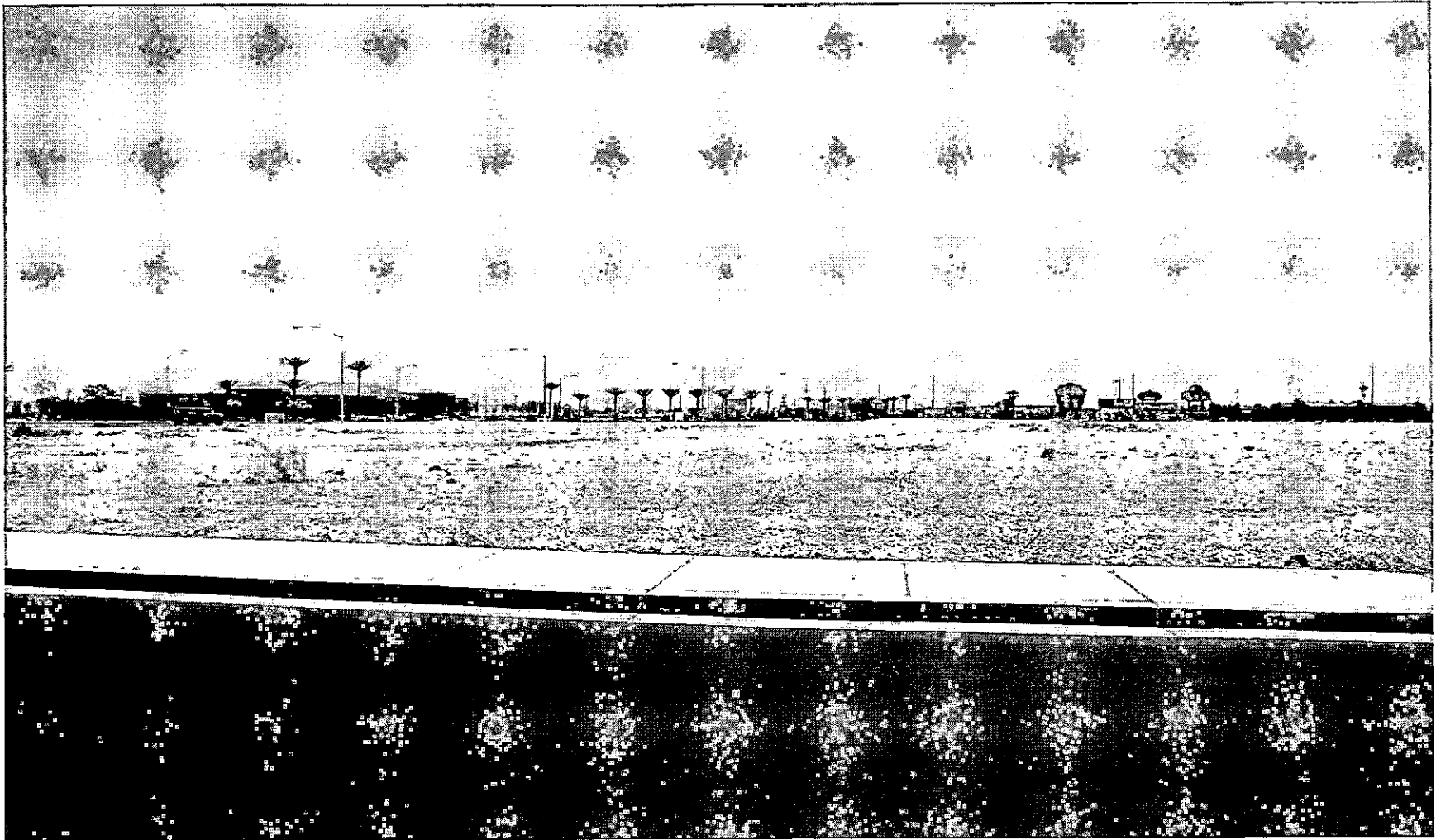
ZON-29661 - REZONING - APPLICANT: PAGEANTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL,
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NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



ZON-29661 - REZONING - APPLICANT: PAGEANTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL,
LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



ZON-29661 - REZONING - APPLICANT: PAGEANTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL,
LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kkbrf.com
702.693.4215

KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

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Tel: 702.792.7000
Fax: 702.796.7181

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

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

August 26, 2008

VIA HAND DELIVERY

City of Las Vegas
PLANNING & DEVELOPMENT DEPARTMENT
731 So. Fourth Street
Las Vegas, NV 89101

***Re: Justification Letter – Rancho Park Residential, LLC
Site Development Review, Zone Change & Variance
APN: 139-18-410-012***

To Whom It May Concern:

Please be advised this office represents Rancho Park Residential, LLC (the "Applicant"), in the above referenced matter. The Applicant is requesting to amend an approved site development plan and conforming zone change for property generally located on the northwest corner of Rancho Drive and Smoke Rancho Road, more particularly know as assessor's parcel number 139-18-410-012 (the "Site"). The Site is approximately 33.7 acres and under resolution of intent for RPD 16 zoning.

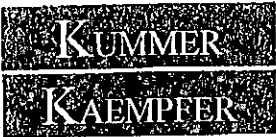
On or about June 6, 2007, the Las Vegas City Council approved SDR-20523 and ZON-20512 for the original site plan consisting of a multi-family development on the Site. Subsequently, on or about May 21, 2008, the Las Vegas City Council granted a first extension of time for both the site development plan and the zone change via EOT-27589 and EOT-27588, respectively.

The Applicant is requesting to amend the approved site development plan to include a townhome product. The site plan layout has changed slightly from the original approval because of the new townhome product. Access to the Site will be from Rancho Drive with a spine road through the Site providing additional access to the Site from Decatur Boulevard. The Site will consist of a mixture of townhomes and apartments. The total number of units will be 654 with a blended density of less than twenty (20) units/acre across the Site. The Site will have 350 condo units and 304 apartment units. The Site is master planned to allow densities up to twenty-five (25) units/acre.

The buildings will be a mixture of two (2) and three (3) stories with heights ranging between twenty-seven feet (27') and thirty-four feet (34'). Two (2) story buildings will align along the primary entry way to help soften the entrance.

**ZON-29661
10/09/08 PC**





In addition to the site development review and conforming zone change, the Applicant is seeking a slight reduction in parking. The code requires 1231 parking spaces and the Site is providing 1185 parking spaces; only about a 3.74% reduction in parking. The slight reduction in parking is appropriate for the Site based on the urban setting and public transit near the Site. Numerous bus lines provide for easy transportation along the major rights-of-way of Decatur Boulevard, Rancho, and Smoke Ranch.

The Applicant is also requesting a reduction in open space. However, amenities provided within the Site include, but not limited to: a clubhouse, a recreation building, pools with spas, open space, and a network of pedestrian friendly walkways. The Site also meets all setback and landscaping requirements.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

A handwritten signature in black ink, appearing to read "Anthony J. Celeste", with a long horizontal line extending to the right.

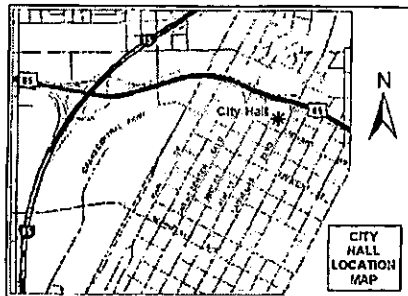
Anthony J. Celeste

AJC/dmf

ZON-29661
10/09/08 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.

ZON-29661 & VAR-29663

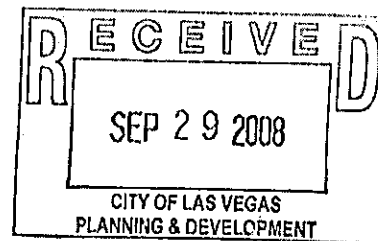
Planning Commission Meeting of 10/9/2008

PRESORTED
 FIRST CLASS



UNITED STATES POSTAGE

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 MAILED FROM ZIP CODE 89101



13919110048
 SCHAFER TRUST
 4409 MOSSY ROCK CT
 LAS VEGAS NV 89108-2951

Case: ZON-29661

CAUTION: NO POSTAGE

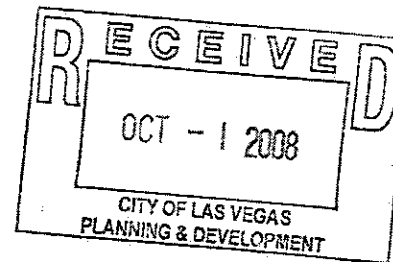
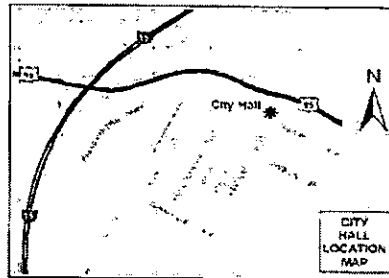


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#24-25

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.

ZON-29661 & VAR-29663

Planning Commission Meeting of 10/9/2008

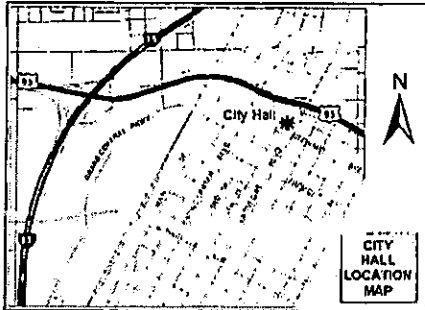
Case: ZON-29661
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NELSON JAMES H & NANCY R
2151 FULHAM ST
ROSEVILLE MN 55113-3814

09/30/2008 09:16

17023857258

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
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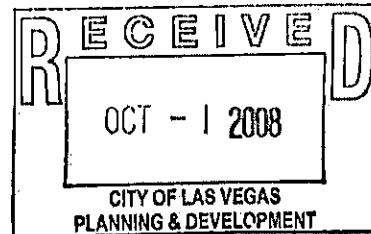
ZON-29661 & VAR-29663

Planning Commission Meeting of 10/9/2008

PRESORTED
FIRST CLASS



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2308 VALLEY DR
LAS VEGAS NV 89108-2948

Case: ZON-29661

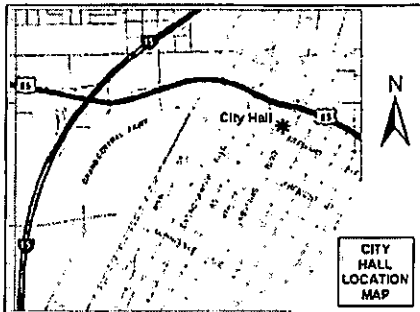
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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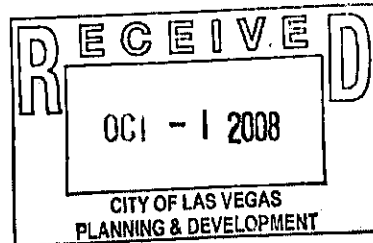
ZON-29661 & VAR-29663

Planning Commission Meeting of 10/9/2008

PRESORTED
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HUGHES WILLIAM J & SHIRLEY L
4329 EUGENE AVE
LAS VEGAS NV 89108-2815

Case: ZON-29661

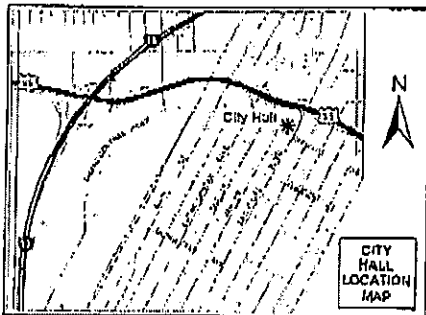
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City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

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ZON-29661 & VAR-29663

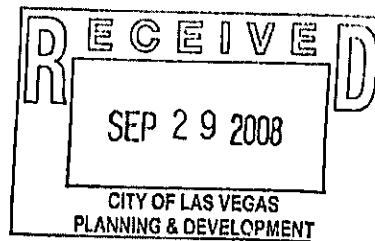
Planning Commission Meeting of 10/9/2008

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 LAS VEGAS NV 89104-2845

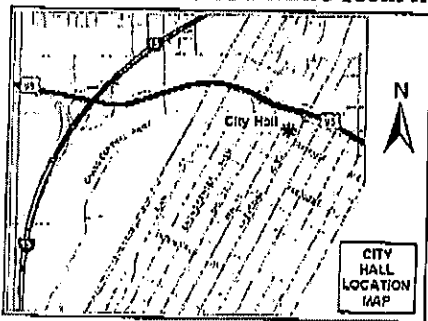
Case: ZON-20661

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I SUPPORT
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Please use available blank space on card for your comments.

ZON-29661 & VAR-29663

Planning Commission Meeting of 10/9/2008

**PRESORTED
FIRST CLASS**

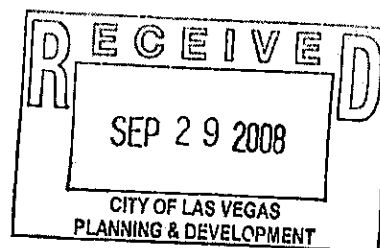


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Case: ZON-28681

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1700 S 8TH ST

LAS VEGAS NV 89104-2845

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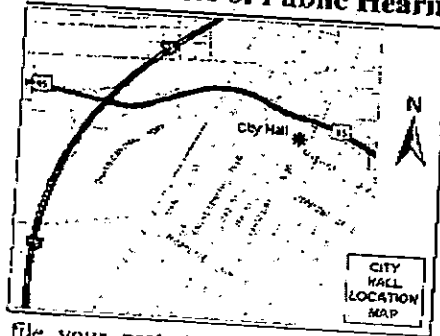
Oct. 02 2008 12:13PM P2

FAX NO. : 408 926 2584

FROM : Lorrie Residential Care Home

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



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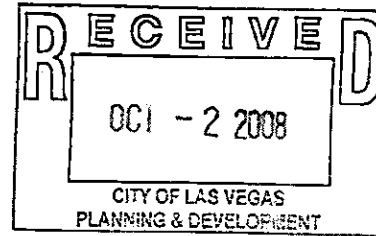
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ZON-29661 & VAR-29663

Planning Commission Meeting of 10/9/2008

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FIRST CLASS



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14918 REYNAUD DR
SAN JOSE CA 95127-2565

GAUDE11 95127



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#24-25

OCT. 8. 2008 6:09PM

KKBRF

NO. 831

P. 2

**KUMMER
KAEMPFER**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
ajceleste@kkbrf.com
702.683.4216

**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

RECEIVED
CITY CLERK
2008 OCT -9 A 8:46

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.782.7800
Fax: 702.786.7111

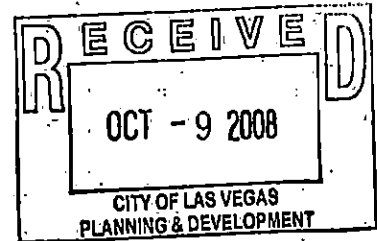
RENO OFFICE
6025 Kietzke Lane
Reno, NV 89511
Tel: 775.852.8880
Fax: 775.852.8882

CARSON CITY OFFICE
610 W. Fourth Street
Carson City, NV 89703
Tel: 775.684.8800
Fax: 775.682.4267

October 8, 2008

VIA FACSIMILE
382-4803

Peter Lowenstein
CITY OF LAS VEGAS
CITY CLERK
400 Stewart Ave.
Las Vegas, NV 89101



**Re: Request to Hold ZON-29661, VAR-29663, VAR, 29958, & SDR 29658
(Items #24, 25, 26, & 27)
Applicant: Pageantry Homes - Rancho Park Residential, LCC
City of Las Vegas Planning Commission Meeting
October 9, 2008**

Dear Mr. Lowenstein:

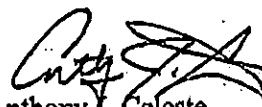
On behalf of the applicant, we respectfully request that the above referenced application scheduled to be heard by the Las Vegas Planning Commission on October 9, 2008 be held until the **October 23, 2008** in order for staff to review revised plans submitted on October 3, 2008.

However, we respectfully request the City Council date of November 5, 2008 remains the same. The applicant has financing obligations that corresponds with the City Council date. We are hopeful there is a mechanism to allow us to proceed at the November 5, 2008 City Council hearing.

We thank you in advance for your consideration. If you have any questions, please do not hesitate to contact me.

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO


Anthony J. Celeste

AJC/dmf

Submitted after final agenda	
Date	Item #24-27

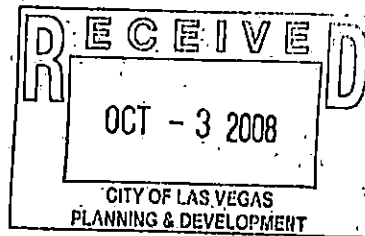
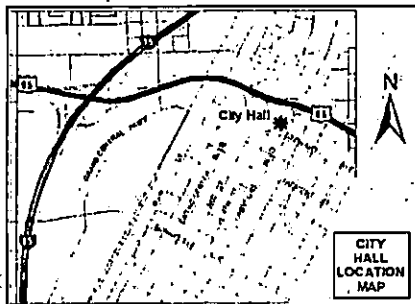


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City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

**Return Service Requested
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☐

I SUPPORT
 this Request

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I OPPOSE
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Please use available blank space on card for your comments.

ZON-29661 & VAR-29663

Planning Commission Meeting of 10/9/2008

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 Case: ZON-29661
 STONE MEADOW L L C
 %K & S PARSONS
 8054 LOTTIE AVE
 LAS VEGAS NV 89149-4762

GAUDP11 89149

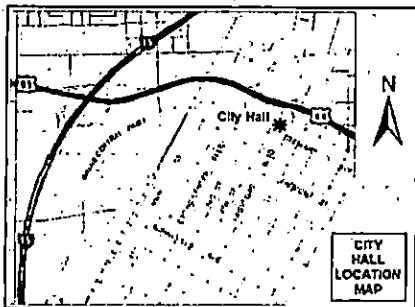


Submitted after final agenda

Date **P** #24-25 Item

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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ON-29661 & VAR-29663

Planning Commission Meeting of 10/9/2008

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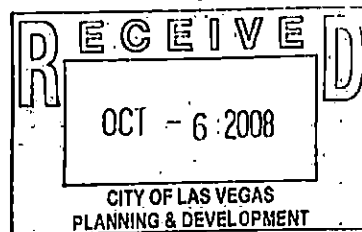


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 2313 VALLEY DR
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Case: ZON-28681

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Submitted after final agenda

Date **P** Item **#24-25**

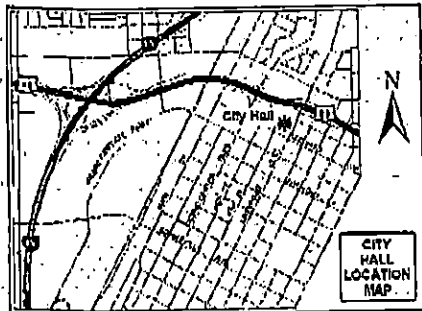
RANCHO AIR BUS PARK

(FAX) 7023645885

P. 001/001

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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this Request

Please use available blank space on card for your comments.

ZON-29661 & VAR-29663

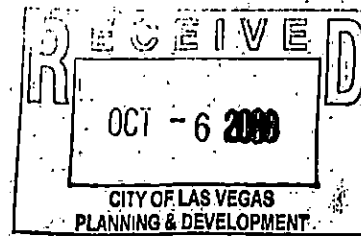
Planning Commission Meeting of 10/9/2008



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%COMMERCIAL SPECIALISTS
7674 W LAKE MEAD #104
LAS VEGAS NV 89128-8848

Case: ZON-20881

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Submitted after final agenda

Date _____

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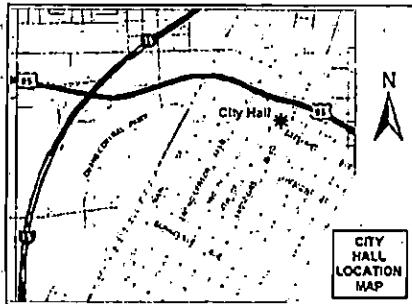
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City of Las Vegas
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I SUPPORT
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Please use available blank space on card for your comments.

ZON-29661 & VAR-29663

Planning Commission Meeting of 10/9/2008

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 HOMEOWNER TO THIS SOUTH,
 AND WEST.

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 SWARTZ RAY L & FRANCES
 5000 JEAN AVE
 LAS VEGAS NV 89108-3515

Case: ZON-29661

GAUDS11 23102

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Submitted after final agenda

Date

Item

P

#24-25

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VAR-29663 - VARIANCE RELATED TO ZON-29661 - PUBLIC HEARING - APPLICANT: PAGEENTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL, LLC - Request for a Variance TO ALLOW 1,185 PARKING SPACES WHERE 1,231 PARKING SPACES ARE REQUIRED on 33.47 acres at the northwest corner of Rancho Drive and Smoke Ranch Road (APN 139-18-410-012), C-M (Commercial/Industrial) Zone Under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units Per Acre) [PROPOSED: R-PD20 (Residential Planned Development - 20 Units Per Acre)], Ward 5 (Barlow)

C.C.: 11/05/2008

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

9

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. Protest/Support Postcards

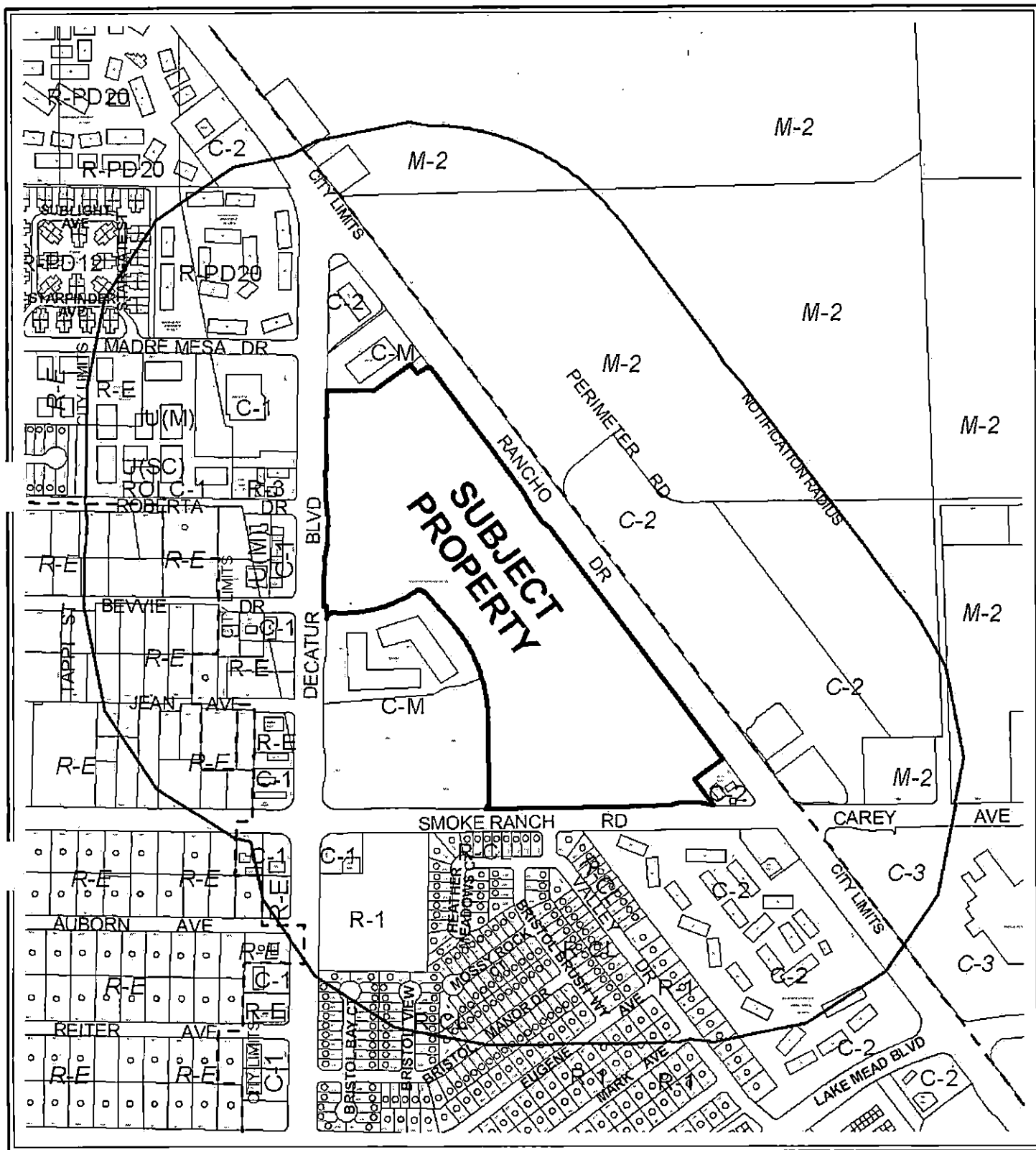
Motion made by GLENN TROWBRIDGE to Hold in abeyance Items 16 and 30 to 11/6/2008; Items 24-27 to 10/23/2008; and Items 17 and 18 to 12/4/2008

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

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

Minutes:

See Item 24 for related backup.



CASE: VAR-29663

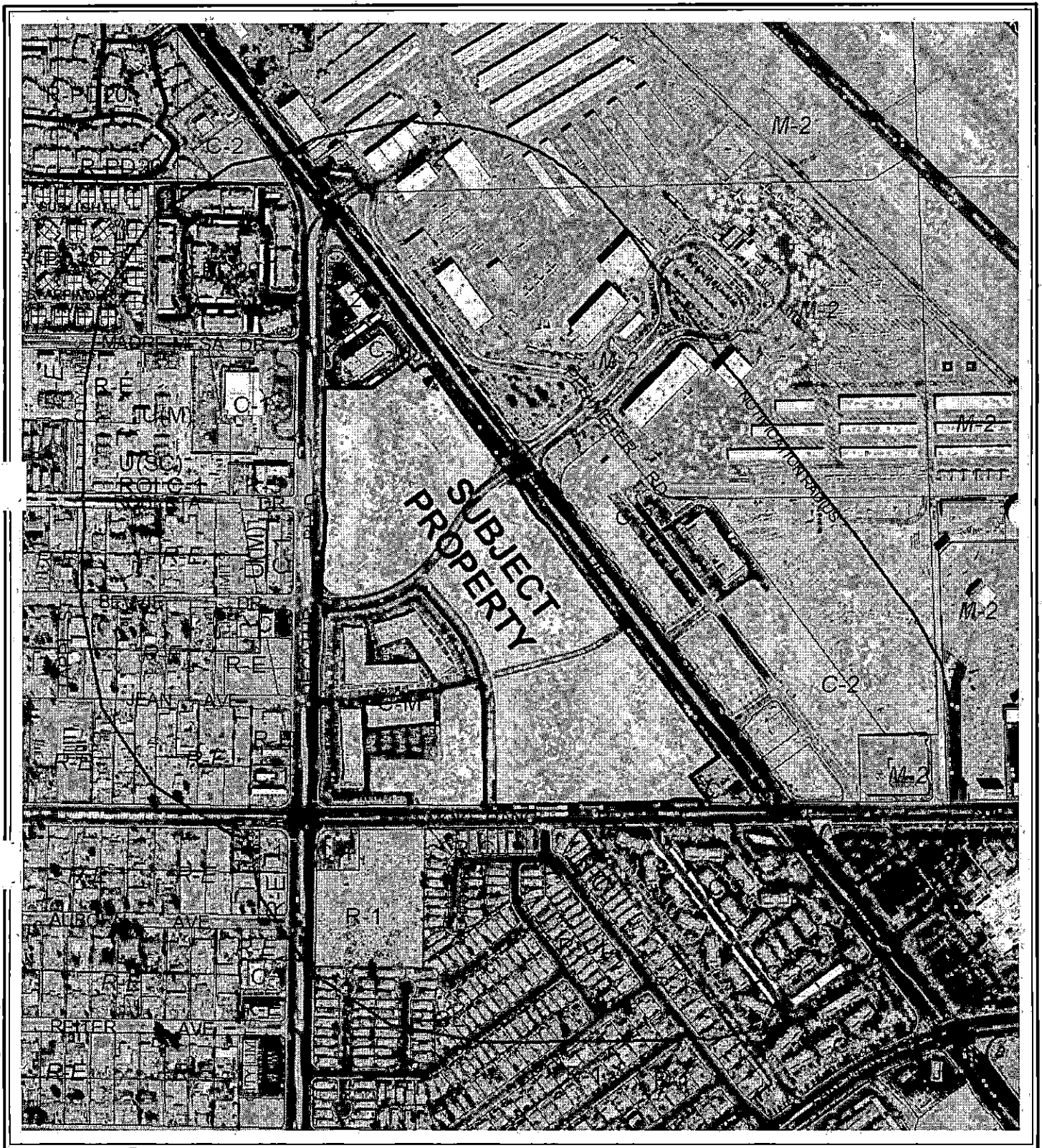
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-M (COMMERCIAL/INDUSTRIAL) UNDER RESOLUTION OF INTENT TO R-PD16
(RESIDENTIAL PLANNED DEVELOPMENT - 16 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD20 (RESIDENTIAL PLANNED DEVELOPMENT - 20 UNITS PER ACRE)



CASE: VAR-29663

RADIUS: 1000 FT.

ZONING OF SUBJECT PROPERTY:

**C-M (COMMERCIAL/INDUSTRIAL) UNDER RESOLUTION OF INTENT TO R-PD16
(RESIDENTIAL PLANNED DEVELOPMENT - 16 UNITS PER ACRE)**

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD20 (RESIDENTIAL PLANNED DEVELOPMENT - 20 UNITS PER ACRE).

0 800 1600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-29663 - APPLICANT: PAGEENTRY HOMES - OWNER:
RANCHO PARK RESIDENTIAL, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning Site Development Plan Review (SDR-29658) and Variance (VAR-29958), if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-29663 - Staff Report Page One
October 9, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow 1,185 parking spaces where 1,231 parking spaces are required on 33.47 acres at the northwest corner of Rancho Drive and Smoke Ranch Road. The applicant is requesting this Variance to facilitate the construction of a proposed 654-unit Multi-Family residential development on the subject property.

In addition to this request, the applicant has submitted a Rezoning (ZON-29661) to change the zoning designation from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units per Acre) to R-PD20 (Residential Planned Development - 20 Units per Acre), a Site Development Plan Review (SDR-29658) for a proposed two and three-story multi-family development consisting of 350 condominium units and 304 apartment units and a Variance (VAR-29958) to allow 361,548 square feet of open space in a Residential Planned Development district where 469,577 square feet is required. Staff finds that the proposed development of 654 multi-family units is too intense for the subject property and the proposed 3.74% reduction in parking will create an irreversible permanent parking shortage if this proposal is approved; therefore, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/21/89	The City Council approved a Special Use Permit (U-0054-89) for a 12-foot by 24-foot Off-Premise Advertising (Billboard) Sign to a height of 40 feet, on property located on the west side of Rancho Drive, approximately 425 feet north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval of this request.
08/21/91	The City Council approved a Variance (V-0081-91) to allow a three-sided billboard on property located on the northeast corner of Smoke Ranch Road and Decatur Boulevard. This Variance was never exercised. The Board of Zoning Adjustment took no action due to a tie vote.
07/20/94	The City Council approved a Five-Year Review [U-0054-89(1)] on an approved 12 foot by 24 foot Off-Premise Advertising (Billboard) Sign to a height of 40 feet, on property located on the west side of Rancho Drive, approximately 425 feet north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval of this request.
09/20/95	The City Council approved a Special Use Permit (U-0092-95) for two (2) Off-Premise Advertising (Billboard) Signs on the west side of Rancho Drive north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval of this request.

VAR-29663 - Staff Report Page Two
October 9, 2008 - Planning Commission Meeting

11/01/00	The City Council accepted the Withdrawal of a Five Year Review [U-0092-95(1)] for two (2) Off-Premise Advertising (Billboard) Signs on west side of Rancho Drive, approximately 350 and 1,100 feet north of Smoke Ranch Road. The Planning Commission and staff recommended approval of this request.
08/01/01	The City Council approved an appeal of a Planning Commission denial for a Special Use Permit (U-0059-01) for five (5) Off-Premise Advertising (Billboard) Signs on the south side of the intersection of Rancho Drive and Decatur Boulevard subject to a Two-Year Review. The Planning Commission denied the request, whereas staff recommended approval.
12/20/01	The Planning Commission approved a Tentative Map (TM-0049-01) for a 1-lot commercial subdivision on the subject site. Staff recommended approval of this request.
02/19/03	The City Council approved a General Plan Amendment (GPA-1400) and a Rezoning (ZON-1401) on 48.49 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road. On 01/23/03, the Planning Commission recommended approval of the Rezoning application, but failed to achieve a super majority on the General Plan Amendment.
02/19/03	The City Council approved a Site Development Plan Review (SDR-1404) for a proposed commercial/industrial development on 14.45 acres consisting of an 18,500 square-foot office building on 1.85 acres adjacent to the west side of Rancho Drive approximately 320 feet south of Decatur Boulevard intersection, and a 166,900 square-foot commercial/industrial development on 12.6 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road. The Planning Commission recommended approval, whereas staff recommended denial of this application.
05/21/03	The City Council approved a required Two-Year Review (RQR-1994) for an approved Special Use Permit (U-0059-01) for five Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended approval of this request.
06/02/03	The Department of Planning and Development administratively approved a Site Development Plan Review (SDR-2394) for a 3,000 square-foot second floor addition to an approved 18,500 square-foot office building on 1.85 acres adjacent to the west side of Rancho Drive, approximately 320 feet south of Decatur Boulevard.
06/24/04	The Planning Commission approved a Master Sign Plan (MSP-4388) application for an approved commercial/industrial development on 47.93 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Drive. Staff recommended approval of this request.

VAR-29663 - Staff Report Page Three
October 9, 2008 - Planning Commission Meeting

07/07/04	The City Council approved a required Two-Year Review (RQR-4239) for an approved Special Use Permit (U-0059-01) for five (5) Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended approval of this request.
12/02/04	The Planning Commission approved a Site Development Plan Review (SDR-5312) application for a proposed 40,016 square-foot office complex consisting of eight single-story buildings on 3.30 acres adjacent to the east side of Decatur Boulevard, approximately 875 feet north of Smoke Ranch Road. Staff recommended approval of this request.
04/06/05	The City Council approved a request for a Site Development Plan Review (SDR-5916) for a proposed 5,000 square-foot Liquor Establishment (Tavern) on a 1.34 acre portion of a 31.42 acre site adjacent to the west side of Rancho Drive, approximately 250 feet north of Smoke Ranch Road. The Planning Commission recommended approval, whereas staff recommended denial of this request.
09/07/05	The City Council approved a required One-Year Review (RQR-6794) of an approved Special Use Permit (U-0059-01) for two 14-Foot x 48-Foot Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended denial of this request.
3/01/06	The City Council approved a General Plan Amendment to amend a portion of the Southeast Sector Plan of the Master Plan from L-I/R (Light Industry/Research) to M (Medium Density Residential), a Rezoning from C-M (Commercial/Industrial) to R-PD16 (Residential Planned Development – 16 Units per Acre) and a Site Development Plan Review (SDR-10806) for a 513-unit condominium development on 33.70 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission recommended approval whereas staff recommended denial of this request.
03/23/06	The Planning Commission approved a Tentative Map (TMP-11703) for a 513-unit condominium subdivision on 33.70 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. Staff recommended approval of this request.
08/01/06	A Code Enforcement Citation (#45071) was issued for weeds/grass and refuse code violations for property located at the northeast corner of Smoke Ranch Road and Rancho Drive. The case was resolved 08/31/06.
12/20/06	The City Council approved a required One-Year Review (RQR-17040) of an approved Special Use Permit (U-0059-01) which allowed two 14-foot x 48-foot Off-Premise Advertising (Billboard) Signs at the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended approval of this request.

VAR-29663 - Staff Report Page Four
October 9, 2008 - Planning Commission Meeting

06/06/07	The City Council approved a Rezoning (ZON-20512) from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units per Acre) to R-PD16 (Residential Planned Development - 16 Units per Acre) and a Site Development Plan Review (SDR-20523) for a proposed 535-unit condominium development on 33.52 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission and staff recommend approval of these requests.
06/28/07	The Planning Commission approved a Tentative Map (TMP-21699) for a 535-unit condominium development on 33.52 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. Staff recommended approval of this request.
05/21/08	The City Council approved an Extension of Time (EOT-27588) of an approved Rezoning from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units per Acre) to R-PD16 (Residential Planned Development - 16 Units per Acre) and an Extension of Time (EOT-27588) for a proposed 535-unit condominium development on 33.52 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. Staff recommended approval of these requests.
Related Building Permits/Business Licenses	
There are no related building permits or business licenses related to this project. There are no permits on file regarding the demolition or removal of the two existing Off-Premise Signs (Billboards) that were required to be removed as a condition of approval to SDR-20523.	
Pre-Application Meeting	
08/07/08	A pre-application meeting was held where elements of a Rezoning, Site Development Plan Review, a Variance for parking and a Variance for Open Space within a Residential Planned Development zoning district were discussed.
Neighborhood Meeting	
A neighborhood meeting was not held, nor was one required.	
Field Check	
09/02/08	A field check was performed by staff at the subject property. The site was noted as undeveloped, relatively flat and graded. Some weeds and debris were noted on site.

Details of Application Request	
Site Area	
Gross Acres	33.47

VAR-29663 - Staff Report Page Five
October 9, 2008 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped (Approved Through SDR-20523 for a 535-unit Condominium Development)	M (Medium Density Residential)	C-M (Commercial/ Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre)
North	Industrial	LI/R (Light Industry/ Research)	C-M (Commercial/ Industrial)
South	Single-Family Residential	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
	Multi-Family Residential	M (Medium Density Residential)	C-2 (General Commercial)
	Commercial	GC (General Commercial)	C-2 (General Commercial)
East	Airport	Public/Semi-Public – City of North Las Vegas	C-2 (General Commercial) and M-2 (General Industrial) – City of North Las Vegas
West	Light Industrial	LI/R (Light Industry/ Research)	C-M (Commercial/ Industrial)
	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O Airport Overlay District (35 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

* The subject property is located within the North Las Vegas Airport Overlay within the 35-foot height limitation contour. None of the buildings on the subject property extend beyond this limitation.

VAR-29663 - Staff Report Page Six
October 9, 2008 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential	168 One Bedroom Units	1.25 Spaces/ Unit	210		210		Y
	241 Two Bedroom Units	1.75 Spaces/ Unit	422		422		Y
	219 Three Bedroom Units	2 Spaces/ Unit	438		438		Y
	26 Four Bedroom Units	2 Spaces/ Unit	52		52		Y
	Guest Parking	1 Space/ 6 Units	109		63		N*
SubTotal			1,218	13	1,172	13	
TOTAL			1,231		1,185		N*
Percent Deviation					3.74%		

* The applicant has submitted this Variance to allow 1,185 parking spaces where 1,231 are required.

ANALYSIS

This is a request for a Variance to allow 1,185 parking spaces where 1,231 parking spaces are required to facilitate the construction of a proposed 654-unit Multi-Family residential development at the northwest corner of Rancho Drive and Smoke Ranch Road. The subject property was previously approved for a 535-unit Multi-Family Residential development without the need for a parking Variance. Staff finds that the proposed site is overbuilt in its current configuration, and the approval of a parking Variance for this property will create an irreversible parking shortage for permanent residents of this development. Additionally, a 3.74% reduction in parking will result in illegal parking, homeowner complaints and blocked access routes; therefore, staff recommends denial of this request.

VAR-29663 - Staff Report Page Seven
October 9, 2008 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by over-building the site. Alternatively, a reduction in scope of the proposed development, or replacing parking intense two and three-bedroom units with studio and one-bedroom units, would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 244

APPROVALS 3

PROTESTS 4



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-29663** APN: **139-18-410-012**

Name of Property Owner: Rancho Park Residential, LLC

Name of Applicant: Pageantry Homes

Name of Representative: Tony Celeste/Kummer Kaempfer Bonner Renshaw & Ferraro

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: W. K. Kuntz

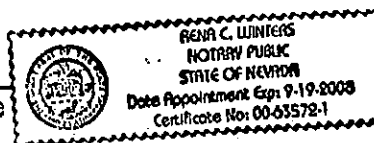
Print Name: DON E. WHITE

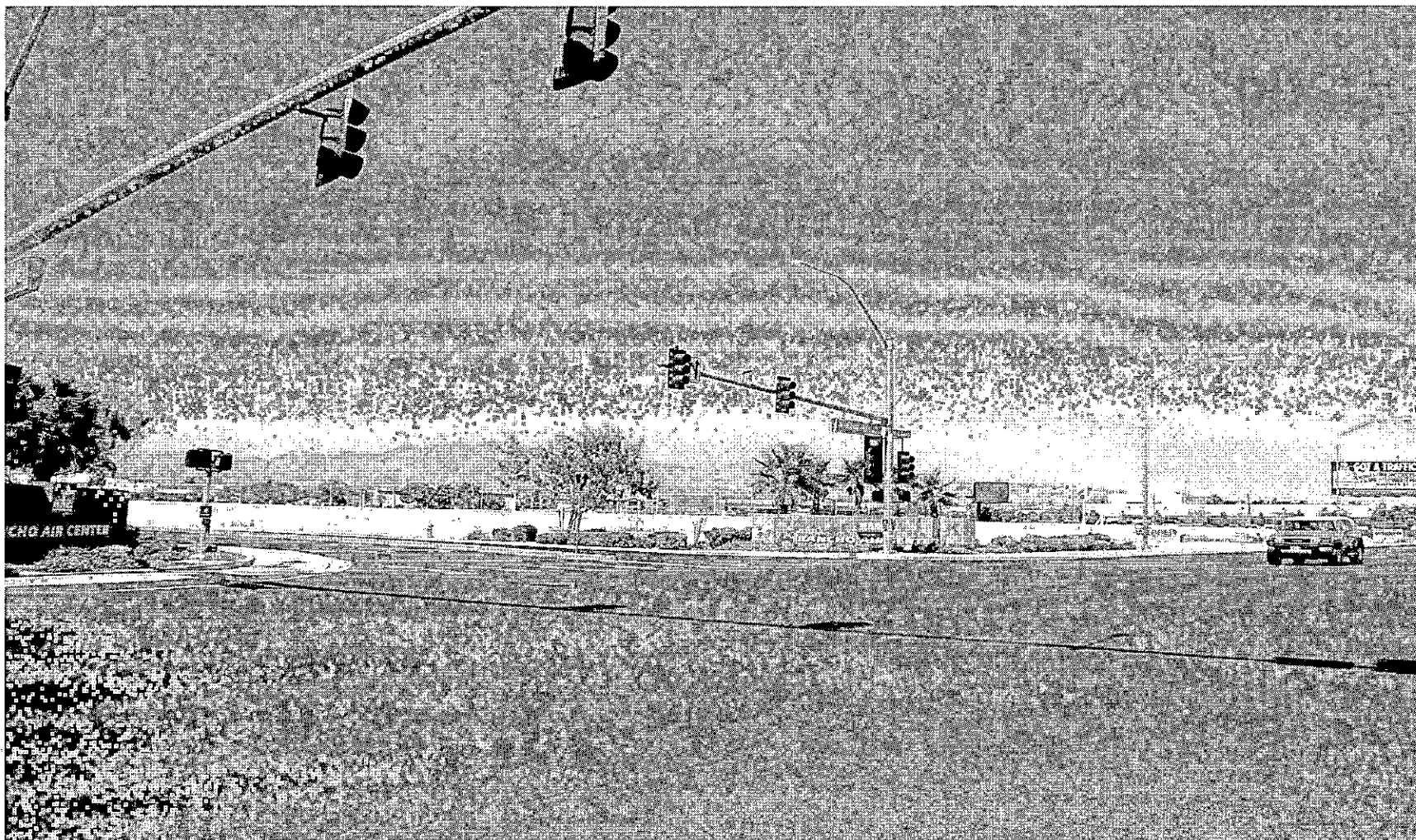
Subscribed and sworn before me

This 26 day of August, 2008

Reva C. Winters
Notary Public in and for said County and State

Notary Public in and for said County and State





VAR-29663 - VARIANCE - APPLICANT: PAGEENTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL, LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29663 - VARIANCE - APPLICANT: PAGEENTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL, LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



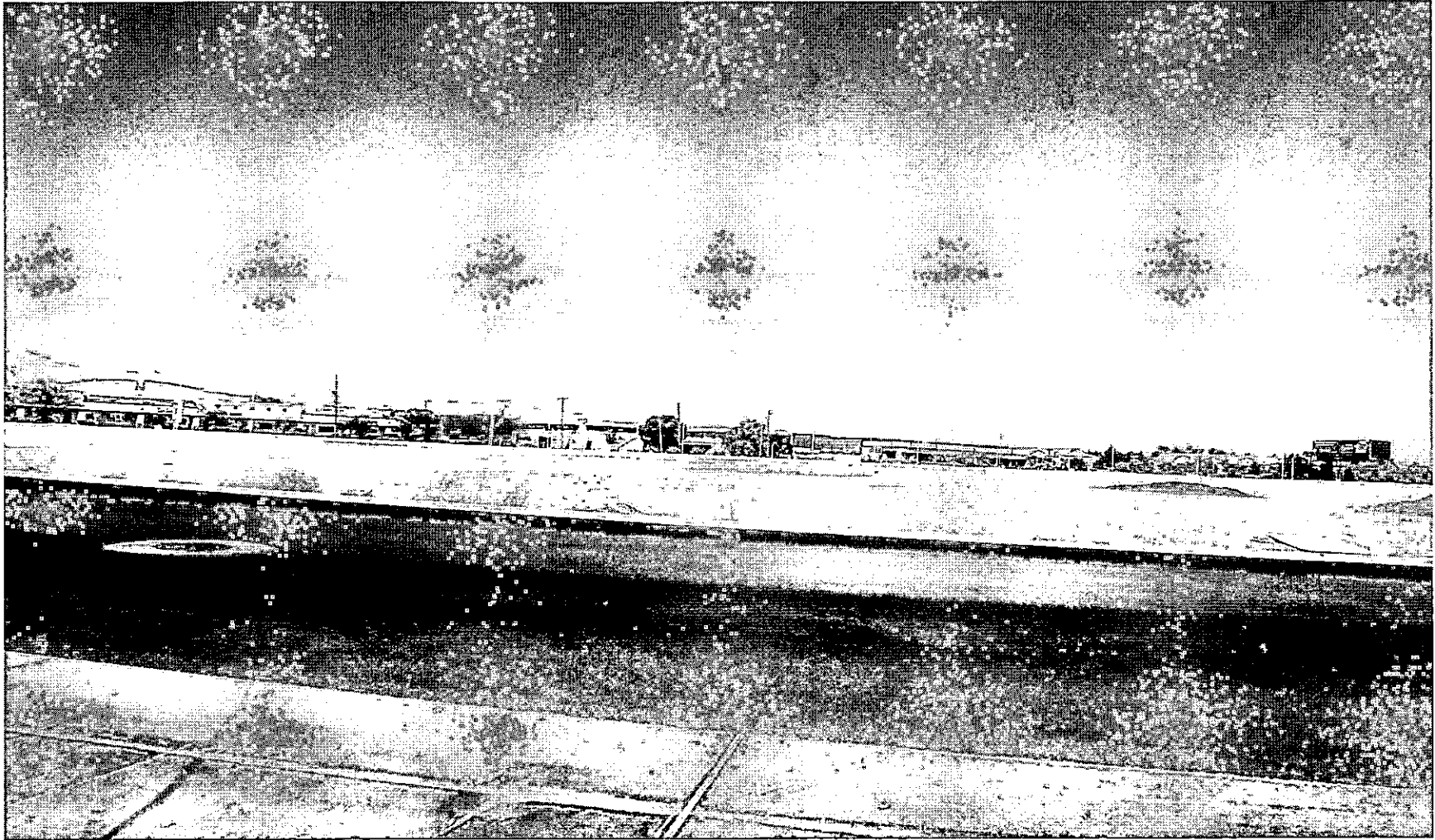
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NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



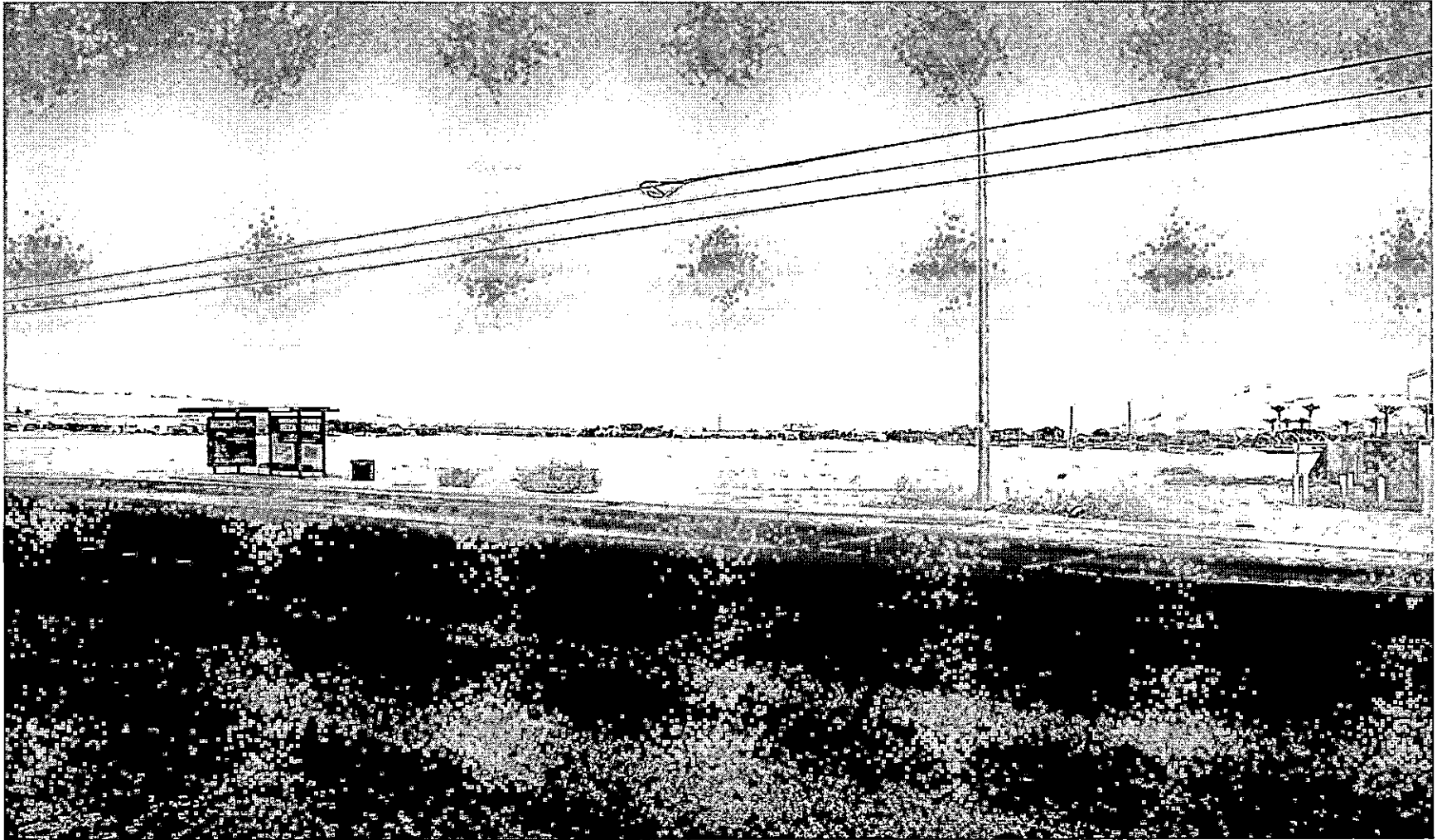
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LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



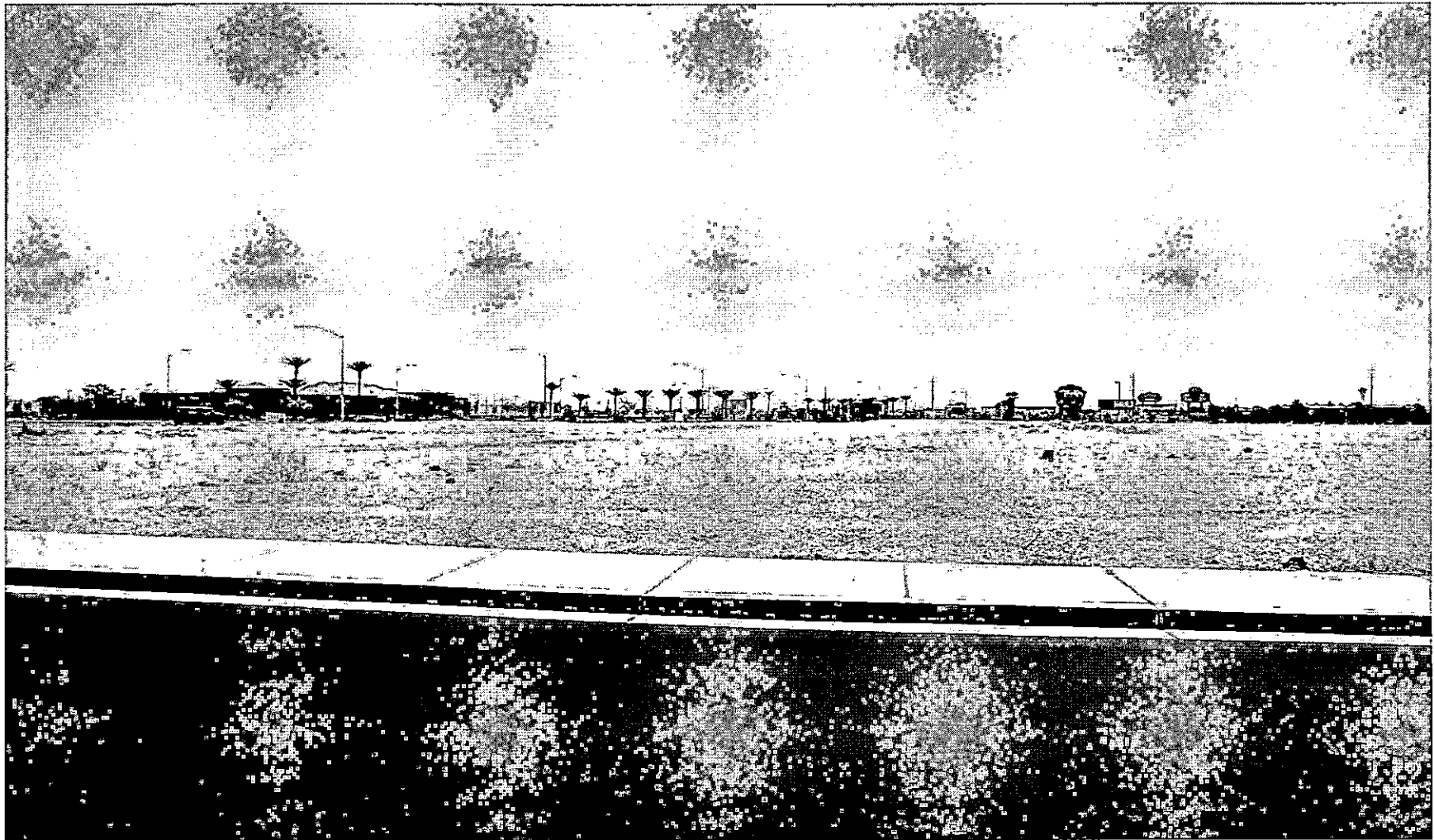
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NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29663 - VARIANCE - APPLICANT: PAGEENTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL,
LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29663 - VARIANCE - APPLICANT: PAGEENTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL, LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



ATTORNEYS AT LAW

LAS VEGAS OFFICE

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aceleste@kkbrf.com
702.693.4215

KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

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Reno, NV 89511
Tel: 775.952.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

August 26, 2008

VIA HAND DELIVERY

City of Las Vegas
PLANNING & DEVELOPMENT DEPARTMENT
731 So. Fourth Street
Las Vegas, NV 89101

**Re: Justification Letter – Rancho Park Residential, LLC
Site Development Review, Zone Change & Variance
APN: 139-18-410-012**

To Whom It May Concern:

Please be advised this office represents Rancho Park Residential, LLC (the "Applicant"), in the above referenced matter. The Applicant is requesting to amend an approved site development plan and conforming zone change for property generally located on the northwest corner of Rancho Drive and Smoke Rancho Road, more particularly know as assessor's parcel number 139-18-410-012 (the "Site"). The Site is approximately 33.7 acres and under resolution of intent for RPD 16 zoning.

On or about June 6, 2007, the Las Vegas City Council approved SDR-20523 and ZON-20512 for the original site plan consisting of a multi-family development on the Site. Subsequently, on or about May 21, 2008, the Las Vegas City Council granted a first extension of time for both the site development plan and the zone change via EOT-27589 and EOT-27588, respectively.

The Applicant is requesting to amend the approved site development plan to include a townhome product. The site plan layout has changed slightly from the original approval because of the new townhome product. Access to the Site will be from Rancho Drive with a spine road through the Site providing additional access to the Site from Decatur Boulevard. The Site will consist of a mixture of townhomes and apartments. The total number of units will be 654 with a blended density of less than twenty (20) units/acre across the Site. The Site will have 350 condo units and 304 apartment units. The Site is master planned to allow densities up to twenty-five (25) units/acre.

The buildings will be a mixture of two (2) and three (3) stories with heights ranging between twenty-seven feet (27') and thirty-four feet (34'). Two (2) story buildings will align along the primary entry way to help soften the entrance.

**VAR-29663
10/09/08 PC**





In addition to the site development review and conforming zone change, the Applicant is seeking a slight reduction in parking. The code requires 1231 parking spaces and the Site is providing 1185 parking spaces; only about a 3.74% reduction in parking. The slight reduction in parking is appropriate for the Site based on the urban setting and public transit near the Site. Numerous bus lines provide for easy transportation along the major rights-of-way of Decatur Boulevard, Rancho, and Smoke Ranch.

The Applicant is also requesting a reduction in open space. However, amenities provided within the Site include, but not limited to: a clubhouse, a recreation building, pools with spas, open space, and a network of pedestrian friendly walkways. The Site also meets all setback and landscaping requirements.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO

A handwritten signature in black ink, appearing to read "Anthony J. Celeste", is written over the printed name. The signature is stylized and fluid.

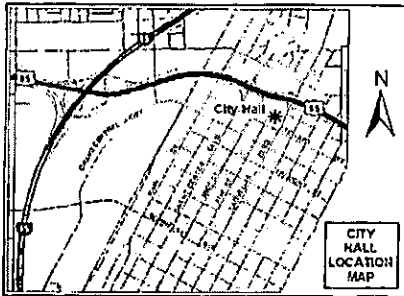
Anthony J. Celeste

AJC/dmf

VAR-29663
10/09/08 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.

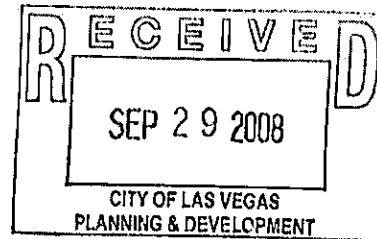
ZON-29661 & VAR-29663

Planning Commission Meeting of 10/9/2008

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 LAS VEGAS NV 89108-2951

Case: ZON-20001

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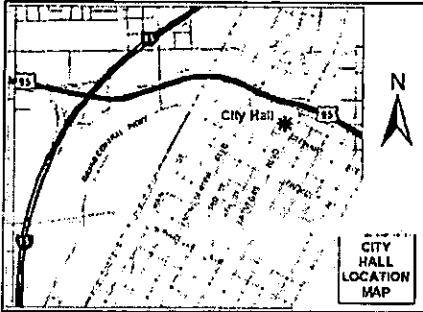
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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.

ZON-29661 & VAR-29663

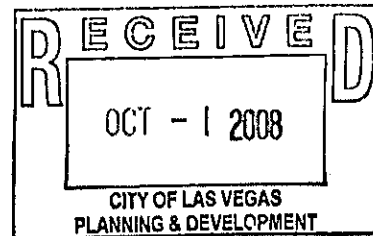
Planning Commission Meeting of 10/9/2008

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SENDER DONALD E & HELEN
2308 VALLEY DR
LAS VEGAS NV 89108-2948

Case: ZON-29661

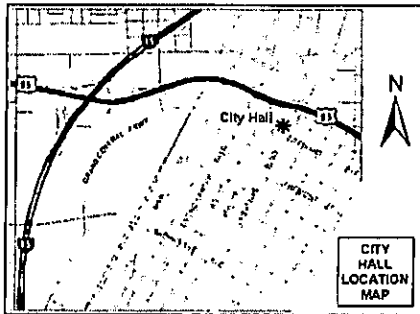
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City of Las Vegas
Planning & Development Department
Development Services Center
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Las Vegas, Nevada 89101-2986

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☐

I SUPPORT
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ZON-29661 & VAR-29663

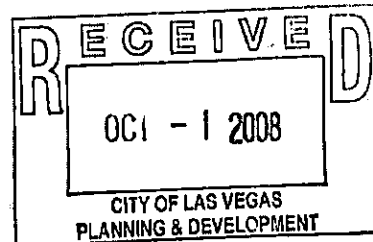
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4329 EUGENE AVE
LAS VEGAS NV 89108-2815

Case: ZON-29661

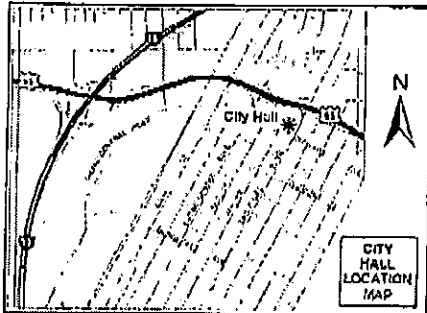
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City of Las Vegas
 Planning & Development Department
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 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

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 Official Notice of Public Hearing**



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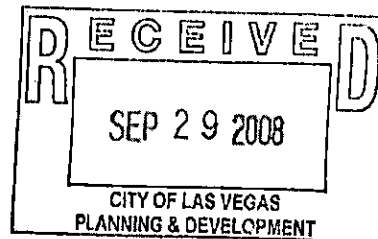
ZON-29661 & VAR-29663

Planning Commission Meeting of 10/9/2008

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 BELL STEWART L
 1700 S 8TH ST
 LAS VEGAS NV 89104-2845

Case: ZON-20661

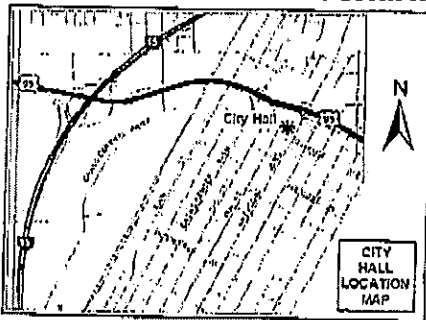
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89104-2845 0003 54924-0158



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



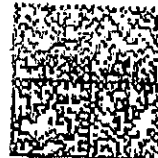
I OPPOSE
this Request

Please use available blank space on card for your comments.

ZON-29661 & VAR-29663

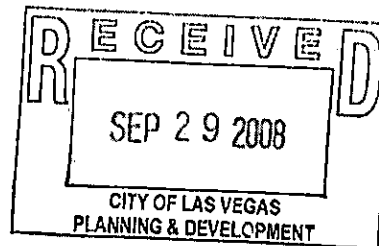
Planning Commission Meeting of 10/9/2008

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE

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MAILED FROM ZIP CODE 89101



13813801045
VRANESH JOSEPH
1700 S 8TH ST
LAS VEGAS NV 89104-2845

Case: ZON-29661

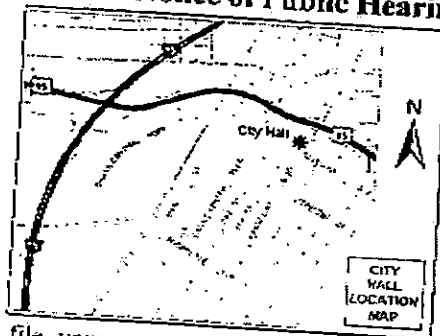
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09/29/2008 12:10

09/29/2008 12:10

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.

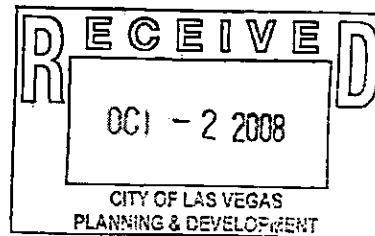
ZON-29661 & VAR-29663

Planning Commission Meeting of 10/9/2008

PRESORTED
FIRST CLASS



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13918401002 Case: ZON-29661
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14918 REYNAUD DR
SAN JOSE CA 95127-2565

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#24-25

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VAR-29958 - VARIANCE RELATED TO ZON-29661 AND VAR-29663 - PUBLIC HEARING - APPLICANT: PAGEANTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL, LLC - Request for a Variance TO ALLOW 361,548 SQUARE FEET OF OPEN SPACE IN A RESIDENTIAL PLANNED DEVELOPMENT DISTRICT WHERE 469,577 SQUARE FEET IS REQUIRED on 33.47 acres at the northwest corner of Rancho Drive and Smoke Ranch Road (APN 139-18-410-012), C-M (Commercial/Industrial) Zone Under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units Per Acre) [PROPOSED: R-PD20 (Residential Planned Development - 20 Units Per Acre)], Ward 5 (Barlow)

C.C.: 11/05/2008

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

10

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. Protest/Support Postcards
7. Submitted after Final Agenda – Protest Postcards for Items 26 and 27
8. Submitted after Meeting – Protest Postcard for Items 26 and 27

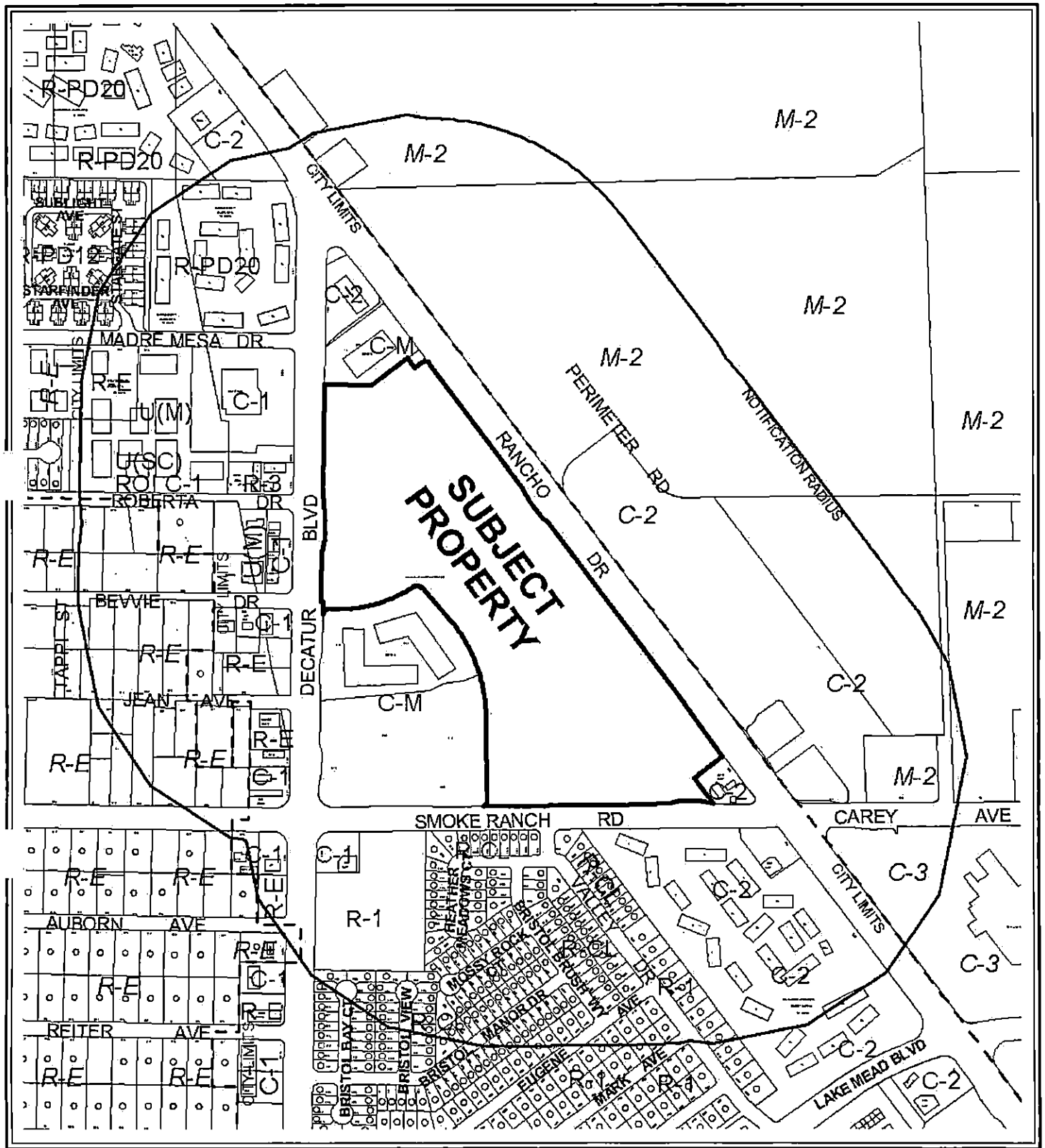
Motion made by GLENN TROWBRIDGE to Hold in abeyance Items 16 and 30 to 11/6/2008; Items 24-27 to 10/23/2008; and Items 17 and 18 to 12/4/2008

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

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

Minutes:

See Item 24 for related backup.



CASE: VAR-29958

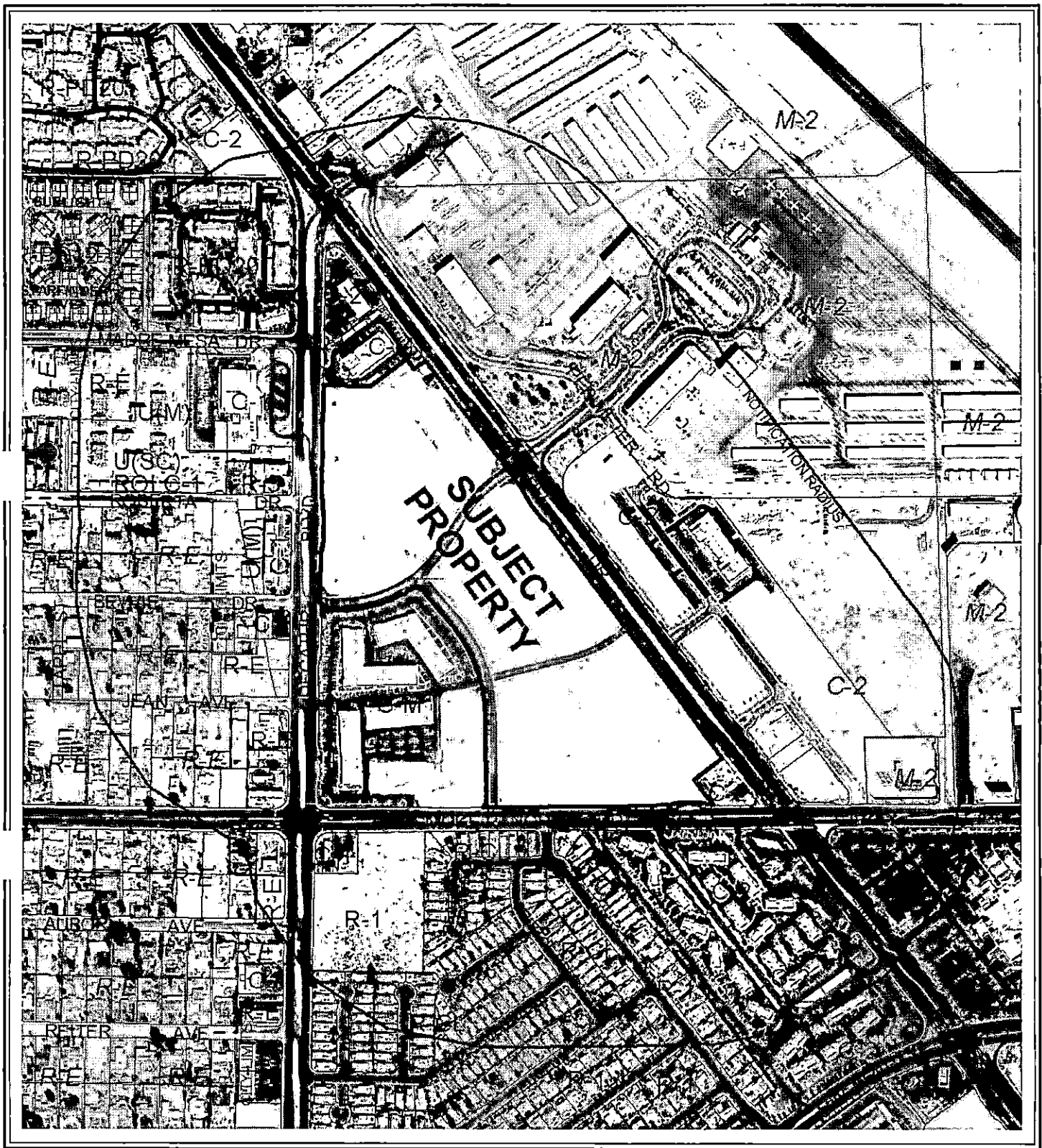
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-M (COMMERCIAL/INDUSTRIAL) UNDER RESOLUTION OF INTENT TO R-PD16
(RESIDENTIAL PLANNED DEVELOPMENT - 16 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD20 (RESIDENTIAL PLANNED DEVELOPMENT - 20 UNITS PER ACRE)



CASE: VAR-29958

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-M (COMMERCIAL/INDUSTRIAL) UNDER RESOLUTION OF INTENT TO R-PD16
(RESIDENTIAL PLANNED DEVELOPMENT - 16 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD20 (RESIDENTIAL PLANNED DEVELOPMENT - 20 UNITS PER ACRE)

0 800 1600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-29958 - APPLICANT: PAGEENTRY HOMES - OWNER:
RANCHO PARK RESIDENTIAL, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-29658) and Variance (VAR-29663), if approved.
2. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution To Whom It May Concern: the City of Las Vegas Parks CIP Fund in the amount of \$432,116 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.
3. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-29958 - Staff Report Page One
October 9, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow 361,548 square feet of open space in a Residential Planned Development district where 469,577 square feet is required on 33.47 acres at the northwest corner of Rancho Drive and Smoke Ranch Road. The subject property is adjacent to existing commercial/industrial uses, single-family residences and the North Las Vegas Airport.

In addition to this request, the applicant has submitted a Rezoning (ZON-29661) to change the zoning designation from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre) to R-PD20 (Residential Planned Development – 20 Units per Acre), a Variance (VAR-29663) to allow 1,185 parking spaces where 1,231 parking spaces are required and a Site Development Plan Review (SDR-29658) for a proposed two and three-story multi-family development consisting of 350 Condominium units and 304 apartment units. The subject property has already received approvals for a less-intense, 535-unit condominium development on the subject site without the need for a Variance request. Staff finds that the applicant is choosing to have the density advantage offered by R-PD zoning without providing any offsetting benefit to the community at large; therefore, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/21/89	The City Council approved a Special Use Permit (U-0054-89) for a 12-foot by 24-foot Off-Premise Advertising (Billboard) Sign to a height of 40 feet, on property located on the west side of Rancho Drive, approximately 425 feet north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval of this request.
08/21/91	The City Council approved a Variance (V-0081-91) to allow a three-sided billboard on property located on the northeast corner of Smoke Ranch Road and Decatur Boulevard. This Variance was never exercised. The Board of Zoning Adjustment took no action due to a tie vote.
07/20/94	The City Council approved a Five-Year Review [U-0054-89(1)] on an approved 12 foot by 24 foot Off-Premise Advertising (Billboard) Sign to a height of 40 feet, on property located on the west side of Rancho Drive, approximately 425 feet north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval of this request.
09/20/95	The City Council approved a Special Use Permit (U-0092-95) for two (2) Off-Premise Advertising (Billboard) Signs on the west side of Rancho Drive north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval of this request.

VAR-29958 - Staff Report Page Two
October 9, 2008 - Planning Commission Meeting

11/01/00	The City Council accepted the Withdrawal of a Five Year Review [U-0092-95(1)] for two (2) Off-Premise Advertising (Billboard) Signs on west side of Rancho Drive, approximately 350 and 1,100 feet north of Smoke Ranch Road. The Planning Commission and staff recommended approval of this request.
08/01/01	The City Council approved an appeal of a Planning Commission denial for a Special Use Permit (U-0059-01) for five (5) Off-Premise Advertising (Billboard) Signs on the south side of the intersection of Rancho Drive and Decatur Boulevard subject to a Two-Year Review. The Planning Commission denied the request, whereas staff recommended approval.
12/20/01	The Planning Commission approved a Tentative Map (TM-0049-01) for a 1-lot commercial subdivision on the subject site. Staff recommended approval of this request.
02/19/03	The City Council approved a General Plan Amendment (GPA-1400) and a Rezoning (ZON-1401) on 48.49 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road. On 01/23/03, the Planning Commission recommended approval of the Rezoning application, but failed to achieve a super majority on the General Plan Amendment.
02/19/03	The City Council approved a Site Development Plan Review (SDR-1404) for a proposed commercial/industrial development on 14.45 acres consisting of an 18,500 square-foot office building on 1.85 acres adjacent to the west side of Rancho Drive approximately 320 feet south of Decatur Boulevard intersection, and a 166,900 square-foot commercial/industrial development on 12.6 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road. The Planning Commission recommended approval, whereas staff recommended denial of this application.
05/21/03	The City Council approved a required Two-Year Review (RQR-1994) for an approved Special Use Permit (U-0059-01) for five Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended approval of this request.
06/02/03	The Department of Planning and Development administratively approved a Site Development Plan Review (SDR-2394) for a 3,000 square-foot second floor addition to an approved 18,500 square-foot office building on 1.85 acres adjacent to the west side of Rancho Drive, approximately 320 feet south of Decatur Boulevard.
06/24/04	The Planning Commission approved a Master Sign Plan (MSP-4388) application for an approved commercial/industrial development on 47.93 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Drive. Staff recommended approval of this request.

VAR-29958 - Staff Report Page Three
October 9, 2008 - Planning Commission Meeting

07/07/04	The City Council approved a required Two-Year Review (RQR-4239) for an approved Special Use Permit (U-0059-01) for five (5) Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended approval of this request.
12/02/04	The Planning Commission approved a Site Development Plan Review (SDR-5312) application for a proposed 40,016 square-foot office complex consisting of eight single-story buildings on 3.30 acres adjacent to the east side of Decatur Boulevard, approximately 875 feet north of Smoke Ranch Road. Staff recommended approval of this request.
04/06/05	The City Council approved a request for a Site Development Plan Review (SDR-5916) for a proposed 5,000 square-foot Liquor Establishment (Tavern) on a 1.34 acre portion of a 31.42 acre site adjacent to the west side of Rancho Drive, approximately 250 feet north of Smoke Ranch Road. The Planning Commission recommended approval, whereas staff recommended denial of this request.
09/07/05	The City Council approved a required One-Year Review (RQR-6794) of an approved Special Use Permit (U-0059-01) for two 14-Foot x 48-Foot Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended denial of this request.
3/01/06	The City Council approved a General Plan Amendment to amend a portion of the Southeast Sector Plan of the Master Plan from L-I/R (Light Industry/Research) to M (Medium Density Residential), a Rezoning from C-M (Commercial/Industrial) to R-PD16 (Residential Planned Development – 16 Units per Acre) and a Site Development Plan Review (SDR-10806) for a 513-unit condominium development on 33.70 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission recommended approval whereas staff recommended denial of this request.
03/23/06	The Planning Commission approved a Tentative Map (TMP-11703) for a 513-unit condominium subdivision on 33.70 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. Staff recommended approval of this request.
08/01/06	A Code Enforcement Citation (#45071) was issued for weeds/grass and refuse code violations for property located at the northeast corner of Smoke Ranch Road and Rancho Drive. The case was resolved 08/31/06.
12/20/06	The City Council approved a required One-Year Review (RQR-17040) of an approved Special Use Permit (U-0059-01) which allowed two 14-foot x 48-foot Off-Premise Advertising (Billboard) Signs at the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended approval of this request.

VAR-29958 - Staff Report Page Four
October 9, 2008 - Planning Commission Meeting

06/06/07	The City Council approved a Rezoning (ZON-20512) from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units per Acre) to R-PD16 (Residential Planned Development - 16 Units per Acre) and a Site Development Plan Review (SDR-20523) for a proposed 535-unit condominium development on 33.52 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission and staff recommend approval of these requests.
06/28/07	The Planning Commission approved a Tentative Map (TMP-21699) for a 535-unit condominium development on 33.52 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. Staff recommended approval of this request.
05/21/08	The City Council approved an Extension of Time (EOT-27588) of an approved Rezoning from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units per Acre) to R-PD16 (Residential Planned Development - 16 Units per Acre) and an Extension of Time (EOT-27588) for a proposed 535-unit condominium development on 33.52 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. Staff recommended approval of these requests.
Related Building Permits/Business Licenses	
There are no related building permits or business licenses related to this project. There are no permits on file regarding the demolition or removal of the two existing Off-Premise Signs (Billboards) that were required to be removed as a condition of approval to SDR-20523.	
Pre-Application Meeting	
08/07/08	A pre-application meeting was held where elements of a Rezoning, Site Development Plan Review, a Variance for parking and a Variance for Open Space within a Residential Planned Development zoning district were discussed.
Neighborhood Meeting	
A neighborhood meeting was not held, nor was one required.	
Field Check	
09/02/08	A field check was performed by staff at the subject property. The site was noted as undeveloped, relatively flat and graded. Some weeds and debris were noted on site.

Details of Application Request	
Site Area	
Gross Acres	33.47

VAR-29958 - Staff Report Page Five
October 9, 2008 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped (Approved Through SDR-20523 for a 535-unit Condominium Development)	M (Medium Density Residential)	C-M (Commercial/ Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre)
North	Industrial	LI/R (Light Industry/ Research)	C-M (Commercial/ Industrial)
South	Single-Family Residential	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
	Multi-Family Residential	M (Medium Density Residential)	C-2 (General Commercial)
	Commercial	GC (General Commercial)	C-2 (General Commercial)
East	Airport	Public/Semi-Public – City of North Las Vegas	C-2 (General Commercial) and M-2 (General Industrial) – City of North Las Vegas
West	Light Industrial	LI/R (Light Industry/ Research)	C-M (Commercial/ Industrial)
	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (35 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

* The subject property is located within the North Las Vegas Airport Overlay within the 35-foot height limitation contour. None of the buildings on the subject property extend beyond this limitation.

VAR-29958 - Staff Report Page Six
October 9, 2008 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.040(G), the following standards apply:

<i>Open Space – R-PD only</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
33.5	19.5	1.65	32.18%	10.78 ac	24.78%	8.3 ac (-23% diff)	N*

ANALYSIS

The proposed project is consistent with portions of Title 19.06 development standards. However, the development does not comply with the open space requirements in Title 19 for the R-PD (Residential Planned Development) zoning district. Open space is an integral part of the R-PD zone, as the developer receives flexibility in design and density for the provision of amenities, such as open space. When open space is not provided, in effect, the project does not meet the standards for the zoning district in which it is located.

The alternative for allowing greater density is the provision of an imaginative layout and design, in which an intrinsic component is the provision of open space. The proposed development utilizes open space as a buffer between buildings, parking areas and building pods. The only amenities provided are two clubhouses and a few pathways adjacent to a limited amount of buildings. No imaginative or proactive approach has been taken with the design of this open space, and no amenities such as playgrounds, athletic courts, plazas, gazebos or barbeque areas have been provided for on the site plan. Staff finds that the applicant is choosing to have the density advantage offered by R-PD zoning without providing any offsetting benefit to the community at large; therefore, denial of this request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

VAR-29958 - Staff Report Page Seven
October 9, 2008 - Planning Commission Meeting

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a development with less than the required amount of open space. Alternatively, a reduction in scope of the proposed development would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 244

APPROVALS 3

PROTESTS 5



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

VAR-29958

Case Number: _____ APN: 139-18-410-012

Name of Property Owner: Rancho Park Residential, LLC

Name of Applicant: Rancho Park Residential, LLC

Name of Representative: Tony Celeste- KKBR&F

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?

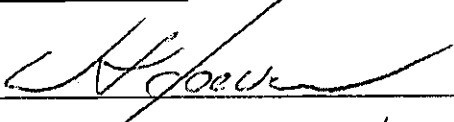
_____ Yes _____ ☒ No

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: 

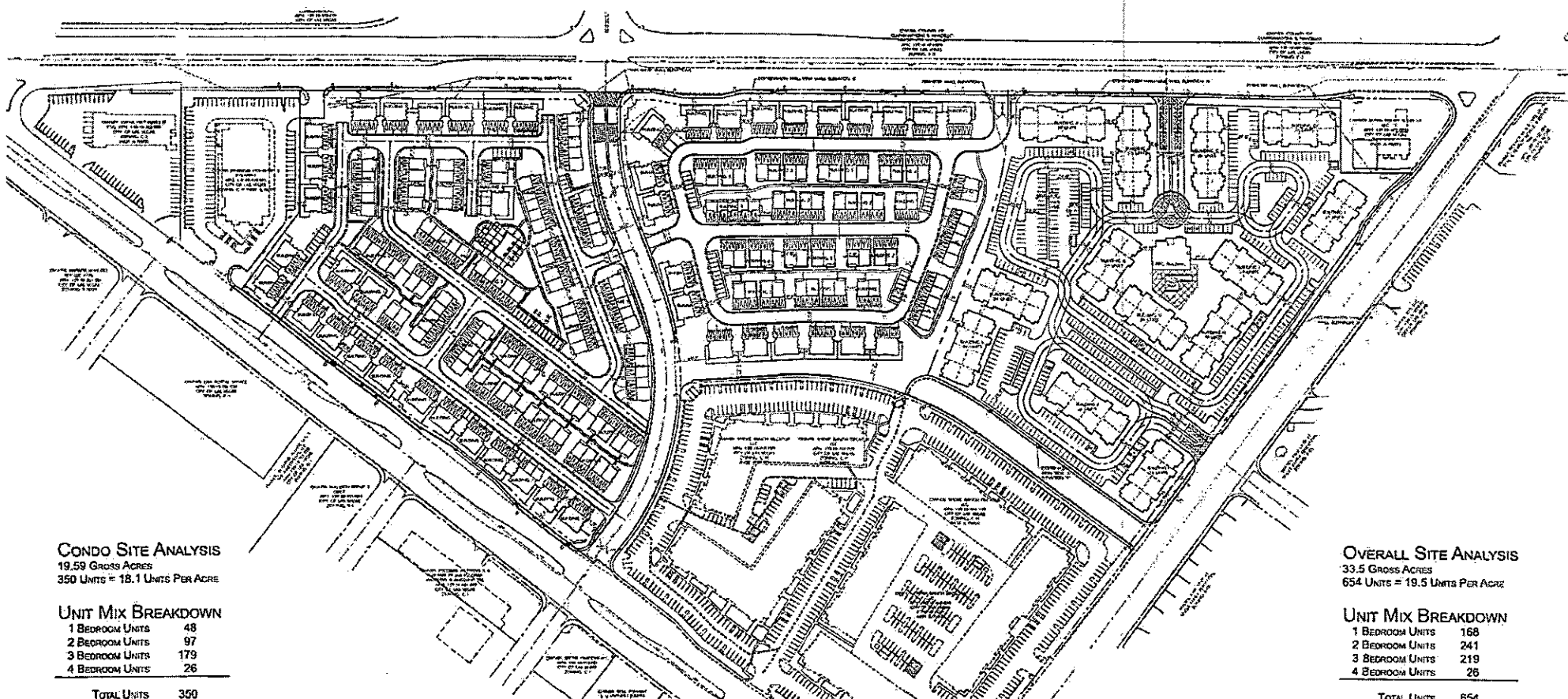
Print Name: William H. Hoover

Subscribed and sworn before me

This 10 day of Sept, 2008


Notary Public in and for said County and State





CONDO SITE ANALYSIS
 19.59 GROSS ACRES
 350 UNITS = 18.1 UNITS PER ACRE

UNIT MIX BREAKDOWN

1 BEDROOM UNITS	48
2 BEDROOM UNITS	97
3 BEDROOM UNITS	179
4 BEDROOM UNITS	26
TOTAL UNITS	350

APARTMENT SITE ANALYSIS
 13.88 GROSS ACRES
 304 UNITS = 21.9 UNITS PER ACRE

UNIT MIX BREAKDOWN

1 BEDROOM UNITS	120
2 BEDROOM UNITS	144
3 BEDROOM UNITS	40
TOTAL UNITS	304

OVERALL SITE ANALYSIS
 33.5 GROSS ACRES
 654 UNITS = 19.5 UNITS PER ACRE

UNIT MIX BREAKDOWN

1 BEDROOM UNITS	168
2 BEDROOM UNITS	241
3 BEDROOM UNITS	219
4 BEDROOM UNITS	26
TOTAL UNITS	654

PARKING CALCULATIONS

SPACES REQUIRED	1231
PARKING PROVIDED	1185
DIFFERENCE	-46
REDUCTION REQUIRED	3.74%

RECEIVED

SEP 12 2008

AVE. ONE OVERALL SITE PLAN

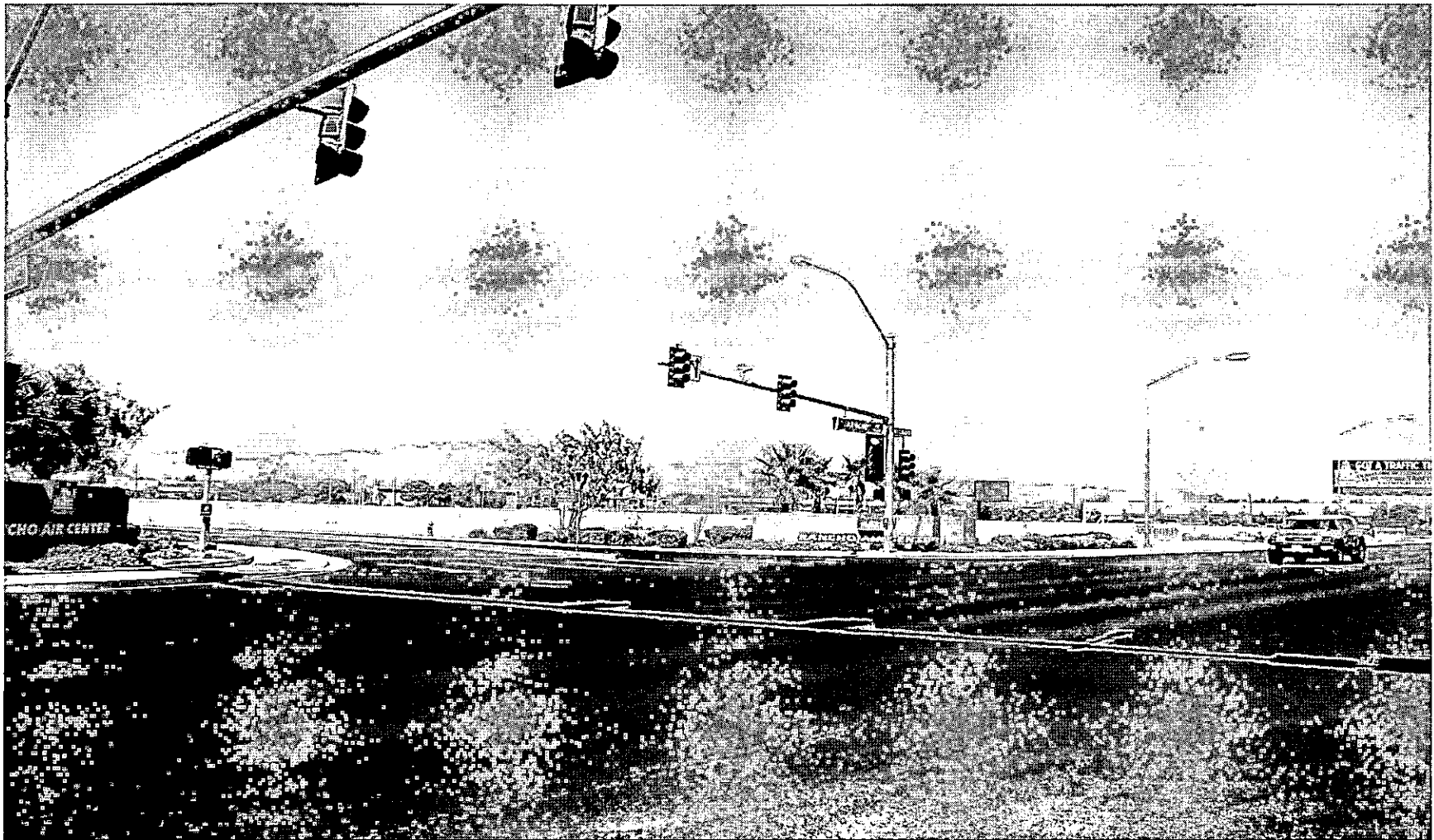


AUGUST 1, 2006



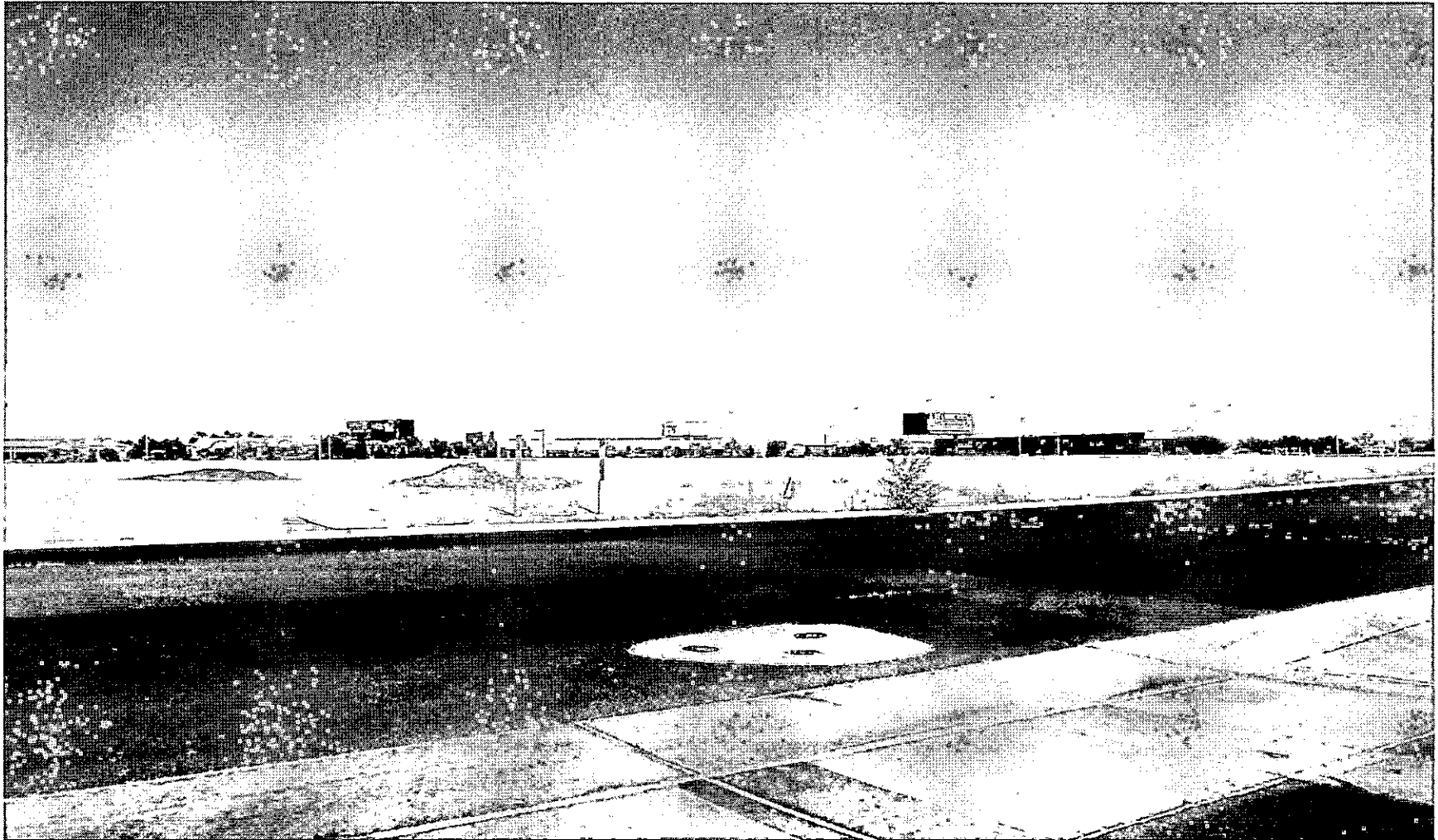
VAR-29958
10/09/08 PC

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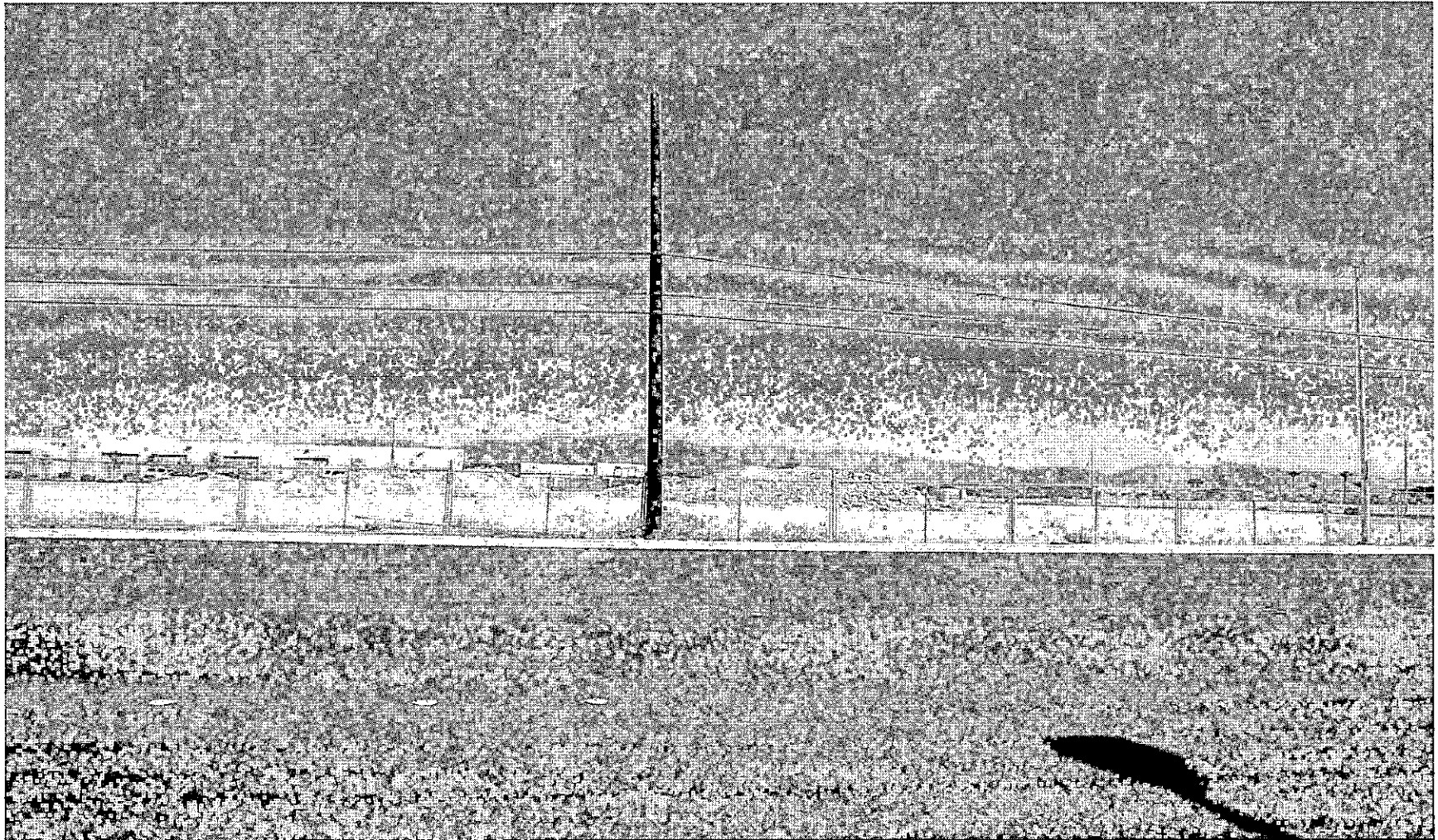
VAR-29958 - VARIANCE - APPLICANT: PAGEENTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL, LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



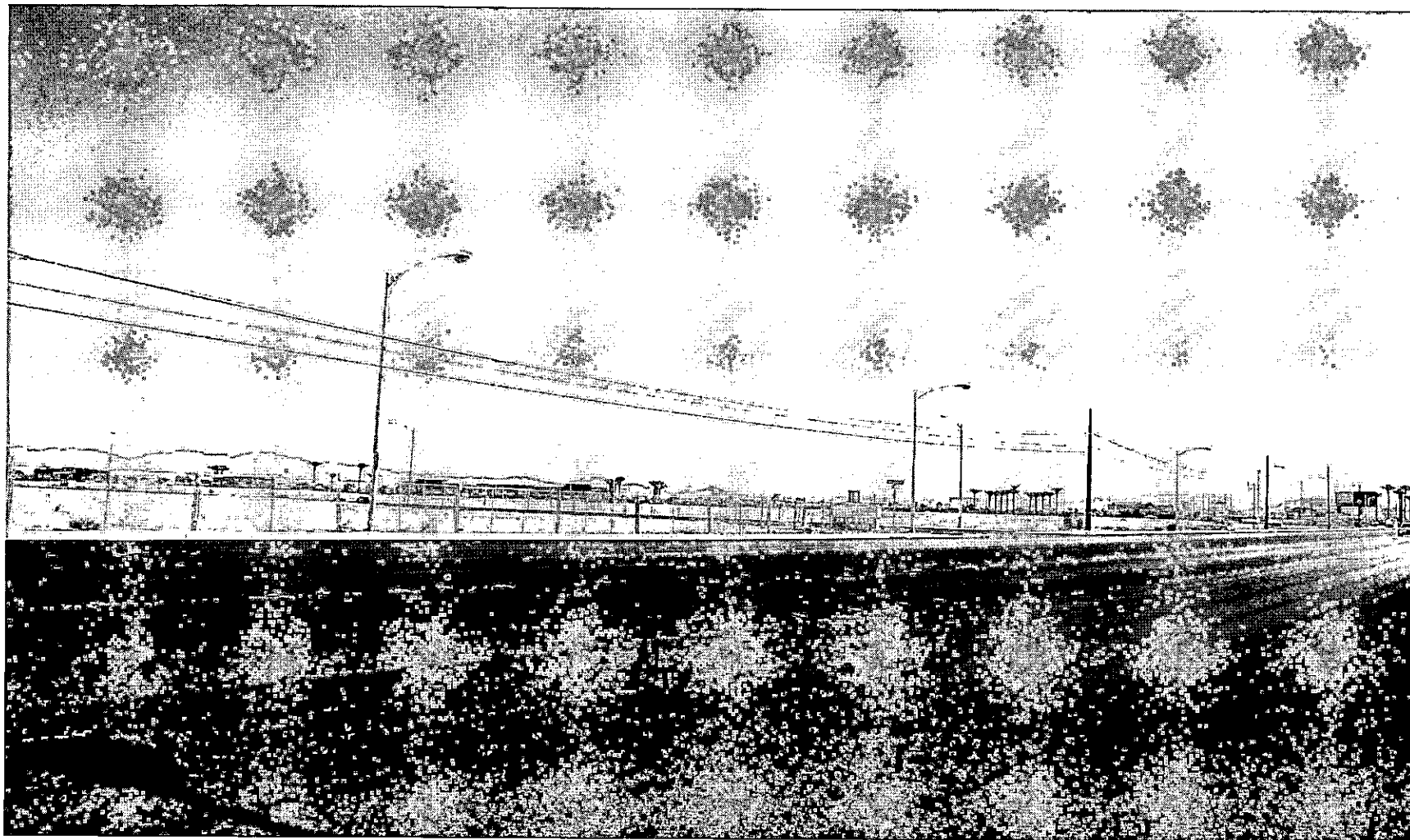
VAR-29958 - VARIANCE - APPLICANT: PAGEANTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL, LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29958 - VARIANCE - APPLICANT: PAGEANTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL,
LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



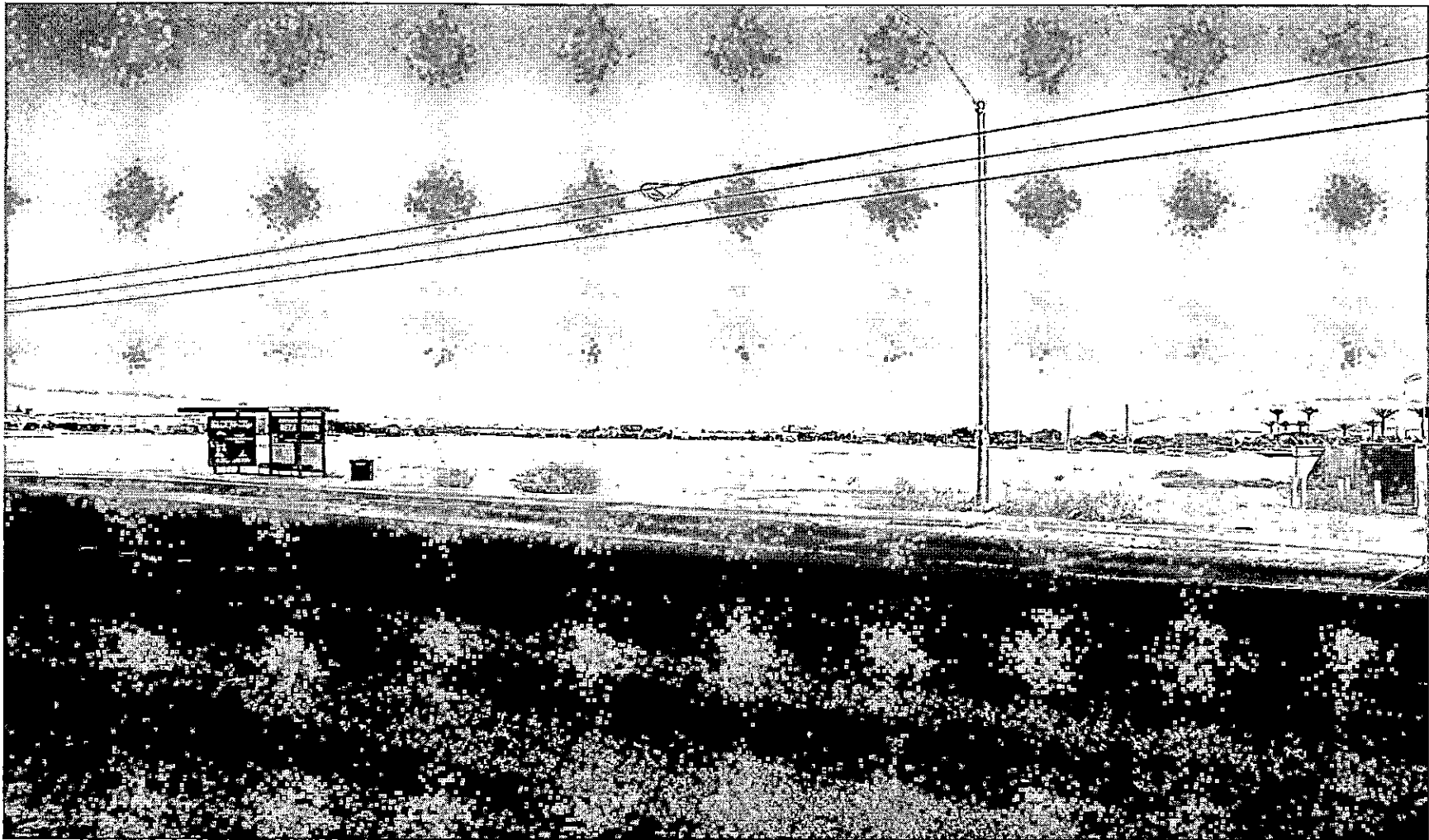
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NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29958 - VARIANCE - APPLICANT: PAGEANTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL, LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29958 - VARIANCE - APPLICANT: PAGEENTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL, LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29958 - VARIANCE - APPLICANT: PAGEANTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL, LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kkbrf.com
702.693.4215

KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

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

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

August 26, 2008

VIA HAND DELIVERY

City of Las Vegas
PLANNING & DEVELOPMENT DEPARTMENT
731 So. Fourth Street
Las Vegas, NV 89101

***Re: Justification Letter – Rancho Park Residential, LLC
Site Development Review, Zone Change & Variance
APN: 139-18-410-012***

To Whom It May Concern:

Please be advised this office represents Rancho Park Residential, LLC (the "Applicant"), in the above referenced matter. The Applicant is requesting to amend an approved site development plan and conforming zone change for property generally located on the northwest corner of Rancho Drive and Smoke Rancho Road, more particularly know as assessor's parcel number 139-18-410-012 (the "Site"). The Site is approximately 33.7 acres and under resolution of intent for RPD 16 zoning.

On or about June 6, 2007, the Las Vegas City Council approved SDR-20523 and ZON-20512 for the original site plan consisting of a multi-family development on the Site. Subsequently, on or about May 21, 2008, the Las Vegas City Council granted a first extension of time for both the site development plan and the zone change via EOT-27589 and EOT-27588, respectively.

The Applicant is requesting to amend the approved site development plan to include a townhome product. The site plan layout has changed slightly from the original approval because of the new townhome product. Access to the Site will be from Rancho Drive with a spine road through the Site providing additional access to the Site from Decatur Boulevard. The Site will consist of a mixture of townhomes and apartments. The total number of units will be 654 with a blended density of less than twenty (20) units/acre across the Site. The Site will have 350 condo units and 304 apartment units. The Site is master planned to allow densities up to twenty-five (25) units/acre.

The buildings will be a mixture of two (2) and three (3) stories with heights ranging between twenty-seven feet (27') and thirty-four feet (34'). Two (2) story buildings will align along the primary entry way to help soften the entrance.



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**VAR-29958
10/09/08 PC**

Rancho Park.1



In addition to the site development review and conforming zone change, the Applicant is seeking a slight reduction in parking. The code requires 1231 parking spaces and the Site is providing 1185 parking spaces; only about a 3.74% reduction in parking. The slight reduction in parking is appropriate for the Site based on the urban setting and public transit near the Site. Numerous bus lines provide for easy transportation along the major rights-of-way of Decatur Boulevard, Rancho, and Smoke Ranch.

The Applicant is also requesting a reduction in open space. However, amenities provided within the Site include, but not limited to: a clubhouse, a recreation building, pools with spas, open space, and a network of pedestrian friendly walkways. The Site also meets all setback and landscaping requirements.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

A handwritten signature in black ink, appearing to read "Anthony J. Celeste", written over a horizontal line.

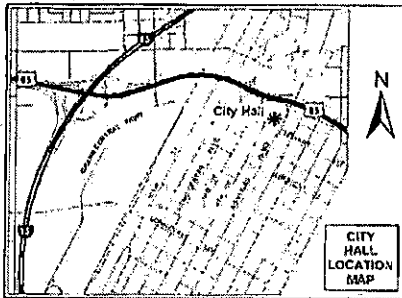
Anthony J. Celeste

AJC/dmf

VAR-29958
10/09/08 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

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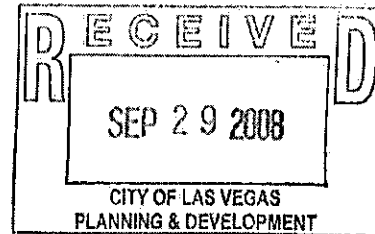
VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

PRESORTED
FIRST CLASS



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 SCHAFER TRUST
 4409 MOSSY ROCK CT
 LAS VEGAS NV 89108-2951

Case: VAR-29958

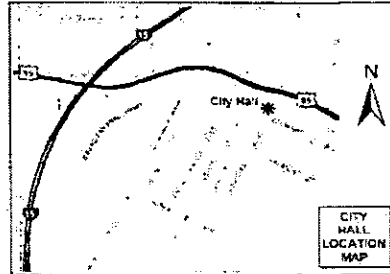
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#26-27
P

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

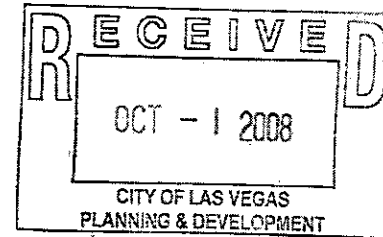
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Please use available blank space on card for your comments.

VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008



13813710069
NELSON JAMES H & NANCY R
2151 FULHAM ST
ROSEVILLE MN 55113-3814

Case: VAR-29958

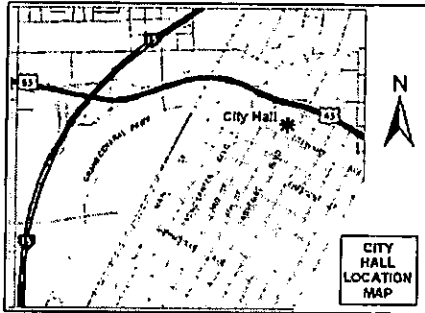
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#26-27
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
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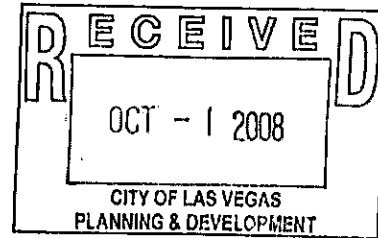
VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

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13919112003
SENDER DONALD E & HELEN
2308 VALLEY DR
LAS VEGAS NV 89108-2948

Case: VAR-29958

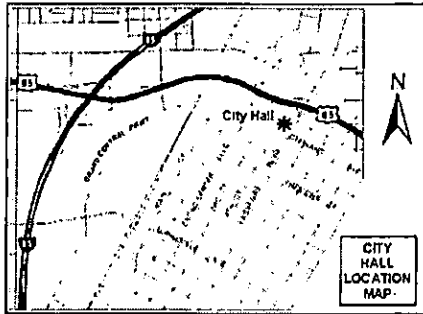
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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I SUPPORT
this Request.



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VAR-29958 & SDR-29658

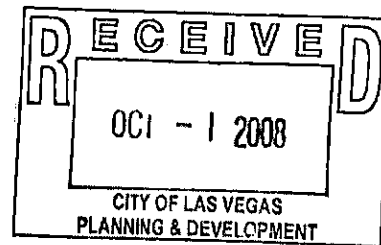
Planning Commission Meeting of 10/9/2008

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HUGHES WILLIAM J & SHIRLEY L
4329 EUGENE AVE
LAS VEGAS NV 89108-2815

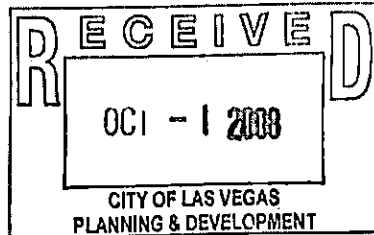
Case: VAR-29958

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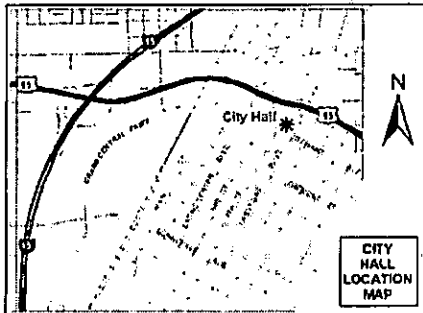


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City of Las Vegas
Planning & Development Department
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731 S. Fourth Street
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I keep hearing that we have a water shortage and restrictions when we can water
In Las Vegas what I don't understand is why the Planning & Development Dept
Keep giving permits to contractors to keep building track homes, especially where
There are so many foreclosures in this state than any other, plus 3 story units does
Not fit with 1 & 2 story homes

Maurice A Therriault
2720 Stargate Street
Las Vegas, NV 89108

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☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

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VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

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2720 STARGATE ST
LAS VEGAS NV 89108-4061

Case: VAR-29958

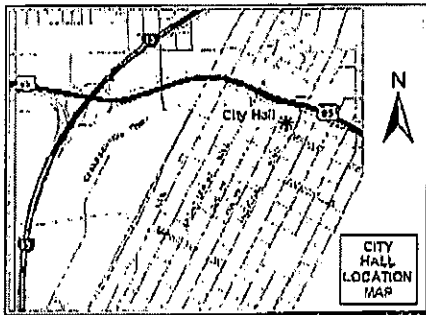
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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I SUPPORT
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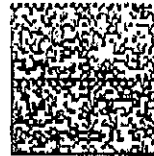
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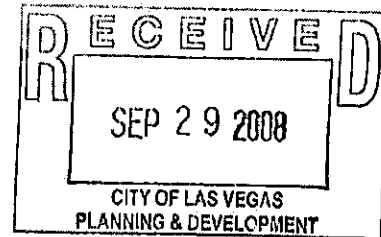
VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

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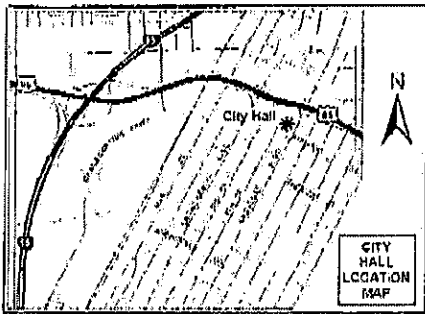
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VRANESH JOSEPH
1700 S 8TH ST
LAS VEGAS NV 89104-2845

Case VAR-29958

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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
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VAR-29958 & SDR-29658

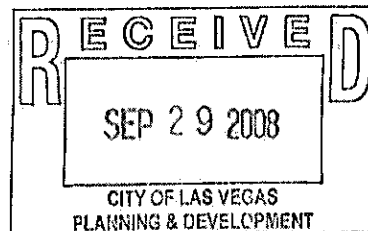
Planning Commission Meeting of 10/9/2008

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LAS VEGAS NV 89104-2845

Case: VAR-29958

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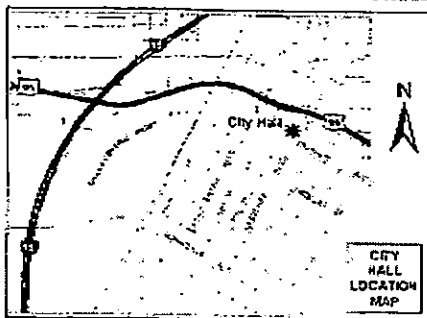
Oct. 02 2008 12:12PM P1

FAX NO. :408 926 2584

FROM :Lorrie Residential Care Home

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

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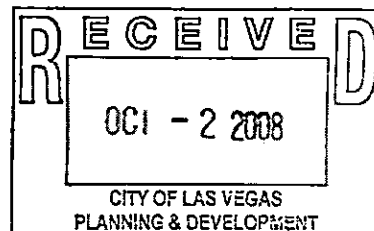
VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

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14918 REYNALD DR
SAN JOSE CA 95127-2565

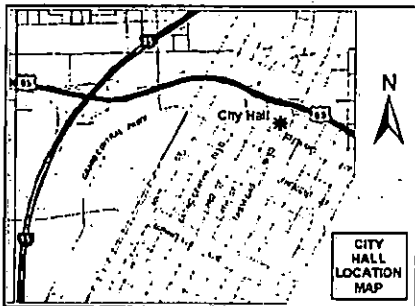
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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I SUPPORT
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Please use available blank space on card for your comments.

VAR-29958 & SDR-29658

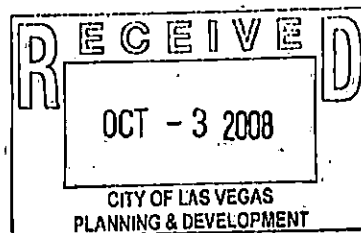
Planning Commission Meeting of 10/9/2008

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%K & S PARSONS
8054 LOTTIE AVE
LAS VEGAS NV 89149-4762

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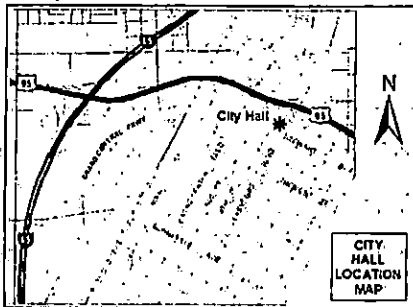


Submitted after final agenda

Date **P** Item **#26-27**

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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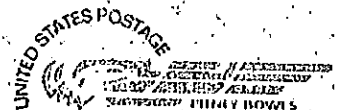
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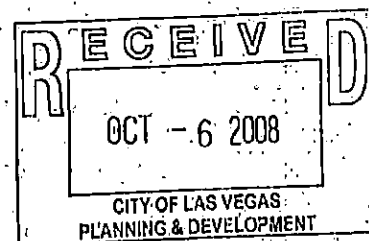
AR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

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SEP 26 2008



13919110067
JOPLIN DIANE C
2313 VALLEY DR
LAS VEGAS NV 89108-2941

Case: VAR-29958

CAVEP11 89108



Submitted after final agenda.

Date P Item #26-27

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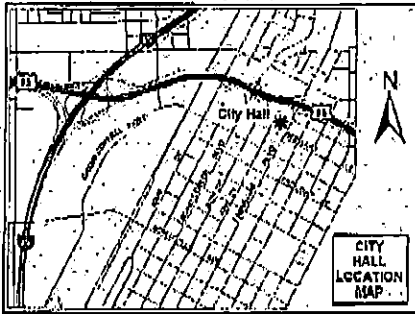
RANCHO AIR BUS PARK

(FAX)7023645885

P.001/001

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
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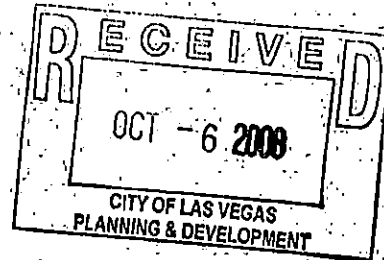
VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

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AIRPORT VAULT RANCHO LLC
%COMMERCIAL SPECIALISTS
7674 W LAKE MEAD #104
LAS VEGAS, NV 89128-6646

Case: VAR-29958

09/03/11 2:31:24



Submitted after final agenda

Date

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Item

#26-27

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

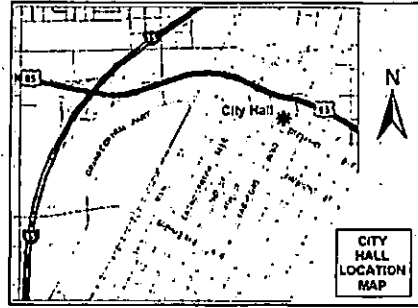


RESORT
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YOU ARE TRYING TO PUT
TOO MANY APARTMENTS IN
THIS AREA. WILL CAUSE SEVERE
HARDSHIP ON SURROUNDING
AREA, SERVICES, AND HOMEOWNERS
TO THE SOUTH AND WEST
OF THIS PROPERTY

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I SUPPORT
this Request



I OPPOSE
this Request

Use available blank space on card for your comments.

VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

Case: VAR-29958
13813801029
SWARTZ RAY L & FRANCES
5000 JEAN AVE
LAS VEGAS NV 89108-3515

GAUSS11 29105



Submitted after final agenda	
Date	Item
P	#26-27

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion**SUBJECT:**

SDR-29658 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-29661, VAR-29663 AND VAR-29958 - PUBLIC HEARING - APPLICANT: PAGEANTRY HOMES - OWNER: RANCHO PARK RESIDENTIAL, LLC - Request for a Site Development Plan Review FOR A PROPOSED TWO AND THREE-STORY MULTI-FAMILY DEVELOPMENT CONSISTING OF 350 CONDOMINIUM UNITS AND 304 APARTMENT UNITS on 33.47 acres at the northwest corner of Rancho Drive and Smoke Ranch Road (APN 139-18-410-012), C-M (Commercial/Industrial) Zone Under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units Per Acre) [PROPOSED: R-PD20 (Residential Planned Development - 20 Units Per Acre)], Ward 5 (Barlow)

C.C.: 11/05/2208

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

10

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

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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

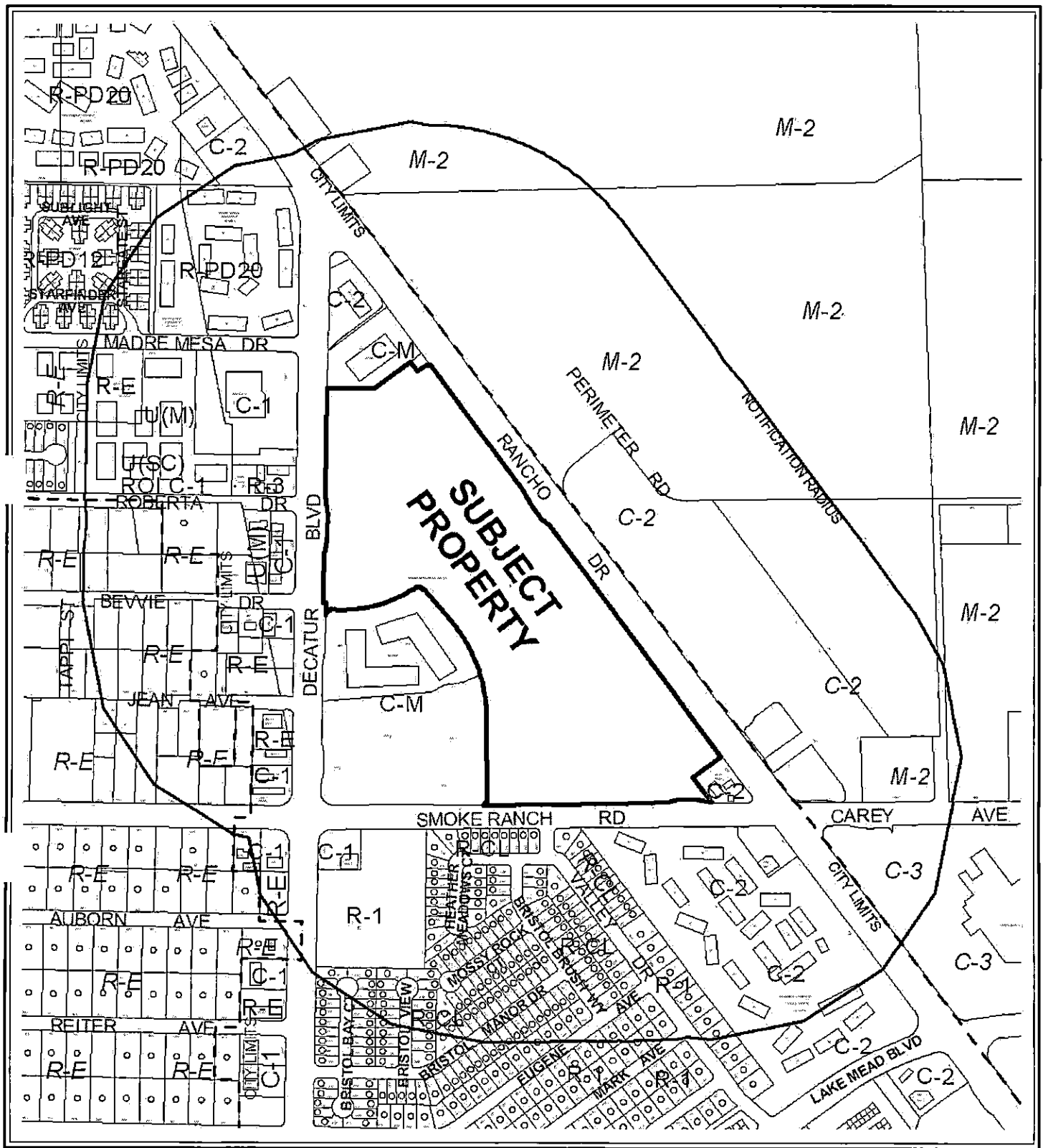
Motion made by GLENN TROWBRIDGE to Hold in abeyance Items 16 and 30 to 11/6/2008; Items 24-27 to 10/23/2008; and Items 17 and 18 to 12/4/2008

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

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

Minutes:

See Items 24 and 26 for related backup.



CASE: SDR-29658

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-M (COMMERCIAL/INDUSTRIAL) UNDER RESOLUTION OF INTENT TO R-PD16
(RESIDENTIAL PLANNED DEVELOPMENT - 16 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD20 (RESIDENTIAL PLANNED DEVELOPMENT - 20 UNITS PER ACRE)



R-PD20 (RESIDENTIAL PLANNED DEVELOPMENT - 20 UNITS PER ACRE)

0 800 16



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-29658 – APPLICANT: PAGEANTRY HOMES – OWNER:
RANCHO PARK RESIDENTIAL, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. Conformance to the conditions for Variance (VAR-29663) and Variance (VAR-29958), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Approval of this application shall expunge the previous Site Development Plan Review (SDR-20523), if approved.
4. The existing off-premise signs shall be removed prior to the time application is made for a building permit.
5. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 08/26/08, except as amended by conditions herein.
6. The minimum distance between buildings shall be 20 feet.
7. The setbacks for this development shall be a minimum of 20 feet to the front of the development (Rancho Drive frontage), 9.5 feet on the north side, 20 feet on the corner side (Smoke Ranch Road frontage), and 14 feet in the rear (Decatur Boulevard frontage).
8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: Provide tree spacing along public streets in accordance with Title 19.12.040(G); Provide landscape buffer widths in accordance with Title 19.12.040, including 10-foot buffer widths adjacent to right-of way and six-foot buffer widths adjacent to interior lot lines.

DC

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9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. 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.
11. 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).
12. Air conditioning units shall not be mounted on rooftops.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. 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.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. 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.
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.

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Public Works

19. Prior to the submittal of a Final Map or civil construction drawings for this site, whichever occurs first, a sewer relocation and abandonment plan for all public sewers in conflict with this site shall be submitted and approved by the Collection Systems Section of the Department of Public Works, unless the current public sewer system is maintained in the "as is" configuration. All existing public sewer easements in conflict with this site shall be vacated prior to the recordation of a Final Map for this site. Sewer service to existing developments, including to Assessor Parcel Number #139-18-310-001, shall be maintained during construction of this site.
20. Coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.
21. Landscape and maintain all unimproved right-of-way, if any, on Rancho Drive adjacent to this site.
22. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Rancho Drive public right-of-way adjacent to this site prior to the issuance of any permits.
23. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
24. A Homeowners' Association shall be established to maintain all private improvements, private roadways and landscaping and common areas created with this development. All landscaping and private improvements 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.
25. An update to the previously approved 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, whichever may occur first.
26. Site development to comply with all applicable conditions of approval for ZON-20512 and all other subsequent site-related actions.
27. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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28. 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed two and three-story multi-family development consisting of 350 condominium units and 304 apartment units on 33.47 acres at the northwest corner of Rancho Drive and Smoke Ranch Road. The subject property is adjacent to existing commercial/industrial uses, single-family residences and the North Las Vegas Airport.

In addition to this request, the applicant has submitted a Rezoning (ZON-29661) to change the zoning designation from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units per Acre) to R-PD20 (Residential Planned Development - 20 Units per Acre), a Variance (VAR-29663) to allow 1,185 parking spaces where 1,231 parking spaces are required and a Variance (VAR-29958) to allow 361,548 square feet of open space in a Residential Planned Development district where 469,577 square feet is required. The subject property has already received approvals for a less-intense, 535-unit Condominium Development on the subject site without the need for a Variance request. Staff finds that the proposed development of 654 multi-family units is too intense for the subject property. The current configuration of this proposal necessitates a parking and open space Variance, which highlights the overbuilt nature of this development; therefore, staff recommends denial of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/21/89	The City Council approved a Special Use Permit (U-0054-89) for a 12-foot by 24-foot Off-Premise Advertising (Billboard) Sign to a height of 40 feet, on property located on the west side of Rancho Drive, approximately 425 feet north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval of this request.
08/21/91	The City Council approved a Variance (V-0081-91) to allow a three-sided billboard on property located on the northeast corner of Smoke Ranch Road and Decatur Boulevard. This Variance was never exercised. The Board of Zoning Adjustment took no action due to a tie vote.
07/20/94	The City Council approved a Five-Year Review [U-0054-89(1)] on an approved 12 foot by 24 foot Off-Premise Advertising (Billboard) Sign to a height of 40 feet, on property located on the west side of Rancho Drive, approximately 425 feet north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval of this request.

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09/20/95	The City Council approved a Special Use Permit (U-0092-95) for two (2) Off-Premise Advertising (Billboard) Signs on the west side of Rancho Drive north of Smoke Ranch Road. The Board of Zoning Adjustment recommended approval of this request.
11/01/00	The City Council accepted the Withdrawal of a Five Year Review [U-0092-95(1)] for two (2) Off-Premise Advertising (Billboard) Signs on west side of Rancho Drive, approximately 350 and 1,100 feet north of Smoke Ranch Road. The Planning Commission and staff recommended approval of this request.
08/01/01	The City Council approved an appeal of a Planning Commission denial for a Special Use Permit (U-0059-01) for five (5) Off-Premise Advertising (Billboard) Signs on the south side of the intersection of Rancho Drive and Decatur Boulevard subject to a Two-Year Review. The Planning Commission denied the request, whereas staff recommended approval.
12/20/01	The Planning Commission approved a Tentative Map (TM-0049-01) for a 1-lot commercial subdivision on the subject site. Staff recommended approval of this request.
02/19/03	The City Council approved a General Plan Amendment (GPA-1400) and a Rezoning (ZON-1401) on 48.49 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road. On 01/23/03, the Planning Commission recommended approval of the Rezoning application, but failed to achieve a super majority on the General Plan Amendment.
02/19/03	The City Council approved a Site Development Plan Review (SDR-1404) for a proposed commercial/industrial development on 14.45 acres consisting of an 18,500 square-foot office building on 1.85 acres adjacent to the west side of Rancho Drive approximately 320 feet south of Decatur Boulevard intersection, and a 166,900 square-foot commercial/industrial development on 12.6 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road. The Planning Commission recommended approval, whereas staff recommended denial of this application.
05/21/03	The City Council approved a required Two-Year Review (RQR-1994) for an approved Special Use Permit (U-0059-01) for five Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended approval of this request.
06/02/03	The Department of Planning and Development administratively approved a Site Development Plan Review (SDR-2394) for a 3,000 square-foot second floor addition to an approved 18,500 square-foot office building on 1.85 acres adjacent to the west side of Rancho Drive, approximately 320 feet south of Decatur Boulevard.
06/24/04	The Planning Commission approved a Master Sign Plan (MSP-4388) application for an approved commercial/industrial development on 47.93 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Drive. Staff recommended approval of this request.

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07/07/04	The City Council approved a required Two-Year Review (RQR-4239) for an approved Special Use Permit (U-0059-01) for five (5) Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended approval of this request.
12/02/04	The Planning Commission approved a Site Development Plan Review (SDR-5312) application for a proposed 40,016 square-foot office complex consisting of eight single-story buildings on 3.30 acres adjacent to the east side of Decatur Boulevard, approximately 875 feet north of Smoke Ranch Road. Staff recommended approval of this request.
04/06/05	The City Council approved a request for a Site Development Plan Review (SDR-5916) for a proposed 5,000 square-foot Liquor Establishment (Tavern) on a 1.34 acre portion of a 31.42 acre site adjacent to the west side of Rancho Drive, approximately 250 feet north of Smoke Ranch Road. The Planning Commission recommended approval, whereas staff recommended denial of this request.
09/07/05	The City Council approved a required One-Year Review (RQR-6794) of an approved Special Use Permit (U-0059-01) for two 14-Foot x 48-Foot Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended denial of this request.
3/01/06	The City Council approved a General Plan Amendment to amend a portion of the Southeast Sector Plan of the Master Plan from L-I/R (Light Industry/Research) to M (Medium Density Residential), a Rezoning from C-M (Commercial/Industrial) to R-PD16 (Residential Planned Development – 16 Units per Acre) and a Site Development Plan Review (SDR-10806) for a 513-unit condominium development on 33.70 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission recommended approval whereas staff recommended denial of this request.
03/23/06	The Planning Commission approved a Tentative Map (TMP-11703) for a 513-unit condominium subdivision on 33.70 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. Staff recommended approval of this request.
08/01/06	A Code Enforcement Citation (#45071) was issued for weeds/grass and refuse code violations for property located at the northeast corner of Smoke Ranch Road and Rancho Drive. The case was resolved 08/31/06.
12/20/06	The City Council approved a required One-Year Review (RQR-17040) of an approved Special Use Permit (U-0059-01) which allowed two 14-foot x 48-foot Off-Premise Advertising (Billboard) Signs at the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended approval of this request.

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06/06/07	The City Council approved a Rezoning (ZON-20512) from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units per Acre) to R-PD16 (Residential Planned Development - 16 Units per Acre) and a Site Development Plan Review (SDR-20523) for a proposed 535-unit condominium development on 33.52 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission and staff recommend approval of these requests.
06/28/07	The Planning Commission approved a Tentative Map (TMP-21699) for a 535-unit condominium development on 33.52 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. Staff recommended approval of this request.
05/21/08	The City Council approved an Extension of Time (EOT-27588) of an approved Rezoning from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development - 16 Units per Acre) to R-PD16 (Residential Planned Development - 16 Units per Acre) and an Extension of Time (EOT-27588) for a proposed 535-unit condominium development on 33.52 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. Staff recommended approval of these requests.
<i>Related Building Permits/Business Licenses</i>	
There are no related building permits or business licenses related to this project. There are no permits on file regarding the demolition or removal of the two existing Off-Premise Signs (Billboards) that were required to be removed as a condition of approval to SDR-20523.	
<i>Pre-Application Meeting</i>	
08/07/08	A pre-application meeting was held where elements of a Rezoning, Site Development Plan Review, a Variance for parking and a Variance for Open Space within a Residential Planned Development zoning district were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	
<i>Field Check</i>	
09/02/08	A field check was performed by staff at the subject property. The site was noted as undeveloped, relatively flat and graded. Some weeds and debris were noted on site.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	33.47

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped (Approved Through SDR-20523 for a 535-unit Condominium Development)	M (Medium Density Residential)	C-M (Commercial/ Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre)
North	Industrial	LI/R (Light Industry/ Research)	C-M (Commercial/ Industrial)
South	Single-Family Residential	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
	Multi-Family Residential	M (Medium Density Residential)	C-2 (General Commercial)
	Commercial	GC (General Commercial)	C-2 (General Commercial)
East	Airport	Public/Semi-Public – City of North Las Vegas	C-2 (General Commercial) and M-2 (General Industrial) – City of North Las Vegas
West	Light Industrial	LI/R (Light Industry/ Research)	C-M (Commercial/ Industrial)
	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O Airport Overlay District (35 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		Y**

* The subject property is located within the North Las Vegas Airport Overlay within the 35-foot height limitation contour. None of the buildings on the subject property extend beyond this limitation.

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** Pursuant to Ordinance No. 5227, the project under review meets the criteria for definition as a "Project of Significant Impact" because the development generates an Average Daily Traffic (ADT) of over 6,250 daily trips and is located within a half mile of another jurisdiction (North Las Vegas). The applicant has prepared and submitted an impact report as required by the Ordinance for referral to the affected agencies. No comments have been received regarding this application.

DEVELOPMENT STANDARDS

The project is subject to the Residential Planned Development (R-PD) Standards of Title 19.06.040. The development standards shall be established by the Site Development Plan including minimum front setbacks, maximum building heights, building separation, and other design and development criteria.

<i>Standard</i>	<i>Proposed</i>
Min. Lot Size	1,457,953 Square Feet
Min. Lot Width	434 Feet
Min. Setbacks • Front • Side • Corner • Rear	20 Feet 9.5 Feet 20 Feet 14 Feet
Min. Distance Between Buildings	20 Feet
Max. Building Height	27 Feet (Two-Story Buildings) 34 Feet (Three-Story Buildings)
Trash Enclosure	Screened, Enclosed
Mech. Equipment	Screened

Pursuant to Title 19.08.060, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	102 Feet	120 Feet	Y
Trash Enclosure	50 Feet	100 Feet	Y

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Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	98 Trees	105 Trees	Y
Buffer:				
Min. Trees (North)	1 Tree/ 20 Linear Feet	16 Trees	7 Trees	N*
Min. Trees (South – Adjacent to Commercial)	1 Tree/ 30 Linear Feet	10 Trees	10 Trees	Y
(South – Adjacent to R.O.W.)	1 Tree/ 20 Linear Feet	44 Trees	23 Trees	N*
Min. Trees (East)	1 Tree/ 20 Linear Feet	92 Trees	80 Trees	N*
Min. Trees (West – Adjacent to R.O.W.)	1 Tree/ 20 Linear Feet	47 Trees	25 Trees	N*
(West – Adjacent to Commercial)	1 Tree/ 30 Linear Feet	47 Trees	28 Trees	N*
TOTAL		354 Trees	278 Trees	N*
	6 Feet (Interior Lot Lines)		6 Feet	Y
Min. Zone Width	10 Feet (Adjacent to Right-of-Way)		10 Feet	Y
Wall Height	6-8 Feet		6-7 Feet	Y

* A condition has been added requiring the applicant to provide perimeter landscape buffering in accordance with Title 19.12.040.

Pursuant to Title 19.06.040(G), the following standards apply:

Open Space – R-PD only						
Total Acreage	Density	Required		Provided		Compliance
		Percent	Area	Percent	Area	
33.5	19.5	32.18%	469,577 SF	24.78%	361,548 SF	N*

* The applicant has submitted a Variance (VAR-29958) to allow for 24.78% open space where 32.18% is required.

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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	
Multi-Family Residential	168 One Bedroom Units	1.25 Spaces/ Unit	210		210		Y
	241 Two Bedroom Units	1.75 Spaces/ Unit	422		422		Y
	219 Three Bedroom Units	2 Spaces/ Unit	438		438		Y
	26 Four Bedroom Units	2 Spaces/ Unit	52		52		Y
	Guest Parking	1 Space/ 6 Units	109		63		N*
SubTotal			1,218	13	1,172	13	
TOTAL			1,231		1,185		N*
Percent Deviation					3.74%		

* The applicant has submitted a Variance (VAR-29663) to allow 1,185 parking spaces where 1,231 are required.

ANALYSIS

- Land Use and Zoning**

The subject property is located within the Southwest Sector of the General Plan with a land use designation of M (Medium Density Residential). The Medium Density Residential category includes a variety of multi-family units such as plexes, townhouses, and low-density apartments. This category allows up to 25.49 units per acre.

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There is a request for a Rezoning (ZON-29661) to change the subject property's zoning from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre) to R-PD20 (Residential Planned Development – 20 Units per Acre). The R-PD (Residential Planned Development) District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. The R-PD20 (Residential Planned Development – 20 Units per Acre) is consistent with the M (Medium Density Residential) category of the General Plan.

- **Site Plan**

The site is located at the northwest corner of Rancho Drive and Smoke Ranch Road, currently bisected east-west by a signalized private driveway which will remain in its current configuration. The site plan indicates that a total of 119 residential buildings and two clubhouses will be provided on site. The buildings will range in height between two and three stories and cluster three, five, 20 or 24 units together. The three and five unit buildings will be two-story townhouse units, with internal garages and living units extending between the first and second floors. The 20 and 24-unit buildings will be two and three-story apartment buildings with access from common hallways and surface level parking.

Access to the site for the 350 townhouse units will be gained from the existing signalized private driveway at Rancho Drive, which runs east/west through the site to a gated, non-signalized driveway fronting Decatur Boulevard. A crash gate will be provided for these units near the southern portion of the site along Rancho Drive and near the northeast corner of the site along Decatur Boulevard. Access for the 304 apartment residences will be provided along Rancho Drive and Smoke Ranch Road. The two main driveways fronting Rancho Drive and a single driveway fronting Smoke Ranch Road will feature enhanced paving and landscape medians. No internal vehicular circulation access will be provided between the townhouse units and apartment units.

Sidewalks are provided on the plan between some of the townhouse units and access the existing private driveway, which will allow pedestrians a single access point on Rancho Drive and on Decatur Boulevard. No linkages have been provided between the subject property and the existing adjacent commercial properties, nor have any other pedestrian gates, plazas or connections have been made between the site and the surrounding neighborhood. The submitted site plan does not indicate if any sidewalks, gates or pedestrian plazas will be provided for the 304 apartment units. The justification letter requests a reduction in parking stating the site is in close proximity or adjacent to mass transit; however, no pedestrian connection has been made between the proposed development and the existing three bus turn-outs. The site plan does indicate that a wall will surround the entire development, however no wall heights, materials or details have been provided with this submittal.

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Surface parking will be provided for the 304 apartment units which will consist of 486 parking spaces, of which 13 are handicapped accessible. The parking areas will be clustered around each building area with adequate landscape islands between each row. The 350 townhouse units will feature internal one and two-car garages along with surface parking. A total of 31 parking spaces will be provided for the 48-building cluster to the south of the existing private drive while 69 parking spaces will be provided for the 60-building cluster to the north of the existing private drive. In total, 1,185 parking spaces will be provided where 1,231 are required. The applicant has submitted a Variance (VAR-29663) request to allow this.

- **Landscape Plan**

The landscape submitted depicts 24-inch box trees spaced at 30 feet on-center around the perimeter of the subject property and includes a notation of four, five-gallon shrubs and four, one-gallon shrubs for each 24-inch box and 15-gallon tree provided. The plans submitted do not indicate any shrub placement or location, nor is the tree spacing provided compliant with Title 19. Title 19.12.040(G) requires 24-inch box minimum sized trees to be planted along public streets for every 20 linear feet of planter. This equates to a total of 256 required perimeter trees where the applicant has proposed 173. A condition has been added requiring proper tree spacing along with a detailed landscape plan to be submitted prior to or at the same time application is made for a building permit.

The landscape buffer width along Smoke Ranch Road meets the 10-foot minimum requirement per Title 19.12.040, however the site plans do not indicate the planter widths along Rancho Drive or Decatur Boulevard. A condition has been added requiring the applicant to provide landscape buffers with a minimum width of 10 feet adjacent to right-of-way.

The interior site common areas and parking areas provide an adequate amount of trees placed around the buildings, parking areas and common areas; however, it should be noted that the tree distribution around each building does not appear equal. While some buildings have several trees evenly covering their perimeters, other buildings have less than ideal tree coverage, with large gaps void of trees. This is most noticeable at the five buildings at the northern perimeter of the site, at the two buildings adjacent to the center of the north and south sides of the existing private drive, and around the interior of a majority of the apartment buildings. While not required to be provided, a more even approach or a larger quantity of trees will fill in these areas and prevent a barren appearance if this project is approved.

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Additionally, the applicant is required to provide 469,577 square feet, or 32.18% of the site area, of open space per the requirements of the Residential Planned Development District. The landscape plan is only allowing for 361,548 square feet, or 24.78%, of open space. A Variance has been submitted to allow for the 23% reduction in the amount of open space permitted.

Title 19.06.040 states that the R-PD (Residential Planned Development) District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. The provided landscape plans do not indicate any pedestrian amenities other than a few sidewalks between buildings and two pool/clubhouses. No barbeque, picnic, playground or athletic court areas have been provided for on site, nor have any special pedestrian areas or amenities been provided. A majority of the open space on the site plan acts as buffer space between buildings. All pedestrian entries and exits to the site are adjacent to the planned or existing vehicular access points, which do not meet the intent of the proposed zoning district.

Elevations

The provided elevations for the proposed buildings are modest, with limited articulation. The 24-unit buildings will be three-stories in height and feature balconies with open railings and pop-outs above each window and stairwell opening on the front and rear elevations. The side elevations will feature eight small, square windows and a utility room doorway. The 20-unit buildings will be similar; however, the side elevations will have greater visual interest as the roof steps back between the second and third floors. Compensating for the lack of built-in architectural detail is the use of color on each building, as the applicant has proposed a four-color palette for each building. The applicant did not submit a color and materials board as required, however the color combinations appear to be in either a cream, light beige, dark beige and rust color scheme or a cream, grey, rust and dark brown color scheme. All buildings will feature a red tile roof and a stucco finish on the facades.

The five-unit buildings will be two stories in height, and feature garage doors on the first floor of the front elevation and entry doors on the rear and side elevations. A pop-out stucco banding will be used around three-quarters of the base of each building and pop-outs will be provided around each window and doorway. Some windows will overhang above the garage doors in order to break up an otherwise relatively flat elevation. These buildings will be in a color combination of cream, light grey and grey scheme or a light beige, beige and dark brown scheme. The buildings will feature a red or dark-colored tile roof with a stucco finish on the facades.

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The three-unit buildings will be two stories in height, and feature garage doors on the first floor of the front elevation and entry doors on the rear and side elevations. These buildings will feature a single balcony above the garage doors, a pop-out stucco banding around half of the base of each building and pop-outs will be provided around each window and doorway. These buildings will be offered in a color combination of a cream and grey scheme, cream, beige and rust scheme, or a beige, dark beige and dark green scheme. The buildings will feature a light tan, red, or dark green tile roof with a stucco finish on the facades.

- **Floor Plans**

The applicant has provided floor plans for each of the buildings proposed on the site. The 24-unit buildings will be offered in a variety of one, two and three bedroom floor plans in three-story buildings. Similarly, the 20-unit buildings will be offered in two and three bedroom floor plans and consist of three-story units. Each unit will offer separate living, dining, kitchen, bedroom and bathrooms, along with interior laundry rooms, private balconies and storage rooms. Access to the units will be provided by central corridors and stairwells.

The three and five-unit buildings will be offered in a similar configuration of one, two and three bedroom floor plans. All units will feature private one or two-car garages, separate ground-level entryways, master bedrooms with private bathrooms, separate kitchen, living and dining areas and interior laundry facilities. Some units will feature private courtyards or balconies, built-in niches and fireplace options.

FINDINGS

The following findings must be made for an SDR:

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

The proposed residential development is not compatible with the adjacent commercial/industrial development, adjacent airport or the single-family residences to the south. The proposed development is too intense for the site and may negatively impact the existing neighbors with increased traffic and noise complaints.

- 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;**

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October 9, 2008 - Planning Commission Meeting

The project will meet the intent of the General Plan and Zoning with approval of the companion Rezoning (ZON-29661) request. Conditions have been placed upon this project, which, if approved, would allow landscape conformance to the provisions of Title 19.

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

The site is accessed from Rancho Drive, a Freeway, and Decatur Boulevard and Smoke Ranch Road, each 100-foot Primary Arterials, according to the Master Plan of Streets and Highways. All roads are adequate to serve the proposed development. The interior site circulation is adequate, however it should be noted that the 304 apartment units and the 350 townhouse units are only served by two access points each, which serves to severely limit the traffic flow of the proposed development. While this design cuts down or eliminates cut-through traffic, it increases the traffic flow at the limited access points and actually increases traffic volume at these locations.

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

The proposed buildings and materials are appropriate for the area and for the City. A color and materials board was not submitted as required; therefore, staff was unable to determine the complete list of materials used. The elevations indicate the predominant materials will be tile roofs with stucco finished buildings which is common for the area.

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 building elevations and design characteristics are not unsightly or obnoxious in appearance and will be compatible with development in the area. The overall architecture is simple, with minimal detail and ornamentation.

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

The project is subject to the regulations set forth by Clark County Department of Aviation as the project is within the North Las Vegas Airport operational sphere of influence. As proposed the project will not result in detrimental effects to human health and public safety.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

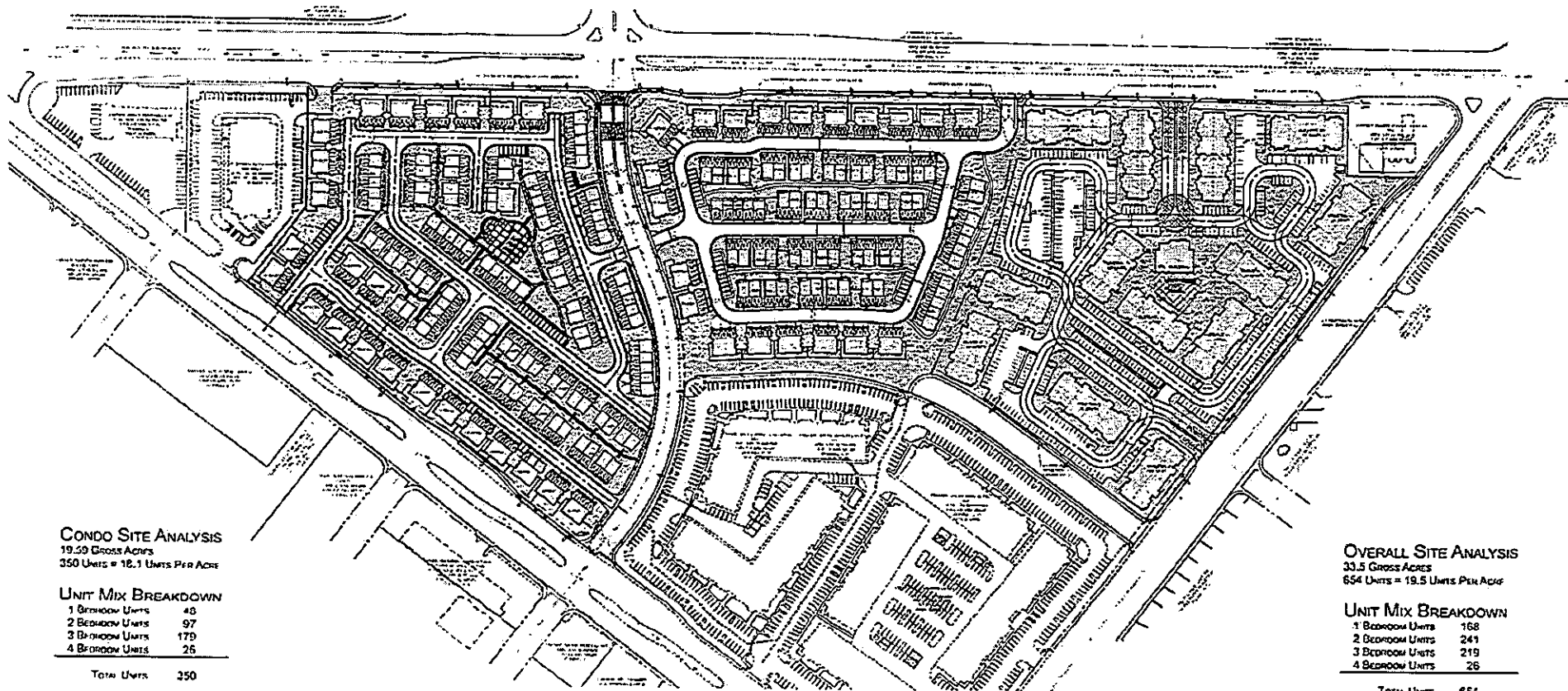
ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 244

APPROVALS 3

PROTESTS 5



CONDO SITE ANALYSIS
19.59 Gross Acres
350 Units = 18.1 Units Per Acre

UNIT MIX BREAKDOWN

1 Bedroom Units	48
2 Bedroom Units	97
3 Bedroom Units	179
4 Bedroom Units	26

Total Units 350

APARTMENT SITE ANALYSIS
13.88 Gross Acres
304 Units = 21.9 Units Per Acre

UNIT MIX BREAKDOWN

1 Bedroom Units	120
2 Bedroom Units	144
3 Bedroom Units	40

Total Units 304

OVERALL SITE ANALYSIS
33.5 Gross Acres
654 Units = 19.5 Units Per Acre

UNIT MIX BREAKDOWN

1 Bedroom Units	168
2 Bedroom Units	241
3 Bedroom Units	219
4 Bedroom Units	26

Total Units 654

PARKING CALCULATIONS

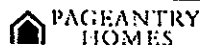
Spaces Required	1231
Parking Provided	1185
Difference	-46

Reduction Required 3.74%

ZON-29661 VAR-29663
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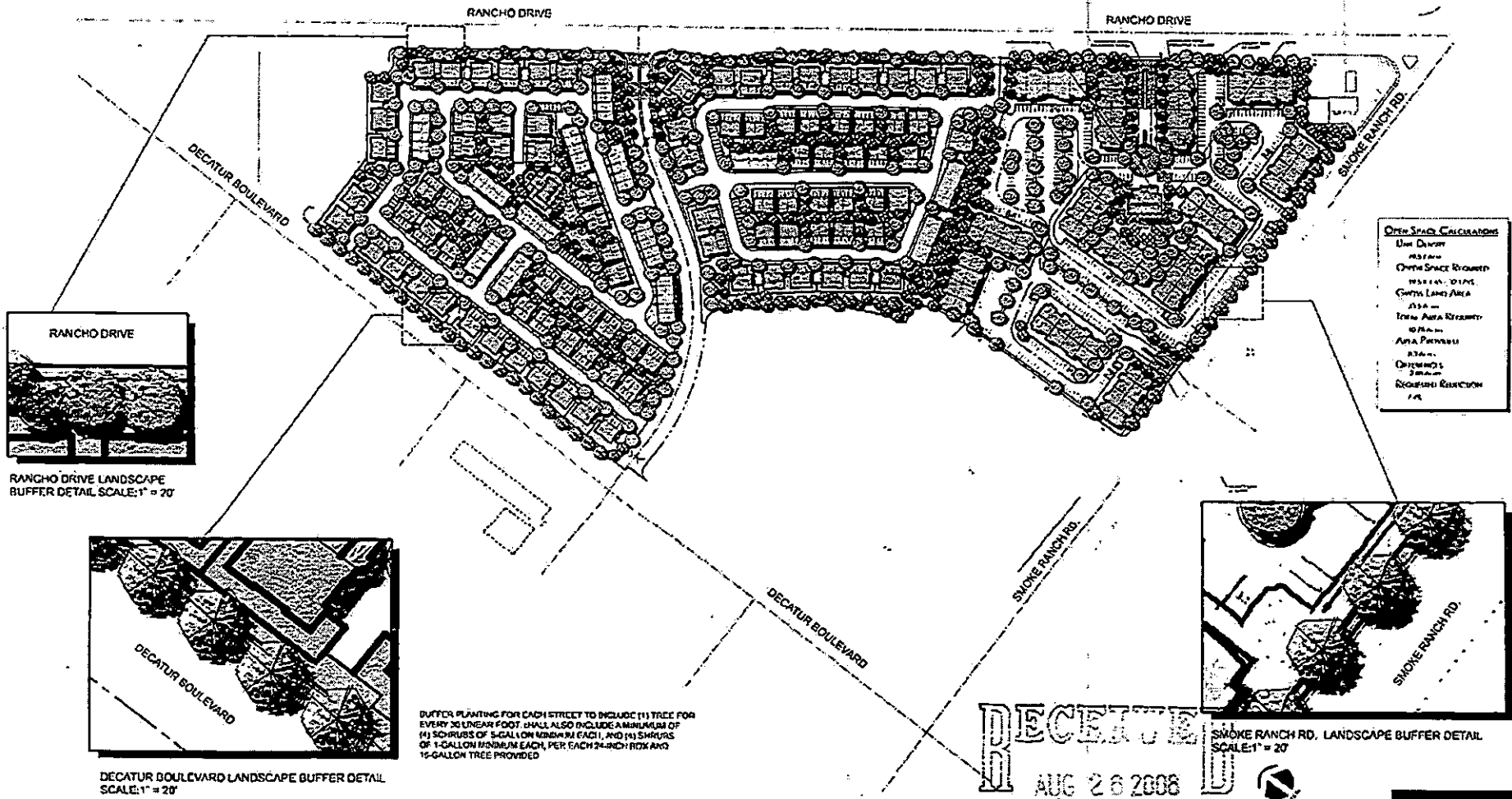
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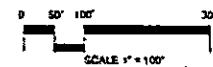


AUGUST 1, 2008





AVE. ONE APARTMENTS - LANDSCAPE PLAN



ZON-29661
SDR-29658

VAR-29663
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AUGUST 26, 2008

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Landscape Concept Plant Legend

Symbol	Plant Name	Quantity	Notes
	PLANT 1	10	
	PLANT 2	10	
	PLANT 3	10	
	PLANT 4	10	
	PLANT 5	10	
	PLANT 6	10	
	PLANT 7	10	
	PLANT 8	10	
	PLANT 9	10	
	PLANT 10	10	
	PLANT 11	10	
	PLANT 12	10	
	PLANT 13	10	
	PLANT 14	10	
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	PLANT 16	10	
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	PLANT 48	10	
	PLANT 49	10	
	PLANT 50	10	

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AVE. ONE APARTMENTS - LANDSCAPE LEGEND

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NUMBER	LOCALITY NAME	CONTAINER NO.	DATE	TIME
1	WATERBURY, MASS. (HILL)		24th APR	10
2	WATERBURY, MASS. (HILL)		24th APR	11
3	WATERBURY, MASS. (HILL)		24th APR	12
4	WATERBURY, MASS. (HILL)		24th APR	13
5	WATERBURY, MASS. (HILL)		24th APR	14
6	WATERBURY, MASS. (HILL)		24th APR	15
7	WATERBURY, MASS. (HILL)		24th APR	16
8	WATERBURY, MASS. (HILL)		24th APR	17
9	WATERBURY, MASS. (HILL)		24th APR	18
10	WATERBURY, MASS. (HILL)		24th APR	19
11	WATERBURY, MASS. (HILL)		24th APR	20
12	WATERBURY, MASS. (HILL)		24th APR	21
13	WATERBURY, MASS. (HILL)		24th APR	22
14	WATERBURY, MASS. (HILL)		24th APR	23
15	WATERBURY, MASS. (HILL)		24th APR	24
16	WATERBURY, MASS. (HILL)		24th APR	25
17	WATERBURY, MASS. (HILL)		24th APR	26
18	WATERBURY, MASS. (HILL)		24th APR	27
19	WATERBURY, MASS. (HILL)		24th APR	28
20	WATERBURY, MASS. (HILL)		24th APR	29
21	WATERBURY, MASS. (HILL)		24th APR	30
22	WATERBURY, MASS. (HILL)		24th APR	31
23	WATERBURY, MASS. (HILL)		24th APR	32
24	WATERBURY, MASS. (HILL)		24th APR	33
25	WATERBURY, MASS. (HILL)		24th APR	34
26	WATERBURY, MASS. (HILL)		24th APR	35
27	WATERBURY, MASS. (HILL)		24th APR	36
28	WATERBURY, MASS. (HILL)		24th APR	37
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42	WATERBURY, MASS. (HILL)		24th APR	51
43	WATERBURY, MASS. (HILL)		24th APR	52
44	WATERBURY, MASS. (HILL)		24th APR	53
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58	WATERBURY, MASS. (HILL)		24th APR	67
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61	WATERBURY, MASS. (HILL)		24th APR	70
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65	WATERBURY, MASS. (HILL)		24th APR	74
66	WATERBURY, MASS. (HILL)		24th APR	75
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71	WATERBURY, MASS. (HILL)		24th APR	80
72	WATERBURY, MASS. (HILL)		24th APR	81
73	WATERBURY, MASS. (HILL)		24th APR	82
74	WATERBURY, MASS. (HILL)		24th APR	83
75	WATERBURY, MASS. (HILL)		24th APR	84</

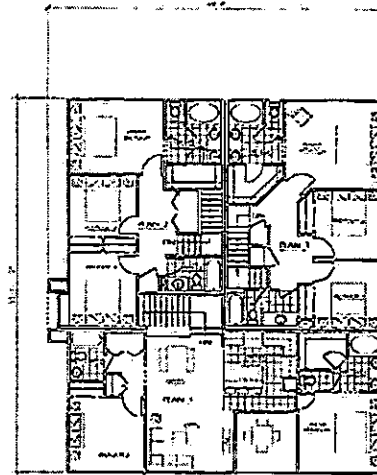
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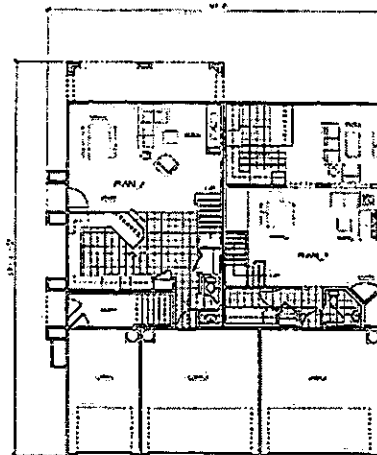


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AVE. ONE TOWNHOMES - BUILDING TYPE 1 OPTION A FLOOR PLANS

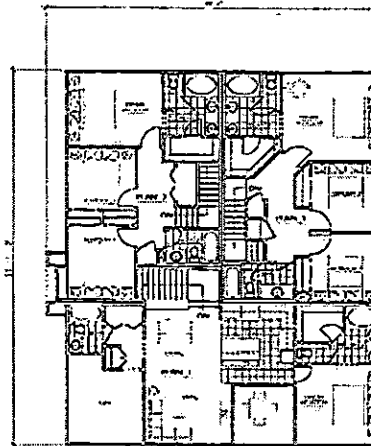
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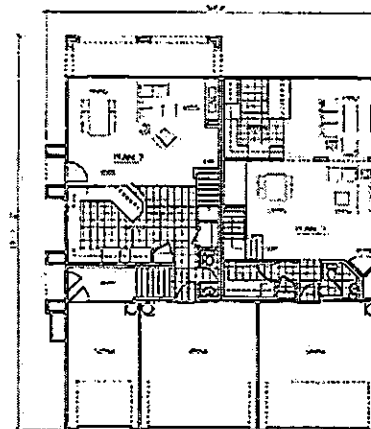
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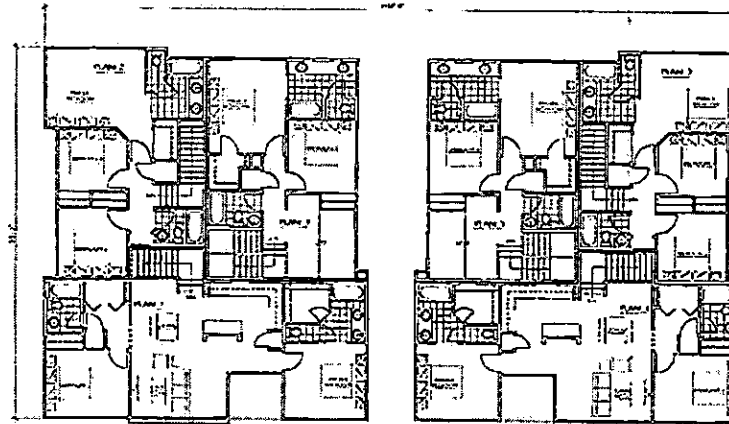




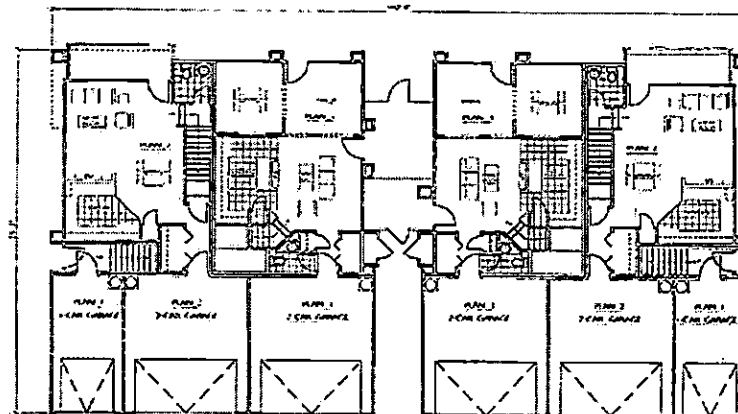
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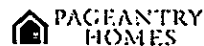
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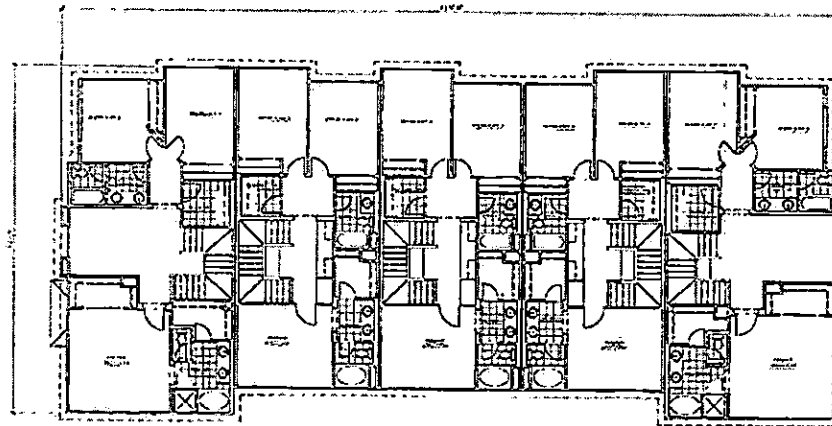
AVE. ONE TOWNHOMES - BUILDING TYPE 2 OPTION B FLOOR PLANS

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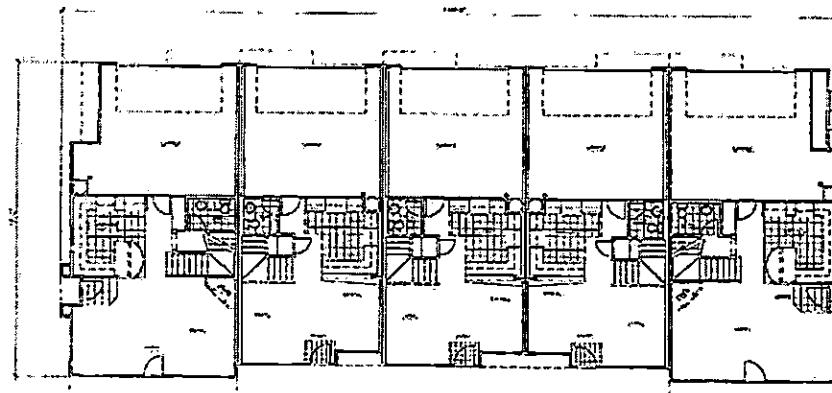


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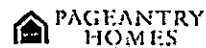
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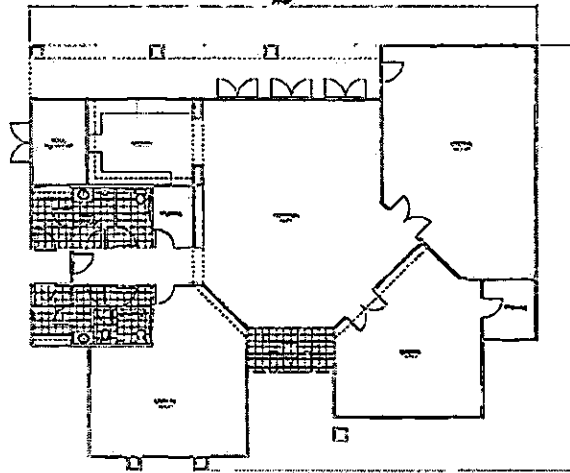
AVE. ONE TOWNHOMES - BUILDING TYPE 3 FLOOR PLANS

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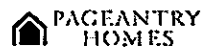
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SDR-29658 10/09/08 PC

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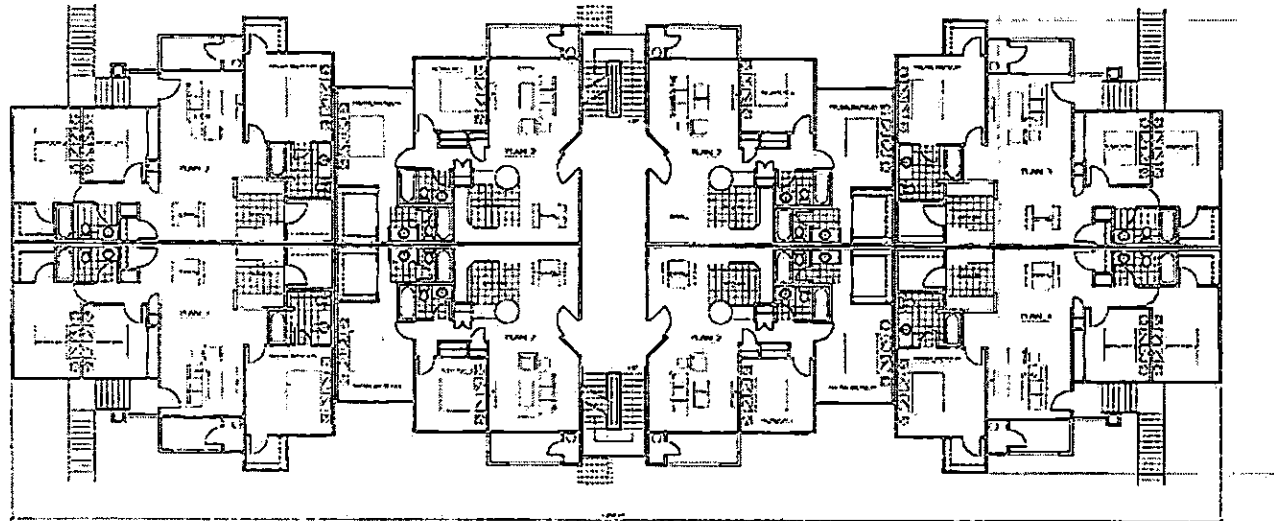
AVE. ONE APARTMENTS - RECREATION CENTER FLOORPLANS

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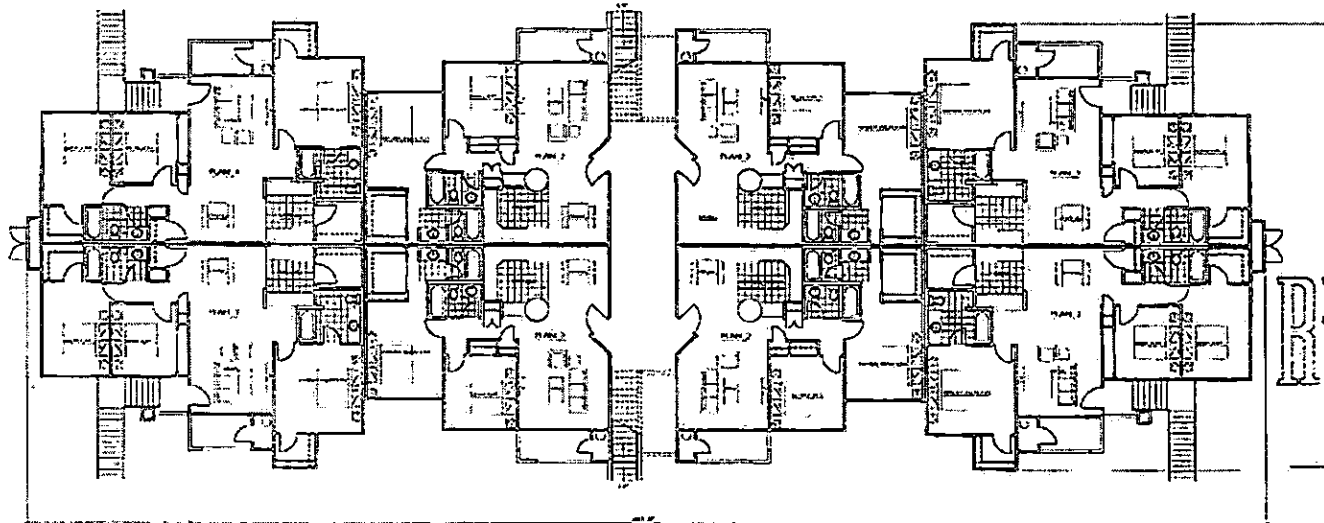


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AVE. ONE APARTMENTS - 20 PLEX FLOORPLANS

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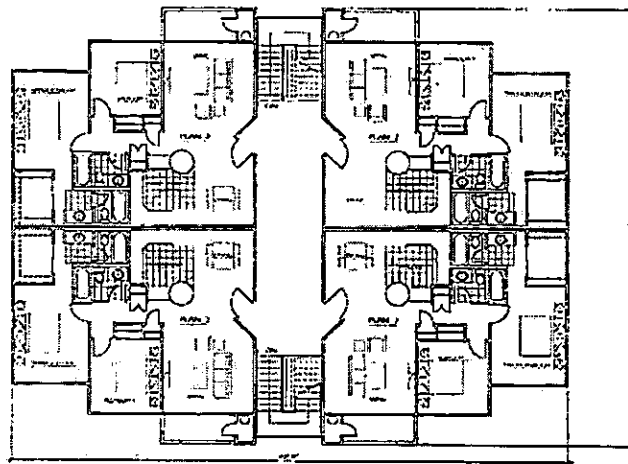
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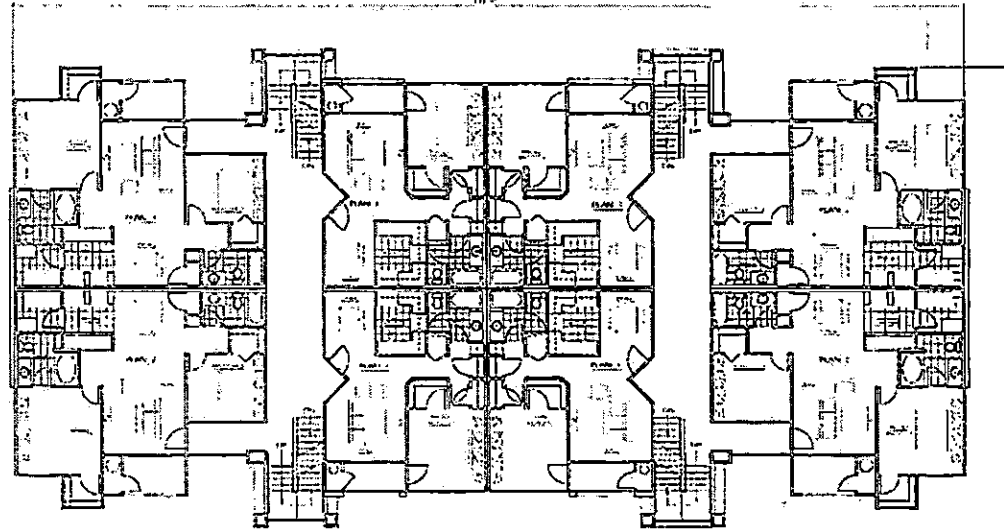
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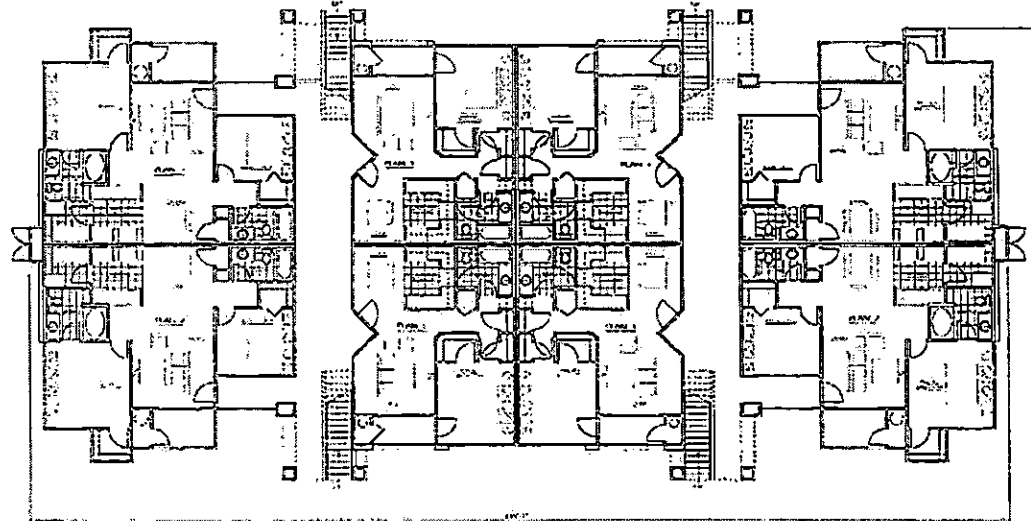
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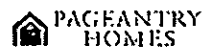
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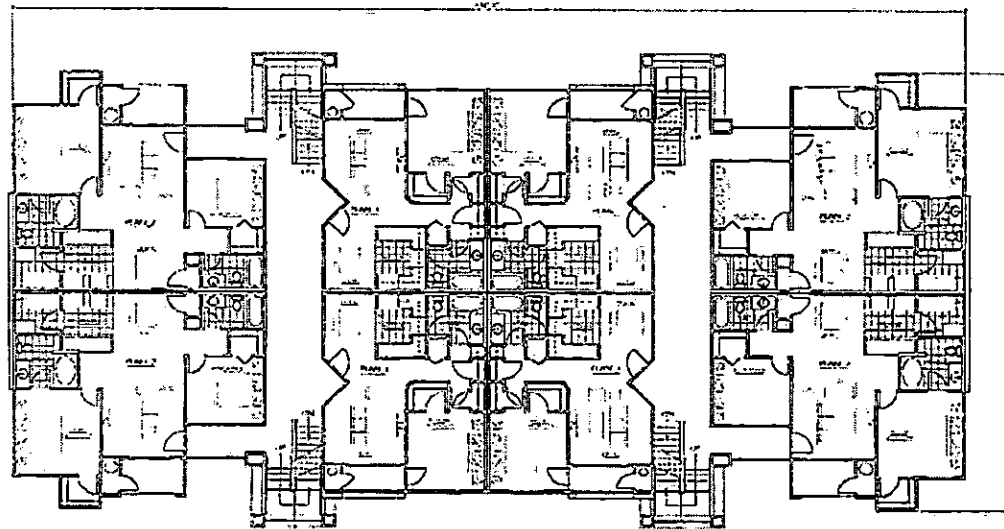
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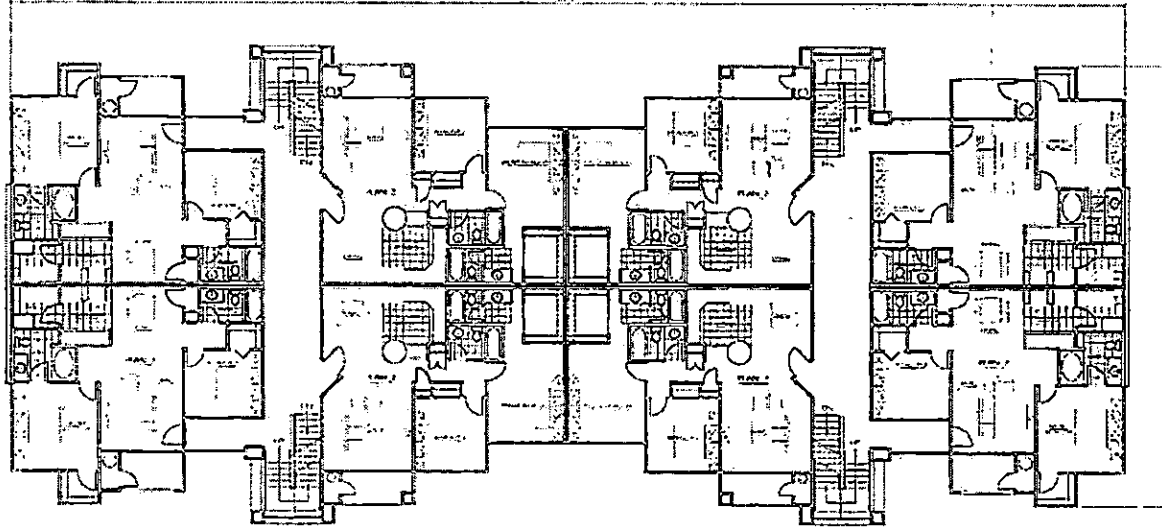
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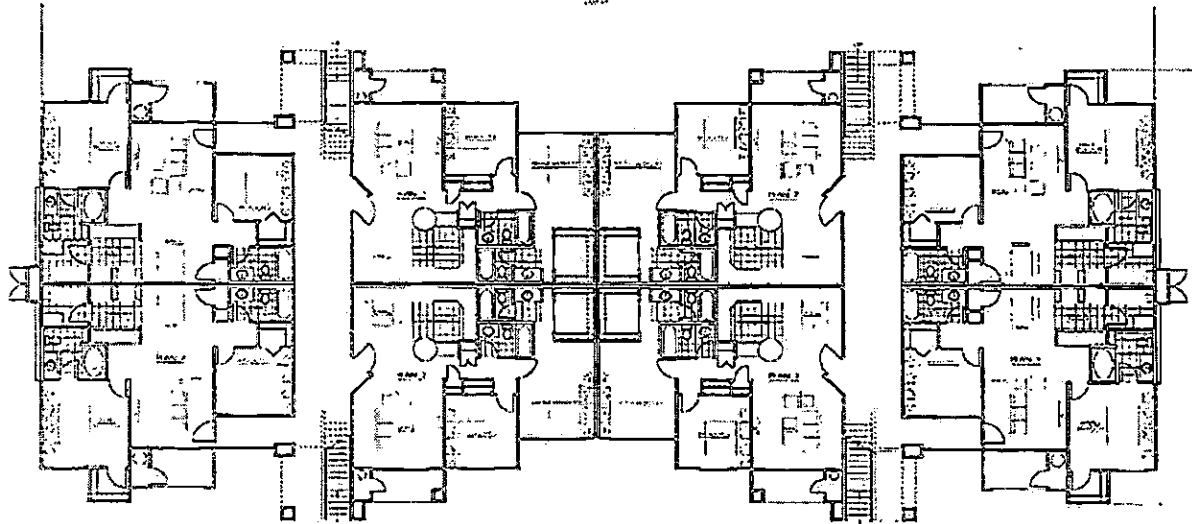
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GROUND FLOOR



AVE. ONE APARTMENTS - 24 PLEX 2 BEDROOM FLOORPLANS

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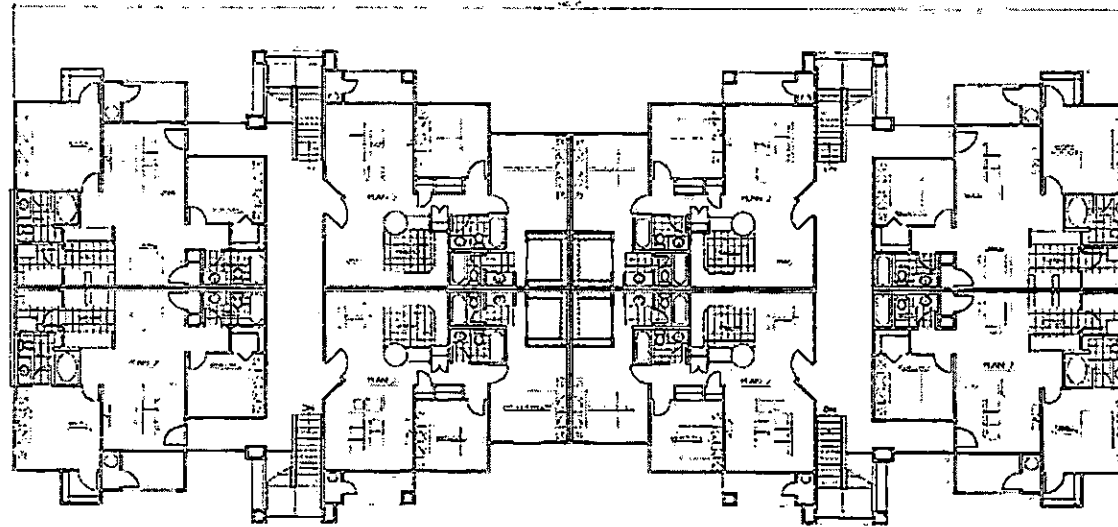
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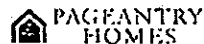
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AVE. ONE APARTMENTS - 24 PLEX 2 BEDROOM FLOORPLANS

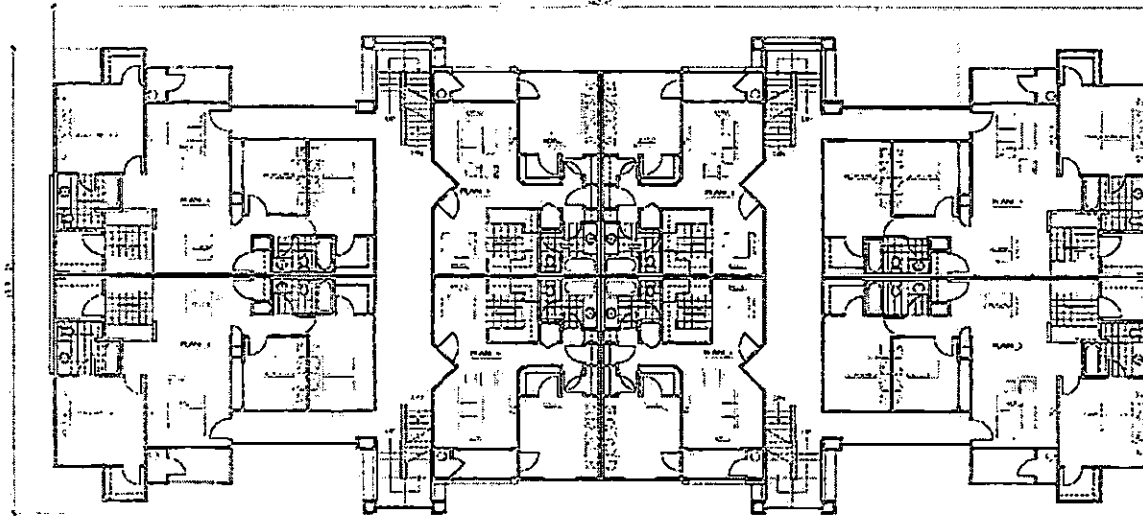
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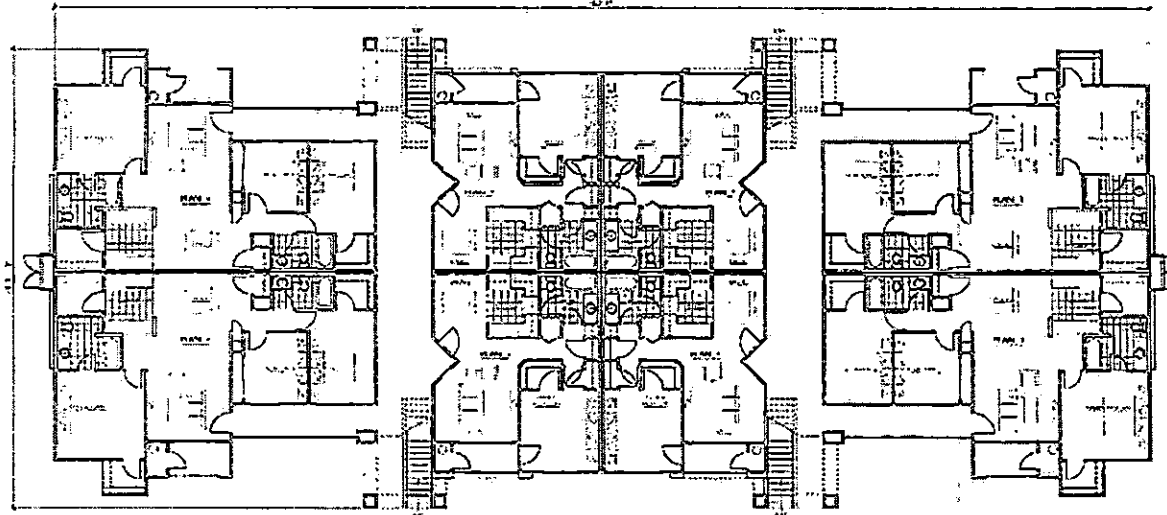
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AVE. ONE APARTMENTS - 24 PLEX 3 BEDROOM FLOORPLANS

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SDR-29658

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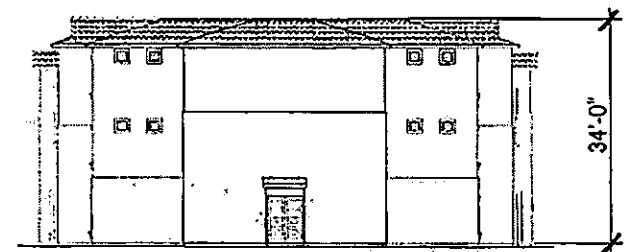


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FRONT/REAR ELEVATION



SIDE ELEVATION

AVE ONE APARTMENTS - 24 PLEX OPTION A EXTERIOR ELEVATIONS

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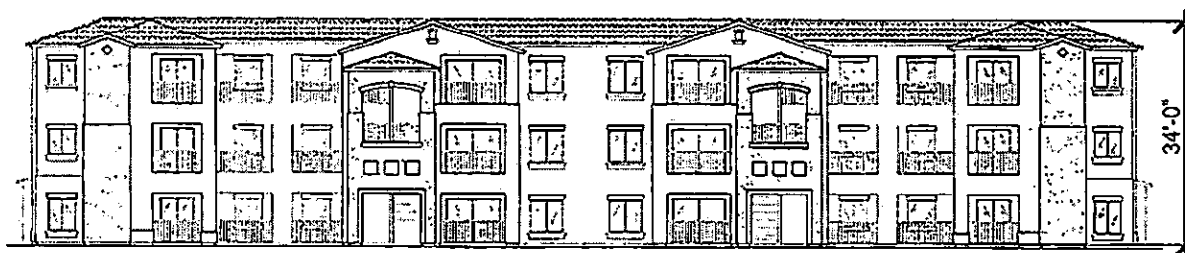


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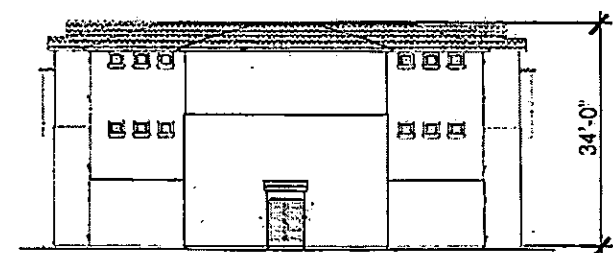


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FRONT/REAR ELEVATION



SIDE ELEVATION

AVE ONE APARTMENTS - 24 PLEX 3 BEDROOM OPTION A EXTERIOR ELEVATIONS

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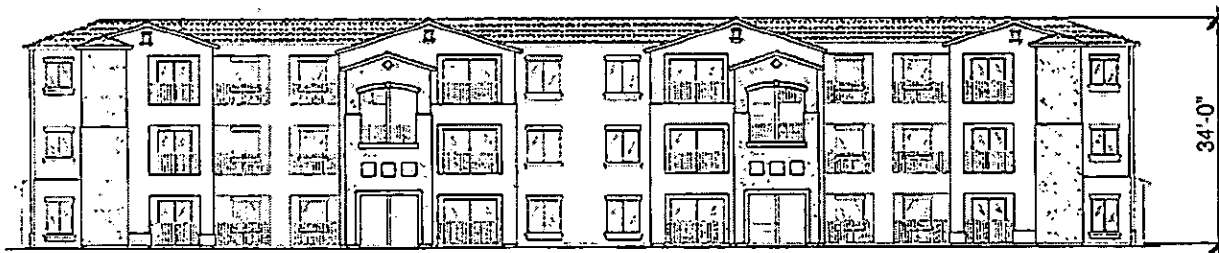


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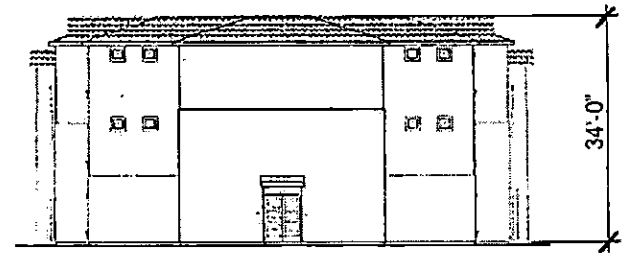


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FRONT/REAR ELEVATION



SIDE ELEVATION

AVE ONE APARTMENTS - 24 PLEX 3 BEDROOM OPTION B EXTERIOR ELEVATIONS

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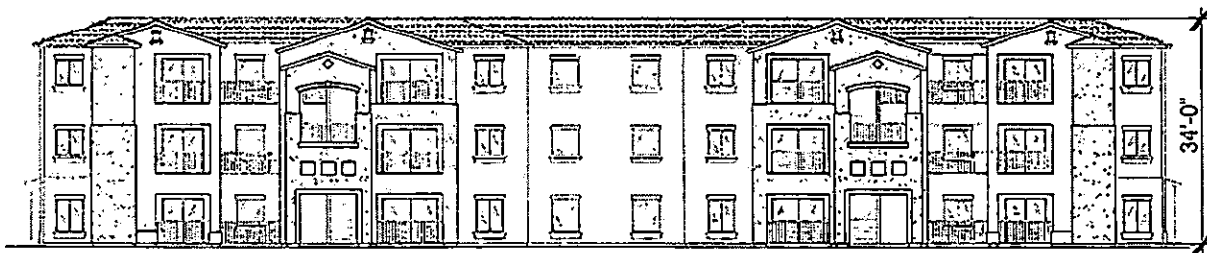


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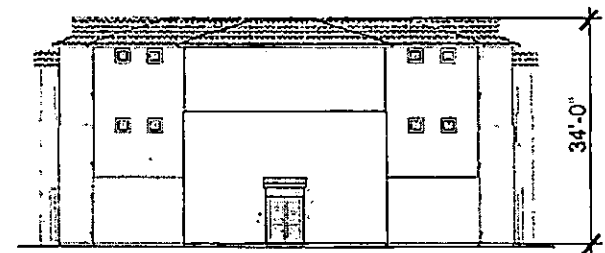


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FRONT/REAR ELEVATION



SIDE ELEVATION

AVE ONE APARTMENTS - 24 PLEX 2 BEDROOM OPTION A EXTERIOR ELEVATIONS

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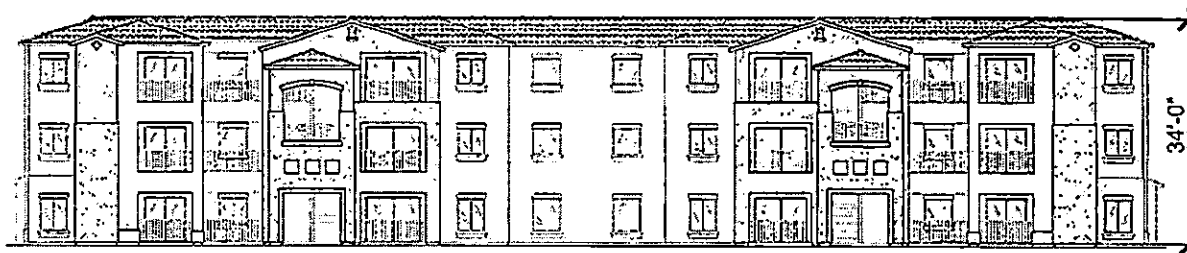


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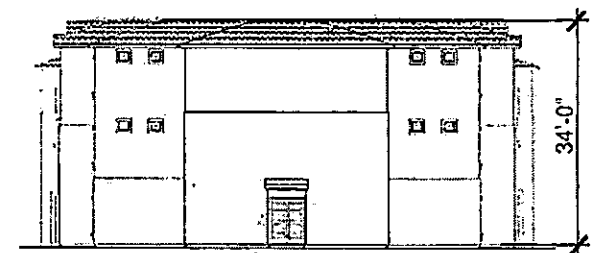


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FRONT/REAR ELEVATION



SIDE ELEVATION

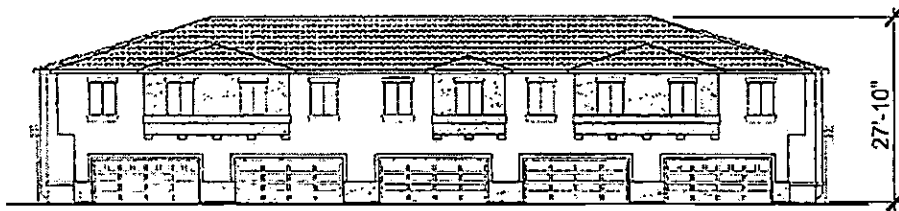
AVE ONE APARTMENTS - 24 PLEX 2 BEDROOM OPTION B EXTERIOR ELEVATIONS

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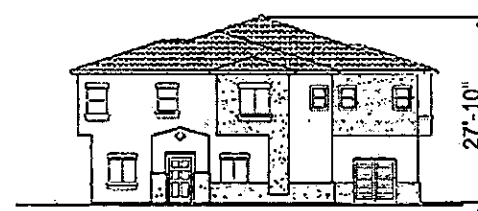


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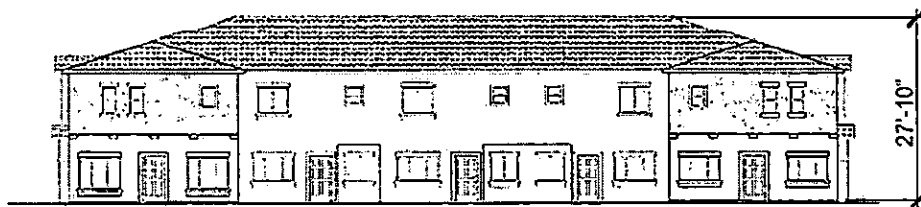


FRONT ELEVATION



RIGHT ELEVATION

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REAR ELEVATION



LEFT ELEVATION

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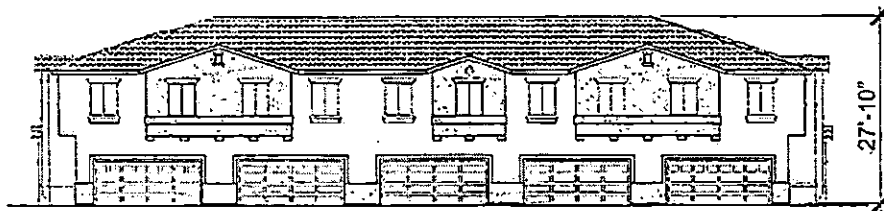
AVE. ONE TOWNHOMES - BUILDING TYPE 3 OPTION A EXTERIOR ELEVATIONS

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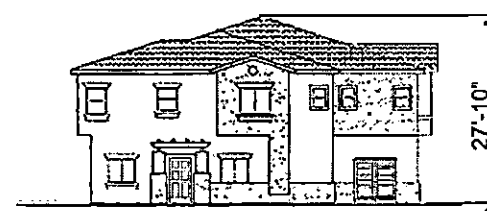


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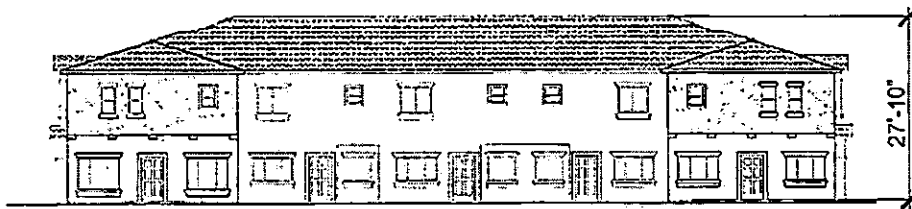


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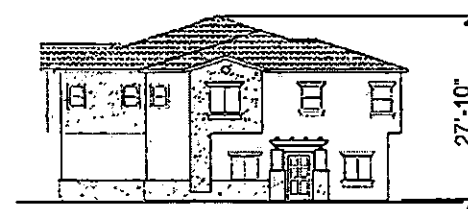


RIGHT ELEVATION

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REAR ELEVATION



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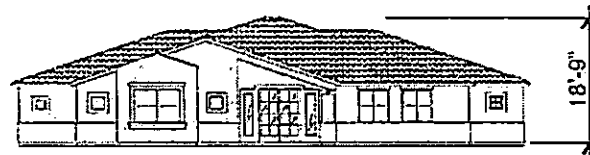
AVE. ONE TOWNHOMES - BUILDING TYPE 3 OPTION B EXTERIOR ELEVATIONS

NOT TO SCALE. DIMENSIONS SHOWN ARE APPROXIMATE. SEE ARCHITECT'S NOTES FOR DETAILS. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

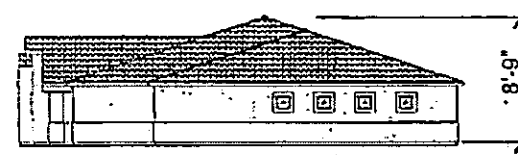


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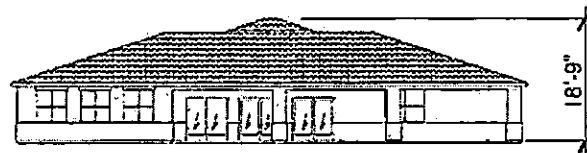




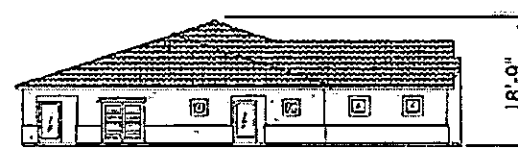
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RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

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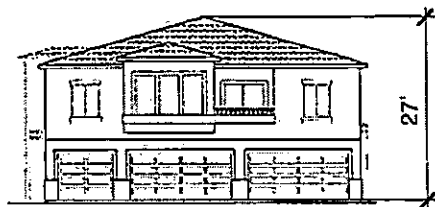
AVE ONE APARTMENTS - RECREATION CENTER EXTERIOR ELEVATIONS

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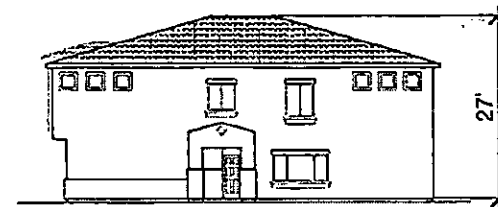


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FRONT ELEVATION



RIGHT ELEVATION



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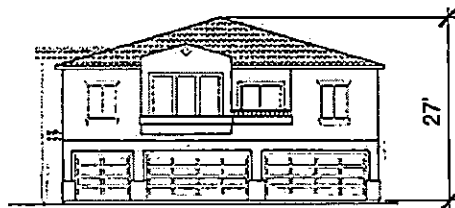
AVE. ONE TOWNHOMES - BUILDING TYPE 1 OPTION A EXTERIOR ELEVATIONS

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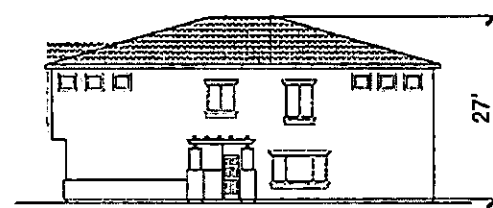
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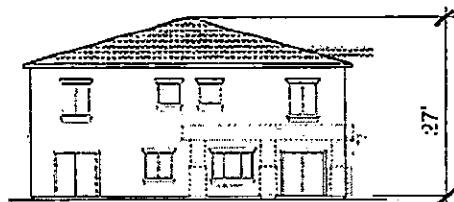
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FRONT ELEVATION



RIGHT ELEVATION



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LEFT ELEVATION

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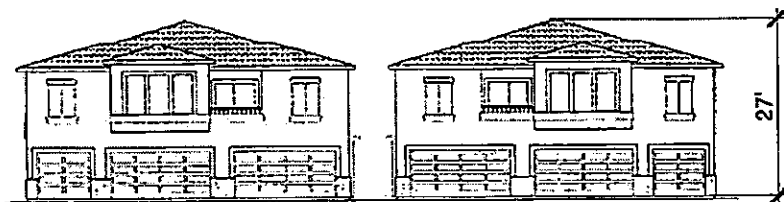
Ave. One Townhomes - Building Type 1 Option B Exterior Elevations

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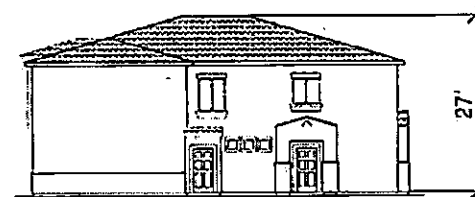
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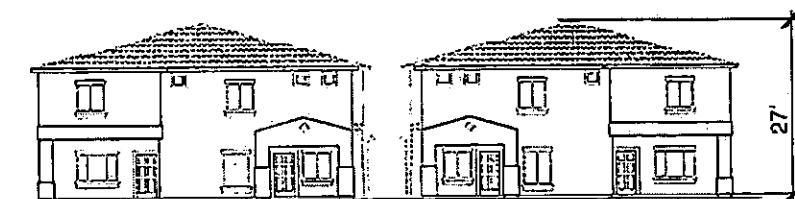
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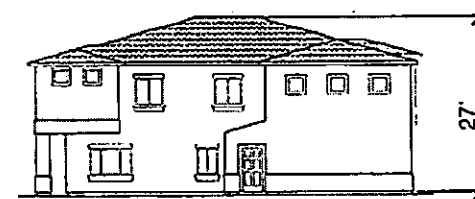
FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



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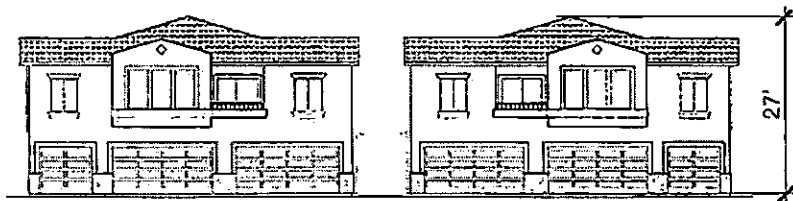
AVE. ONE TOWNHOMES - BUILDING TYPE 2 OPTION A EXTERIOR ELEVATIONS

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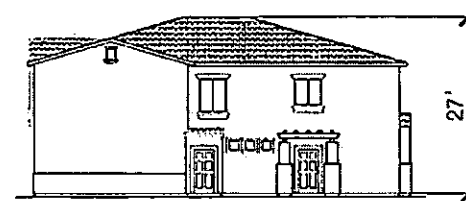
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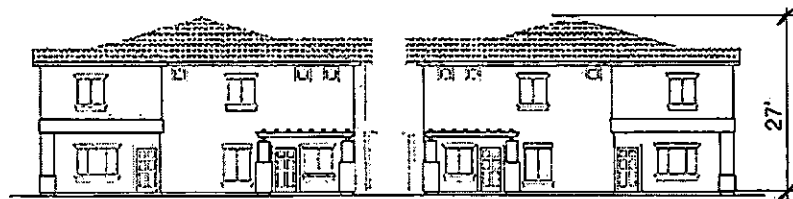
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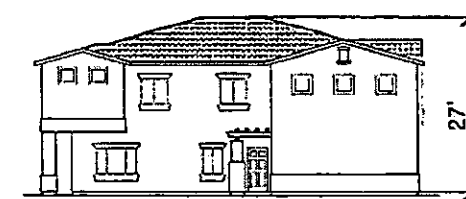
FRONT ELEVATION



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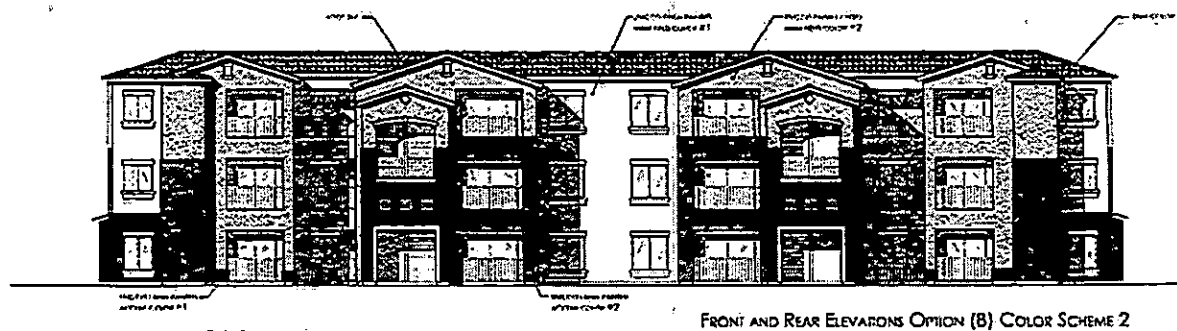
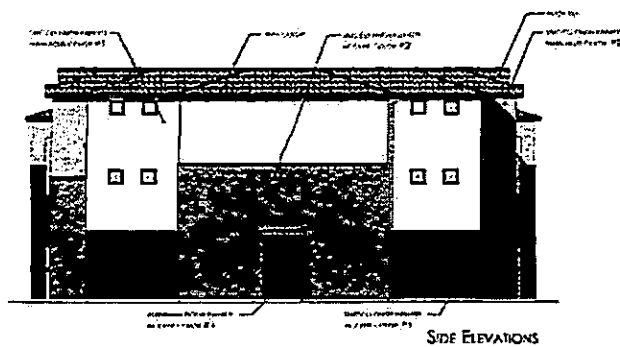
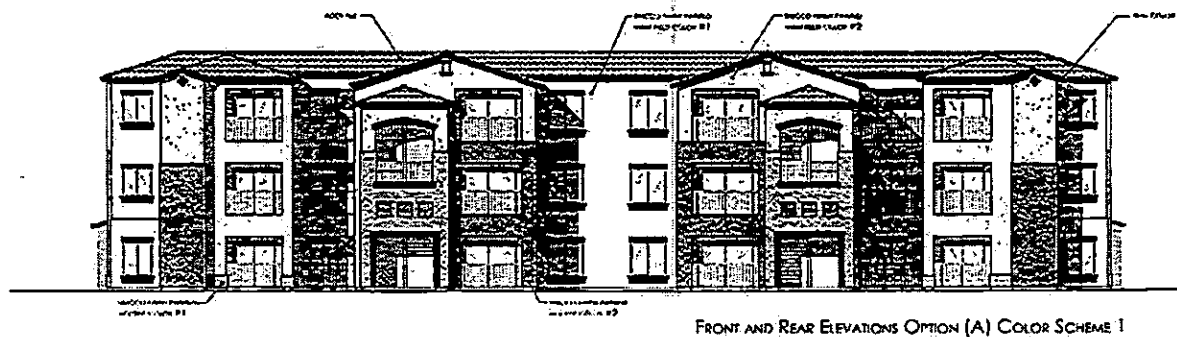
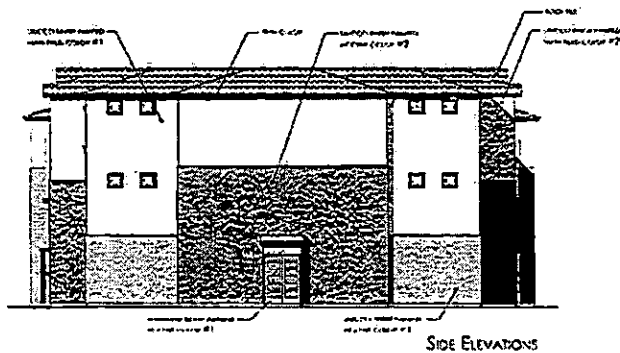
AVE. ONE TOWNHOMES - BUILDING TYPE 2 OPTION B EXTERIOR ELEVATIONS

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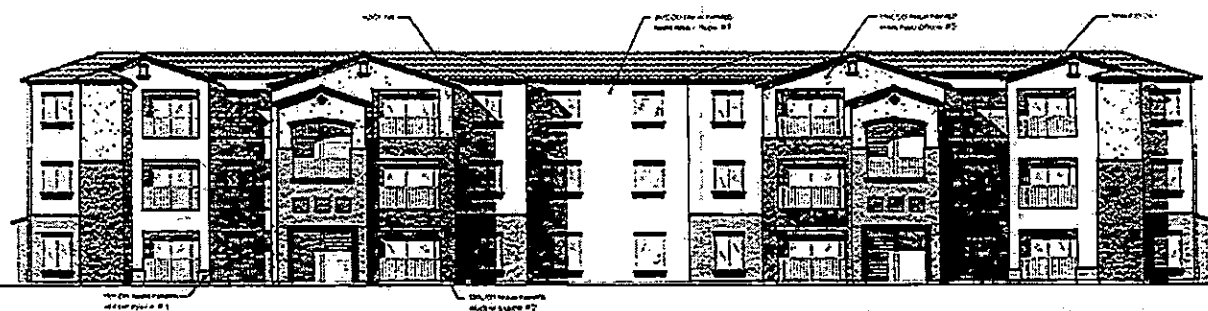
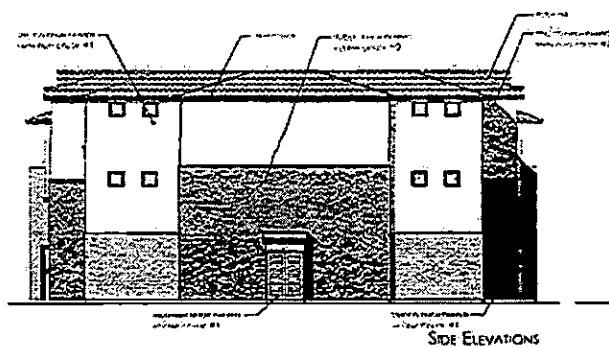
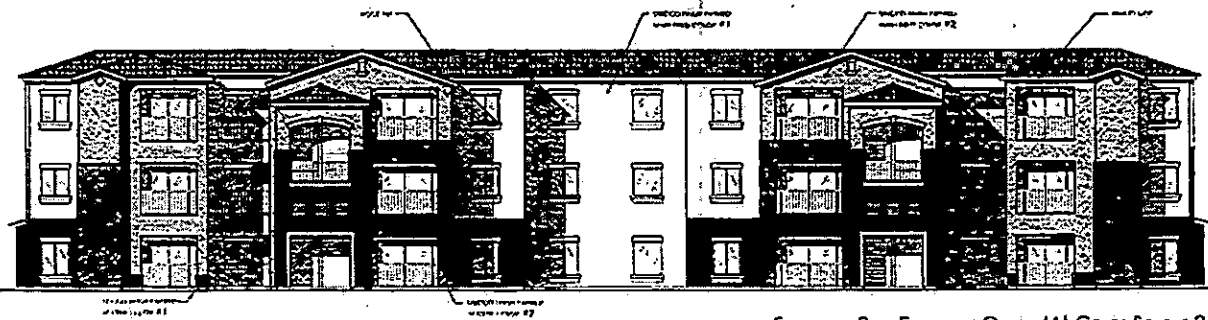
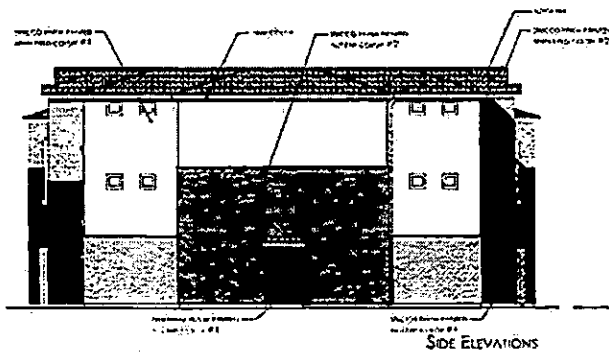
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AVE. ONE APARTMENTS - 24 PLEXES



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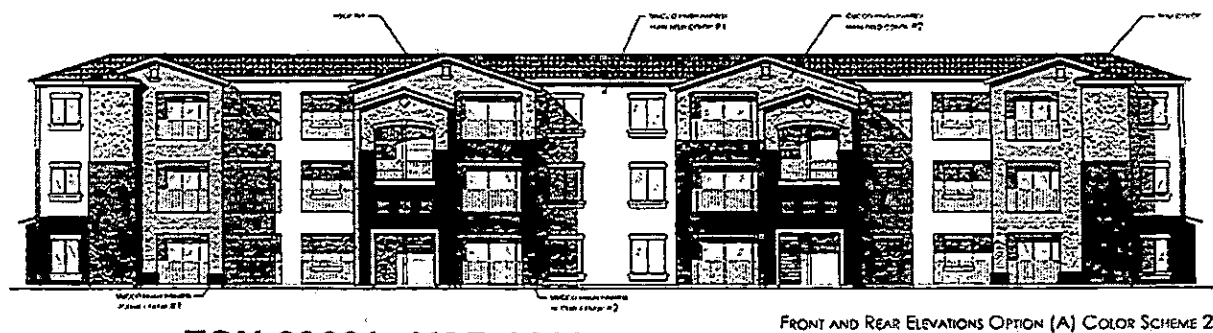
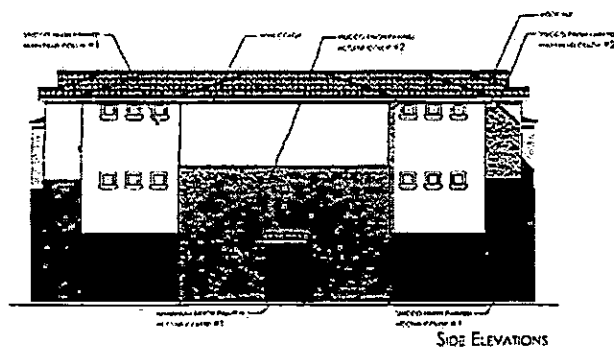
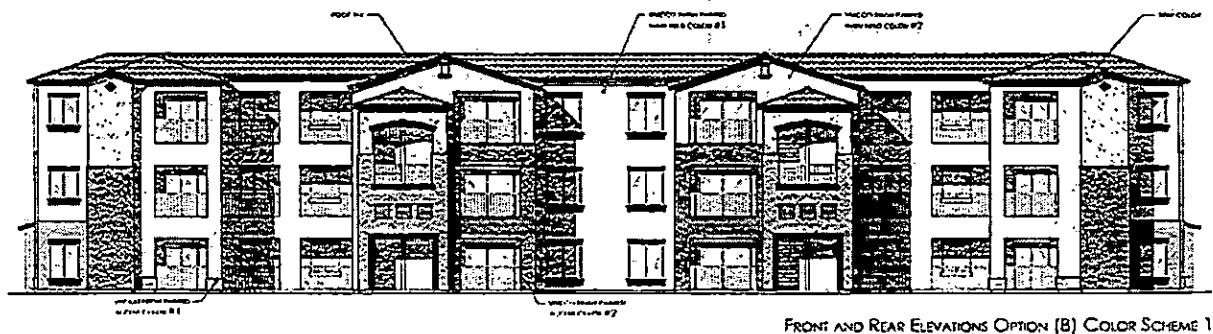
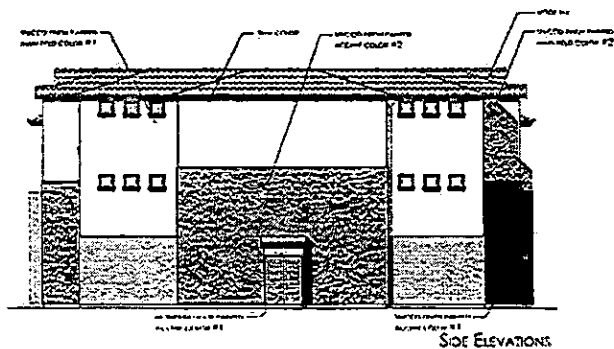
AVE. ONE APARTMENTS - 24 PLEXES (2 BEDROOMS)



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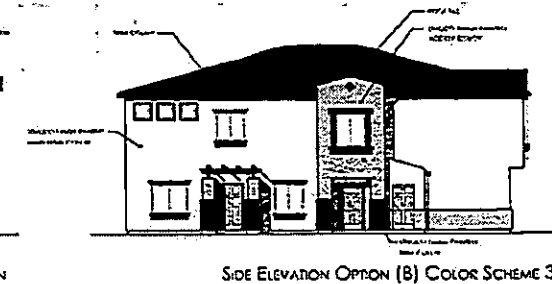
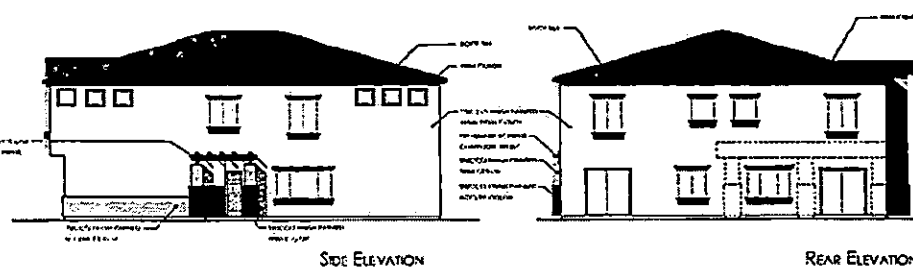
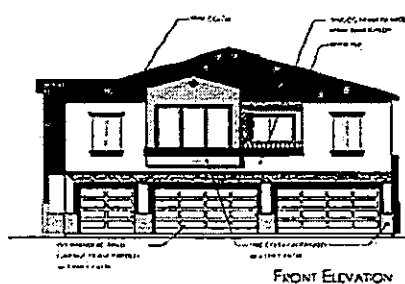
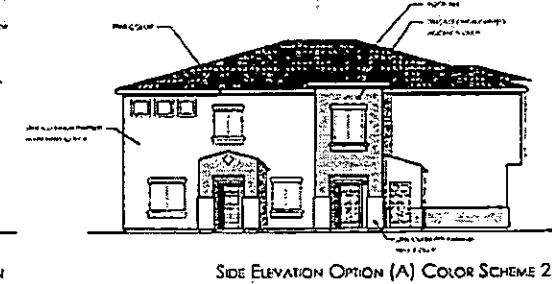
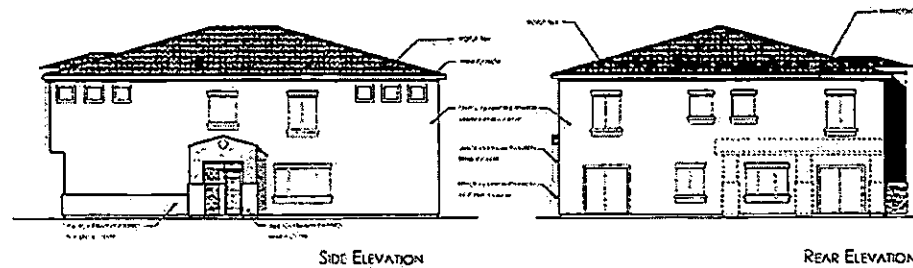
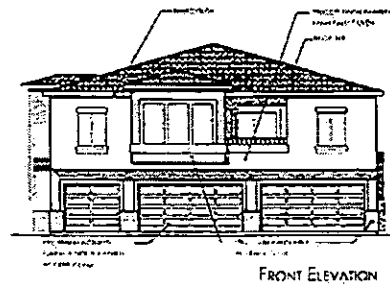
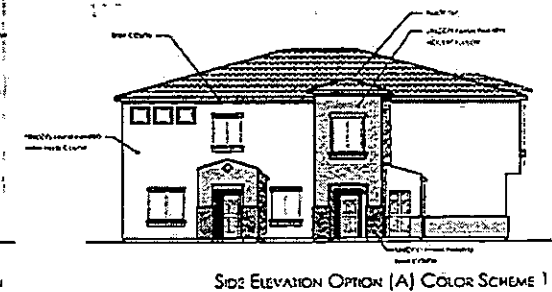
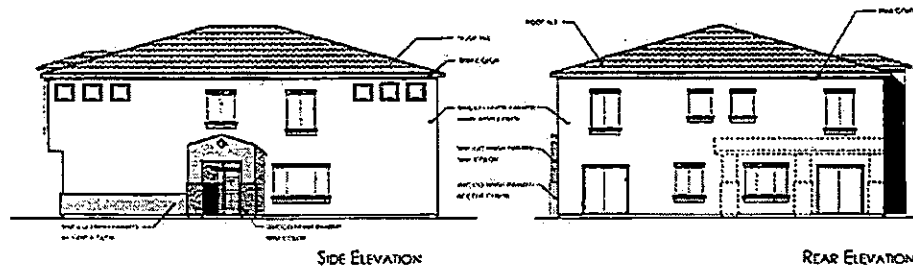
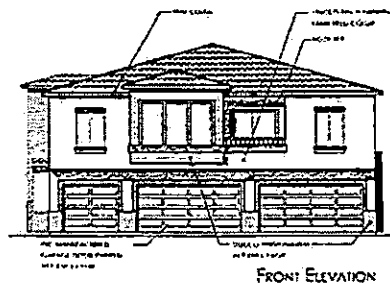
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AVE. ONE APARTMENTS - 24 PLEXES (3 BEDROOMS)



AVE. ONE CONDOMINIUMS - TRI-PLEXES

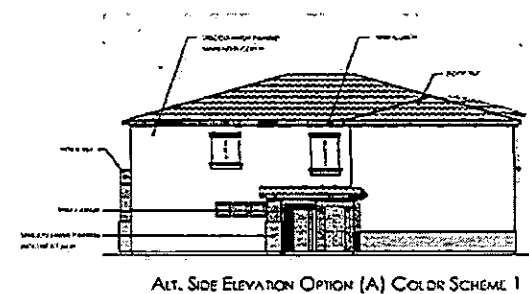
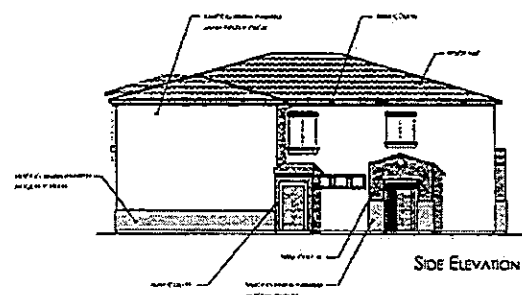
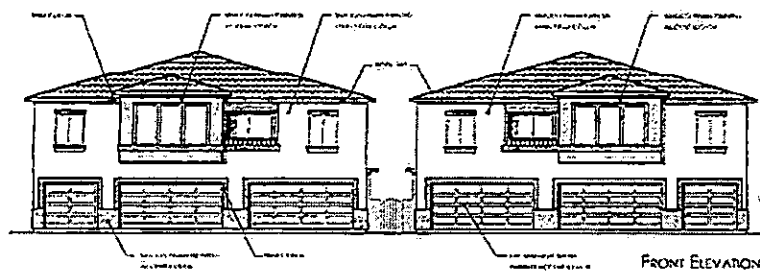
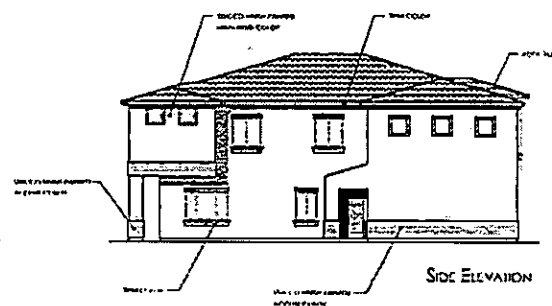
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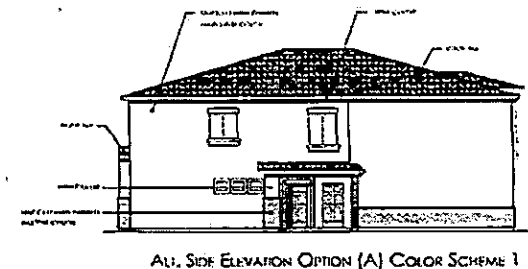
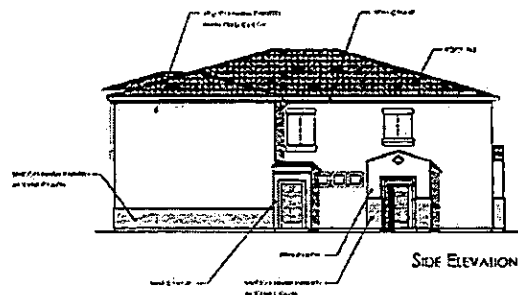
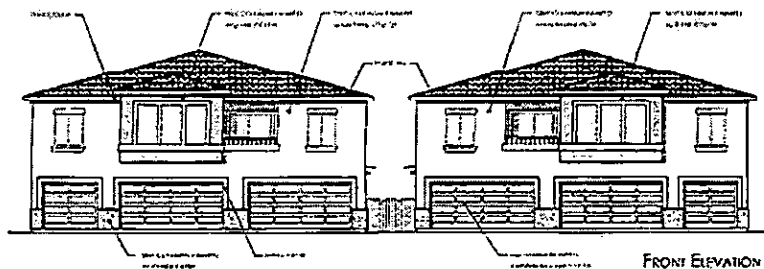
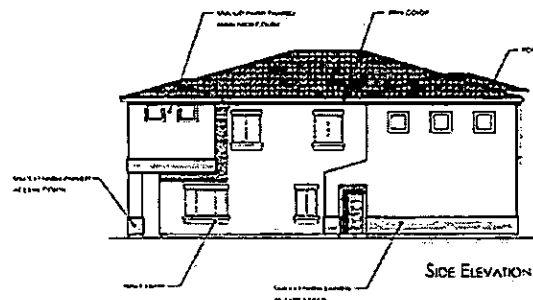
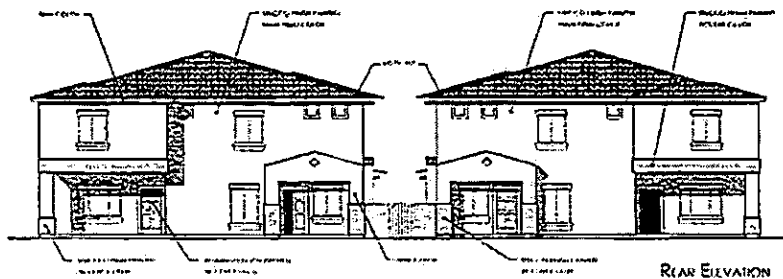
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AVE. ONE CONDOMINIUMS - LINKED TRI-PLEXES OPTION (A) - COLOR SCHEME 2

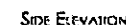


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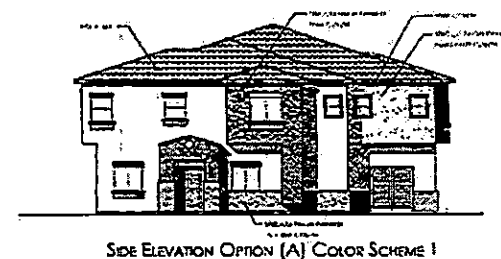
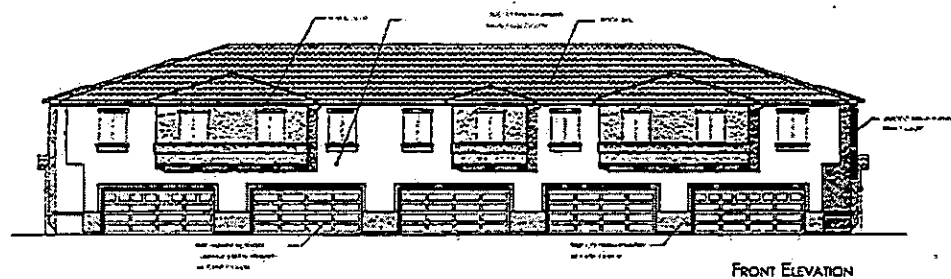
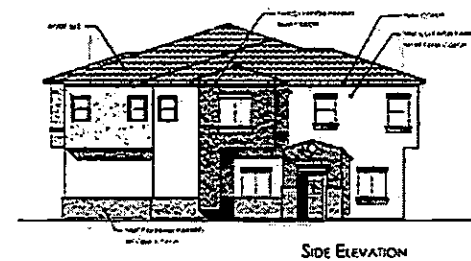
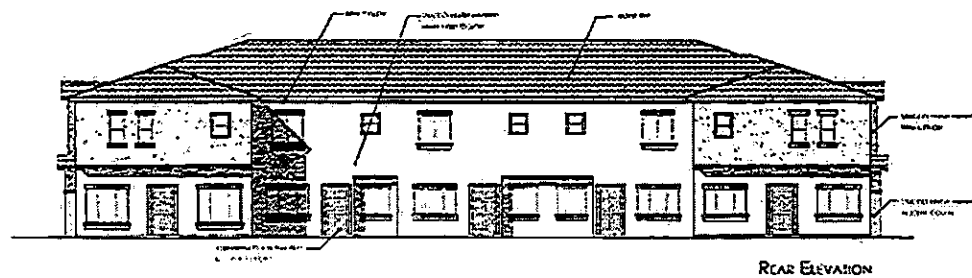
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AVE. ONE CONDOMINIUMS - 5 PLEXES OPTION (A) - COLOR SCHEME 1

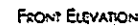
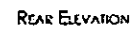
⁶² For information on the various forms of violence against women, see the report of the Commission on the Status of Women, 1994, *Violence Against Women: A Report of the Commission on the Status of Women*, New York: United Nations, 1994, p. 10. The report also notes that the Commission on the Status of Women, 1994, *Violence Against Women: A Report of the Commission on the Status of Women*, New York: United Nations, 1994, p. 10.



ZON-29661 VAR-29663
SDR-29658 10/09/08 PC

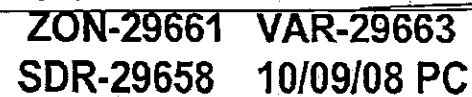
AUGUST 26, 2008





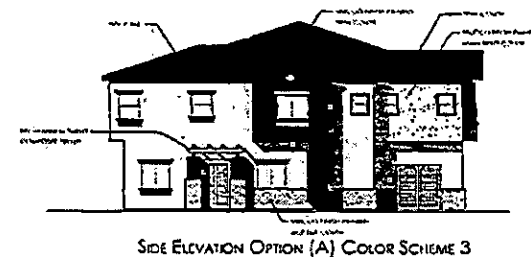
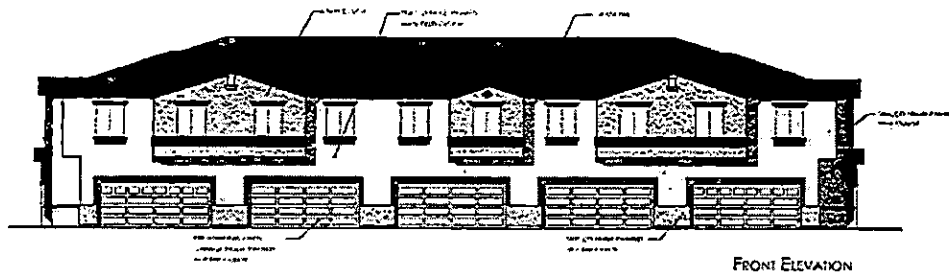
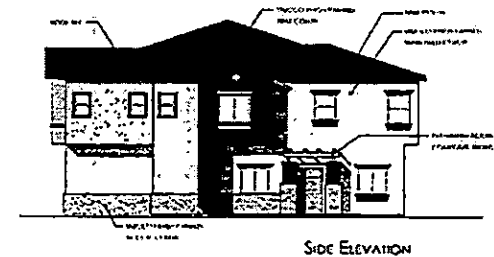
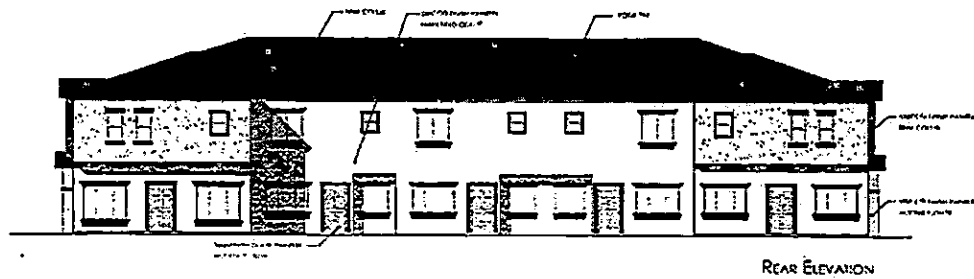
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¹² Das unterzeichnete Unternehmen hat sich nicht an der Erhebung der Daten beteiligt. Die Erhebung der Daten wurde durch das Unternehmen durchgeführt, um die Ergebnisse der Erhebung zu überprüfen und die Ergebnisse der Erhebung zu bestätigen.



AUGUST 26, 2008.





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AVE. ONE CONDOMINIUMS - 5 PLEXES OPTION (B) - COLOR SCHEME 3

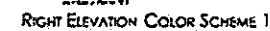
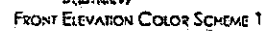
By the undersigned architect, certain work submitted hereon is hereby accepted. Subsequent to the date of this acceptance, no further modifications to the plans shall be made without the written consent of the undersigned architect. The undersigned architect shall be responsible for the completion of the project in accordance with the plans and specifications submitted herewith.



ZON-29661 VAR-29663
SDR-29658 10/09/08 PC

AUGUST 26, 2008





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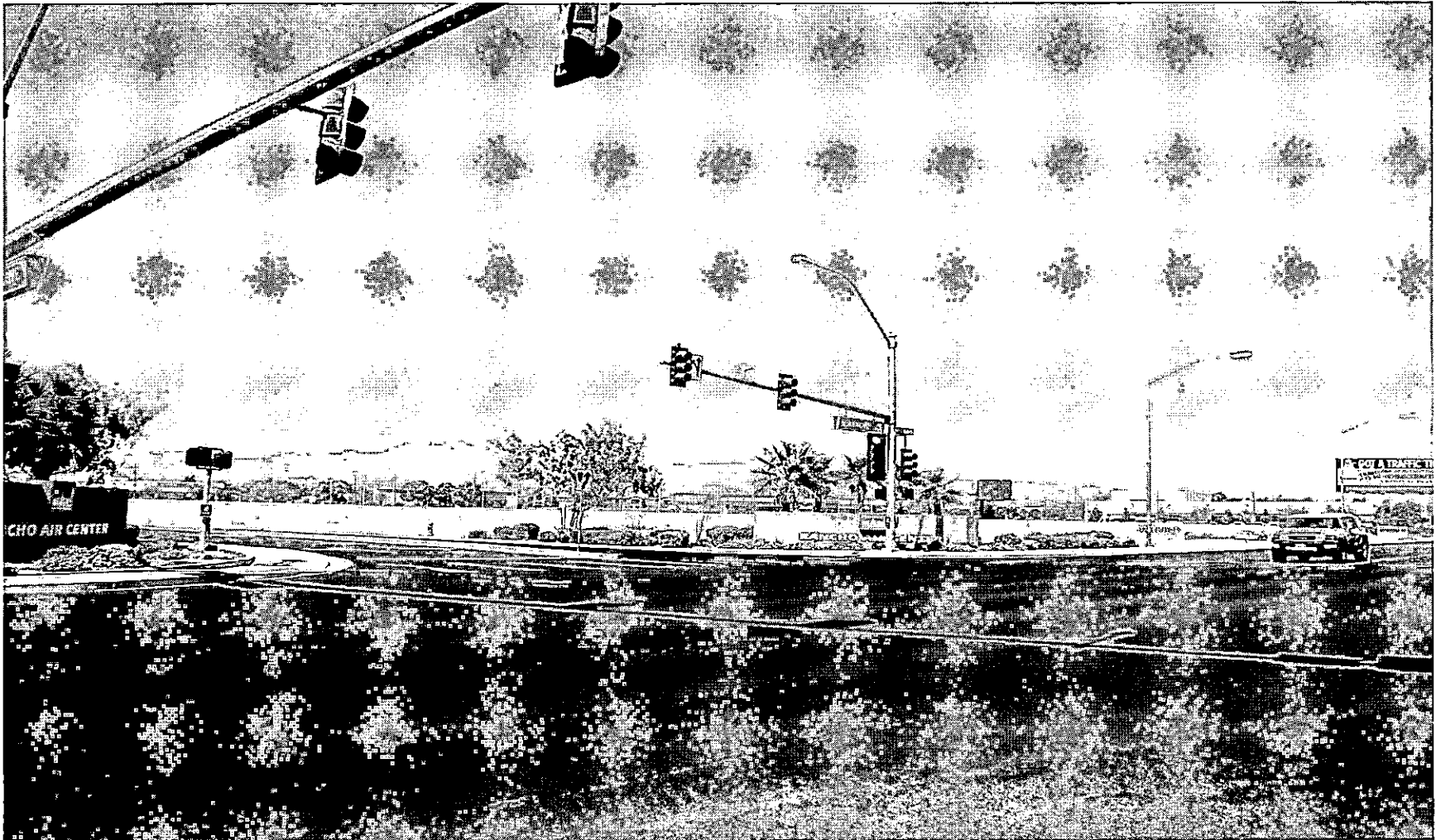
PAGEANTRY
HOMES

AUGUST 26, 2008



SDR 29658				
Pageantry Homes				
NWC of Rancho Dr. & Smoke Ranch Rd.				
Proposed 654-unit multi-family development.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RES. CONDO/TOWNHOUSE [DWELL]	350	5.86	2,051
AM Peak Hour			0.44	154
PM Peak Hour			0.52	182
(heaviest 60 minutes)				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	APARTMENT [DWELL]	304	6.72	2,043
AM Peak Hour			0.51	155
PM Peak Hour			0.62	188
(heaviest 60 minutes)				
Total New Use		#UNIT		TOTAL
Average Daily Traffic (ADT)	MULTI-FAMILY DEVELOPMENT [DWELL]	654		4,094
AM Peak Hour				309
PM Peak Hour				370
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Smoke Ranch Rd.				
Average Daily Traffic (ADT)	16,903			
PM Peak Hour	1352			
(heaviest 60 minutes)				
Rancho Dr.				
Average Daily Traffic (ADT)	48,917			
PM Peak Hour	3913			
(heaviest 60 minutes)				
Decatur Blvd.				
Average Daily Traffic (ADT)	26,425			
PM Peak Hour	2114			
(heaviest 60 minutes)				

Traffic Capacity of adjacent streets:				
	Adjacent Street ADT Capacity			
Smoke Ranch Rd.	32775			
Rancho Dr.	51800			
Decatur Blvd.	51800			
This project will add approximately 4,094 trips per day on Smoke Ranch Rd., Rancho Dr., and Decatur Blvd. This will increase expected volumes by about 24 percent on Smoke Ranch, by about 8 percent on Rancho, and by about 15 percent on Decatur. Currently Smoke Ranch is at about 52 percent of capacity, Rancho is at about 94 percent of capacity, and Decatur is at about 51 percent of capacity.				
Based on Peak Hour use, this development will add roughly 22 additional cars into the area; which works out to about 6 every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



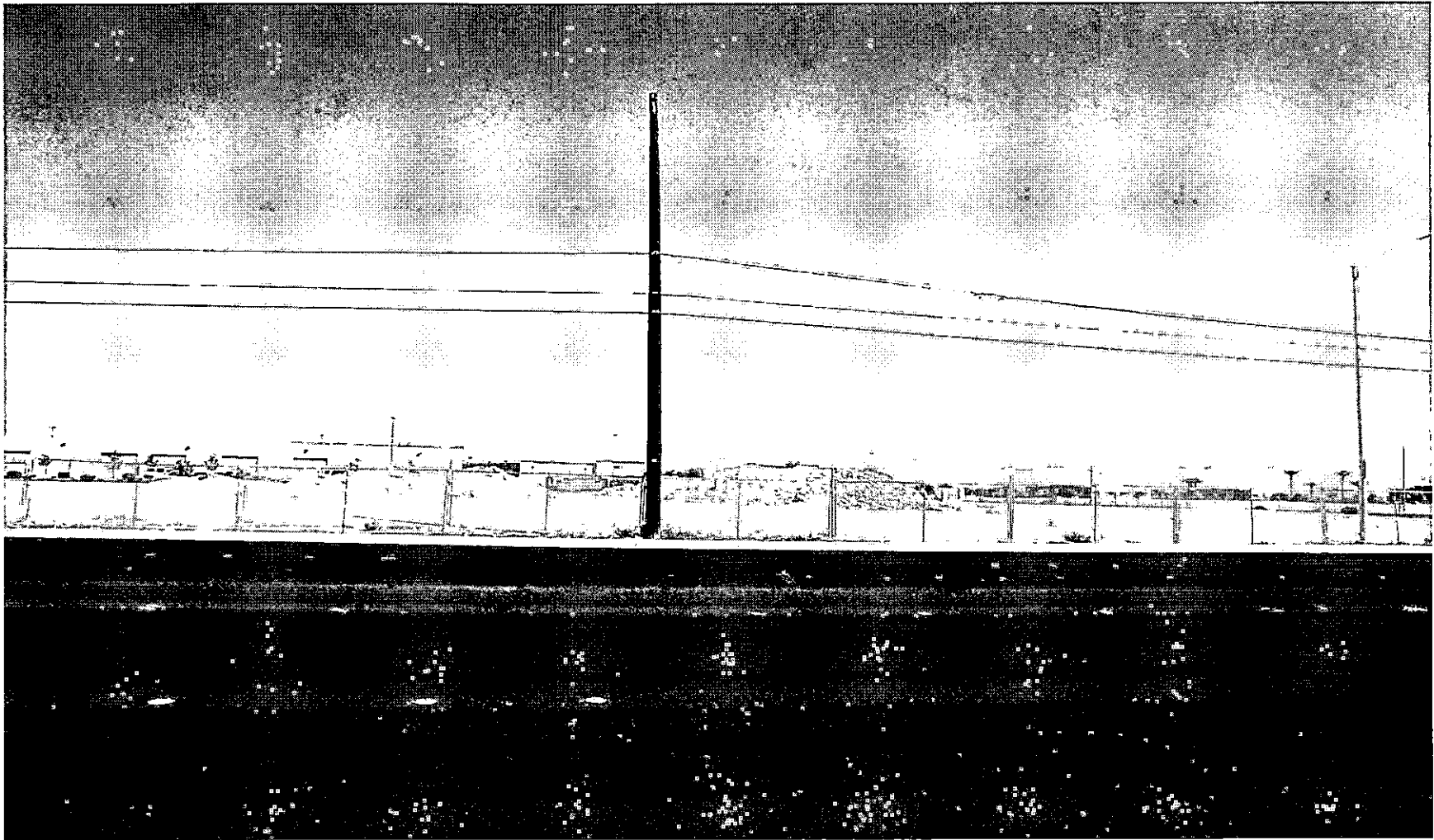
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RANCHO PARK RESIDENTIAL, LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



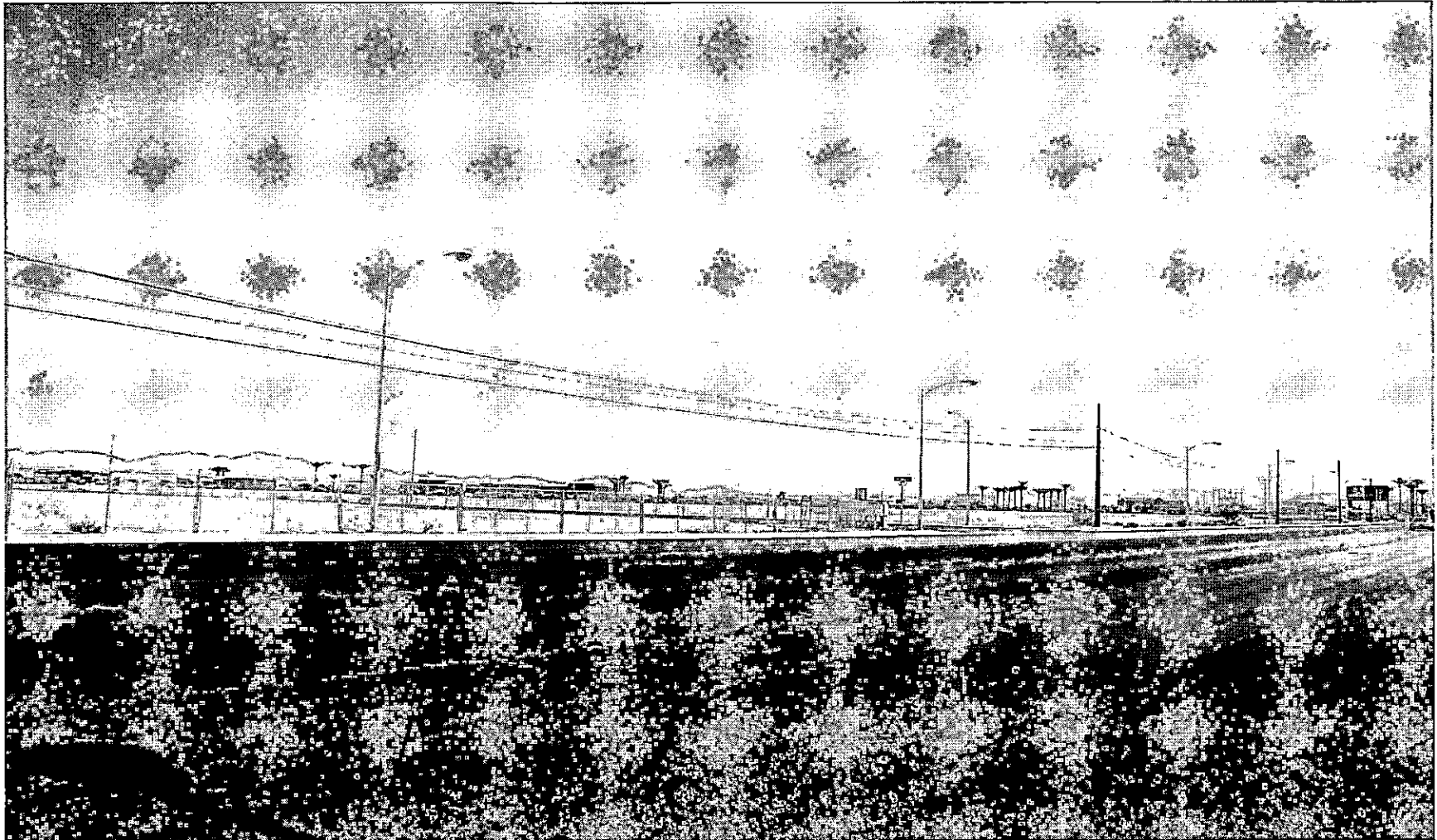
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OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



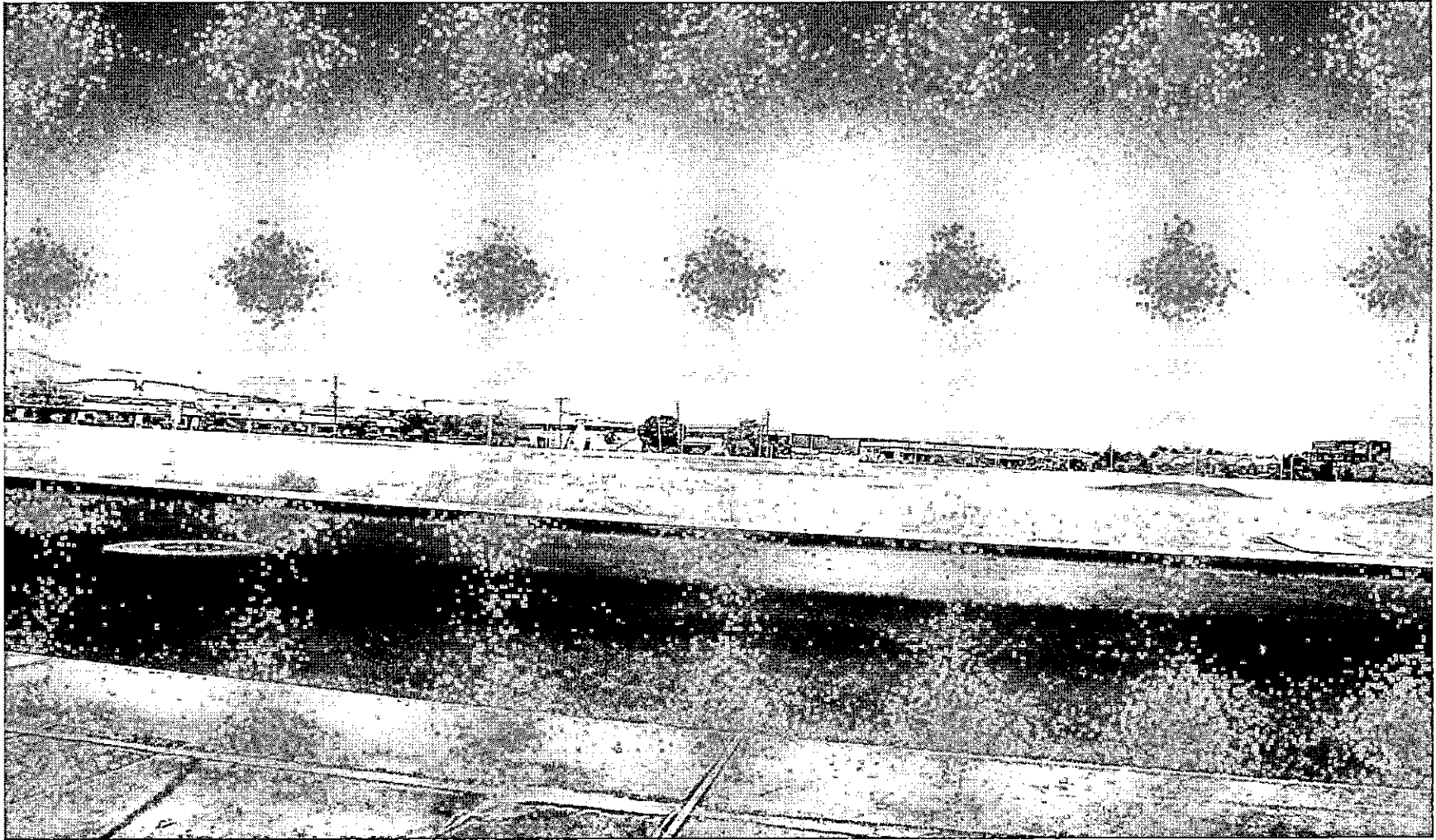
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NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



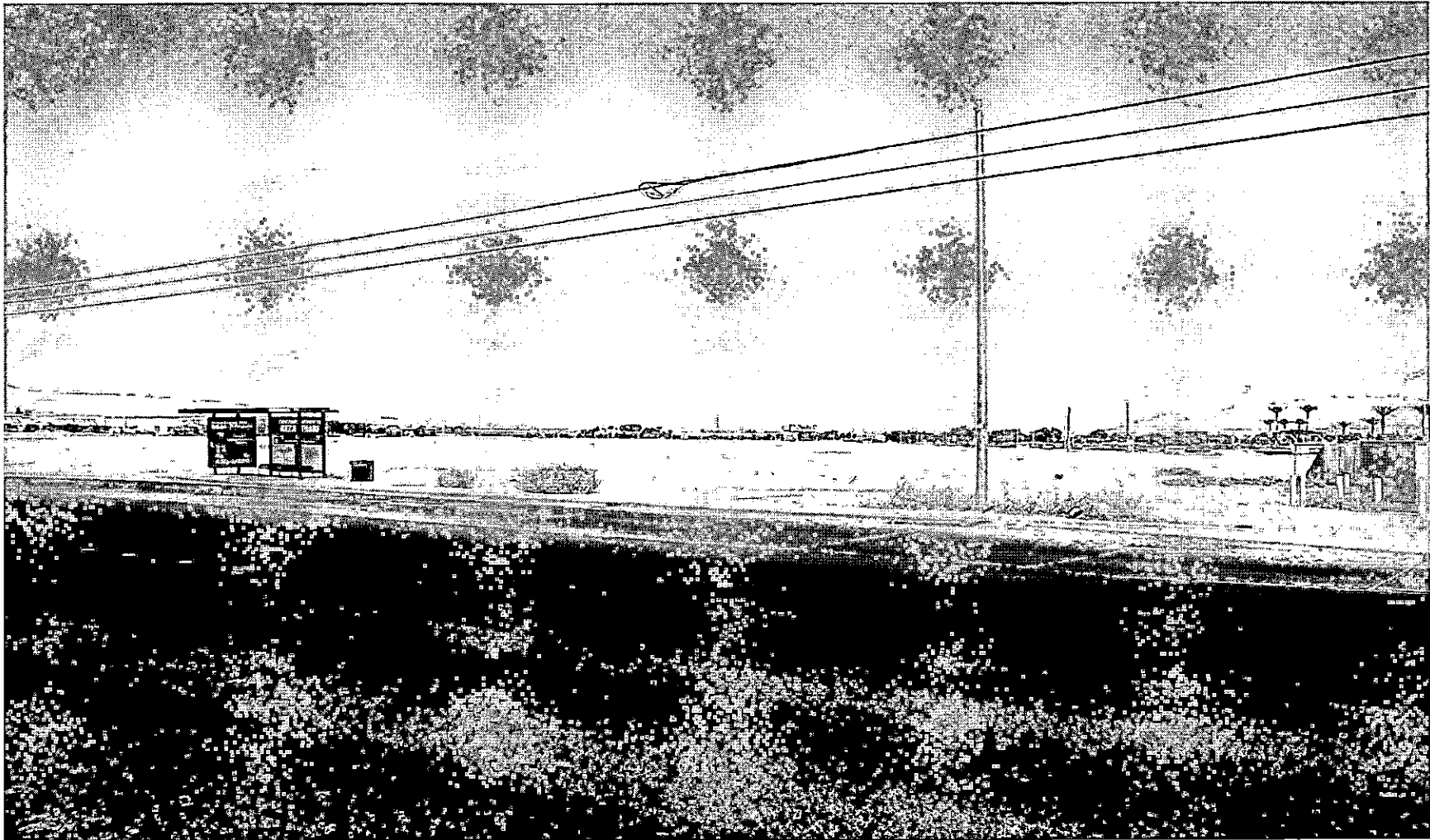
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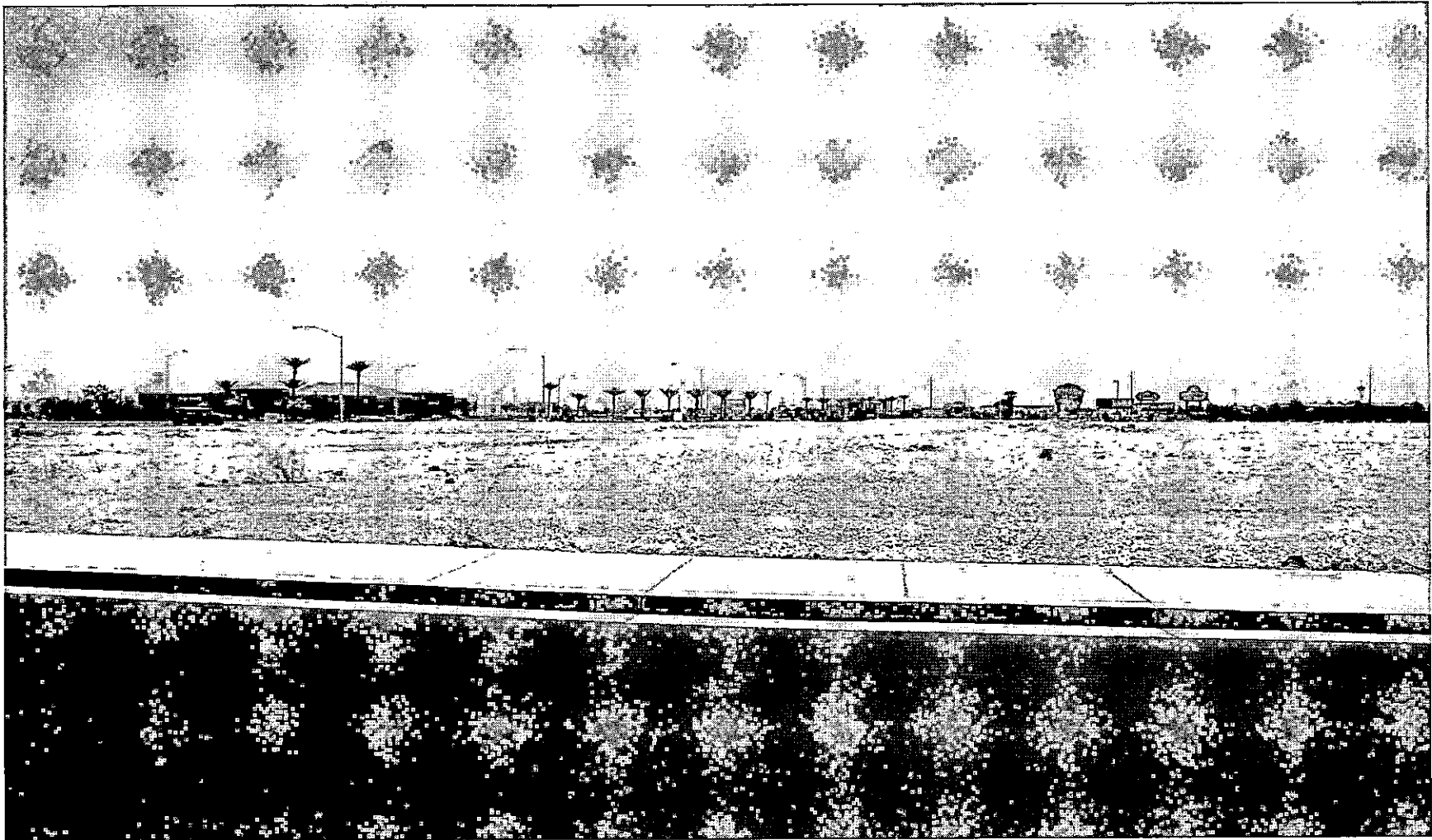
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OCTOBER 9, 2008 PLANNING COMMISSION

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SDR-29658 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: PAGEANTRY HOMES - OWNER:
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OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



SDR-29658 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: PAGEANTRY HOMES - OWNER:
RANCHO PARK RESIDENTIAL, LLC
NORTHWEST CORNER OF RANCHO DRIVE AND SMOKE RANCH ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08

**KUMMER
KAEMPFER**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kkbrf.com
702.693.4215

**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.952.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.9300
Fax: 775.882.0257

August 26, 2008

VIA HAND DELIVERY

City of Las Vegas
PLANNING & DEVELOPMENT DEPARTMENT
731 So. Fourth Street
Las Vegas, NV 89101

**Re: Justification Letter – Rancho Park Residential, LLC
Site Development Review, Zone Change & Variance
APN: 139-18-410-012**

To Whom It May Concern:

Please be advised this office represents Rancho Park Residential, LLC (the "Applicant"), in the above referenced matter. The Applicant is requesting to amend an approved site development plan and conforming zone change for property generally located on the northwest corner of Rancho Drive and Smoke Rancho Road, more particularly know as assessor's parcel number 139-18-410-012 (the "Site"). The Site is approximately 33.7 acres and under resolution of intent for RPD 16 zoning.

On or about June 6, 2007, the Las Vegas City Council approved SDR-20523 and ZON-20512 for the original site plan consisting of a multi-family development on the Site. Subsequently, on or about May 21, 2008, the Las Vegas City Council granted a first extension of time for both the site development plan and the zone change via EOT-27589 and EOT-27588, respectively.

The Applicant is requesting to amend the approved site development plan to include a townhome product. The site plan layout has changed slightly from the original approval because of the new townhome product. Access to the Site will be from Rancho Drive with a spine road through the Site providing additional access to the Site from Decatur Boulevard. The Site will consist of a mixture of townhomes and apartments. The total number of units will be 654 with a blended density of less than twenty (20) units/acre across the Site. The Site will have 350 condo units and 304 apartment units. The Site is master planned to allow densities up to twenty-five (25) units/acre.

The buildings will be a mixture of two (2) and three (3) stories with heights ranging between twenty-seven feet (27') and thirty-four feet (34'). Two (2) story buildings will align along the primary entry way to help soften the entrance.

**SDR-29658
10/09/08 PC**



KUMMER

KAEMPFER

City of Las Vegas
PLANNING & DEVELOPMENT DEPARTMENT
August 26, 2008
Page 2

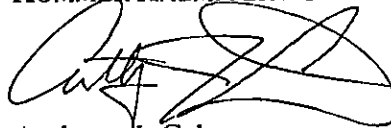
In addition to the site development review and conforming zone change, the Applicant is seeking a slight reduction in parking. The code requires 1231 parking spaces and the Site is providing 1185 parking spaces; only about a 3.74% reduction in parking. The slight reduction in parking is appropriate for the Site based on the urban setting and public transit near the Site. Numerous bus lines provide for easy transportation along the major rights-of-way of Decatur Boulevard, Rancho, and Smoke Ranch.

The Applicant is also requesting a reduction in open space. However, amenities provided within the Site include, but not limited to: a clubhouse, a recreation building, pools with spas, open space, and a network of pedestrian friendly walkways. The Site also meets all setback and landscaping requirements.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO



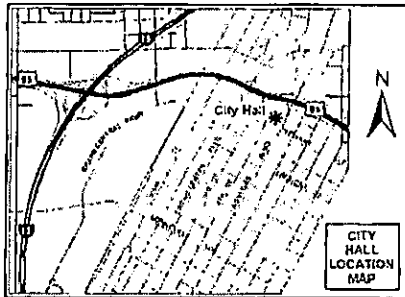
Anthony J. Celeste

AJC/dmf

SDR-29658
10/09/08 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**



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☐

I SUPPORT
 this Request

☒

I OPPOSE
 this Request

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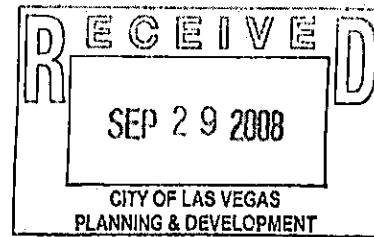
VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

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Case: VAR-29958

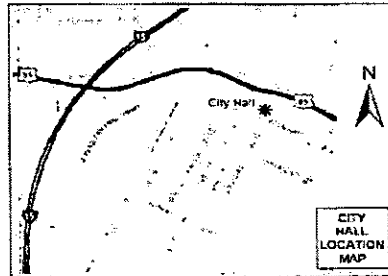
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HARRAH'S ENTERTAINMENT

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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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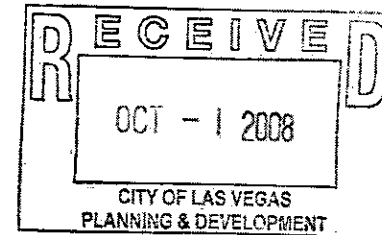
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VAR-29958 & SDR-29658

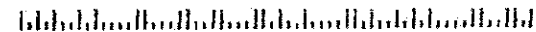
Planning Commission Meeting of 10/9/2008



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Case: VAR-29958

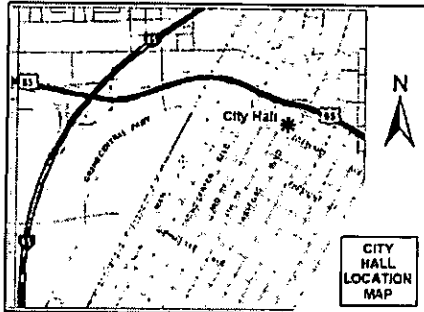
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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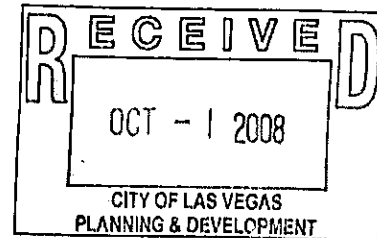
VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

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2308 VALLEY DR
LAS VEGAS NV 89108-2948

Case: VAR-29958

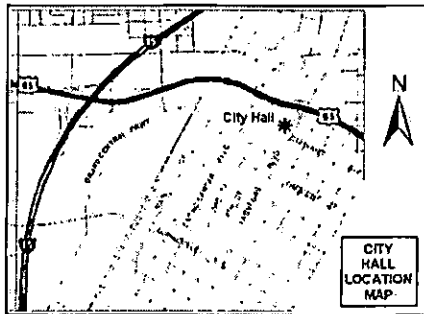
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City of Las Vegas
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 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

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I SUPPORT
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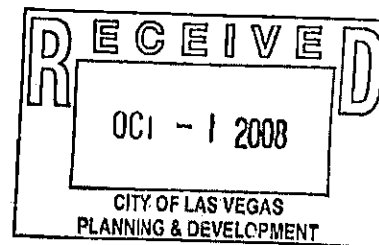
VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

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 4329 EUGENE AVE
 LAS VEGAS NV 89108-2815

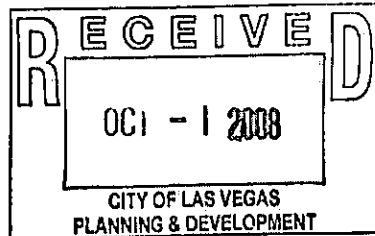
Case: VAR-29958

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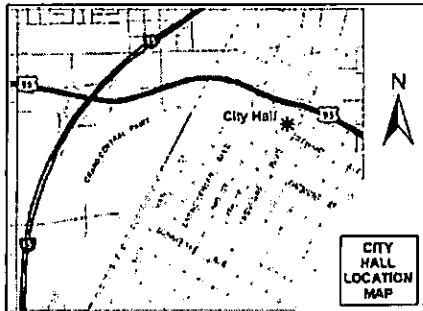


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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986



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I keep hearing that we have a water shortage and restrictions when we can water In Las Vegas what I don't understand is why the Planning & Development Dept Keep giving permits to contractors to keep building track homes, especially where There are so many foreclosures in this state than any other, plus 3 story units does Not fit with 1 & 2 story homes

Maurice A Therriault
2720 Stargate Street
Las Vegas, NV 89108

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☐ I SUPPORT
this Request

☒ I OPPOSE
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VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

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Case: VAR-29958
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2720 STARGATE ST
LAS VEGAS NV 89108-4061

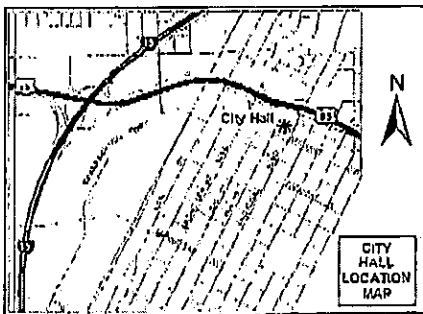
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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this Request



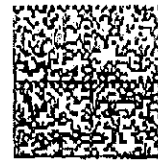
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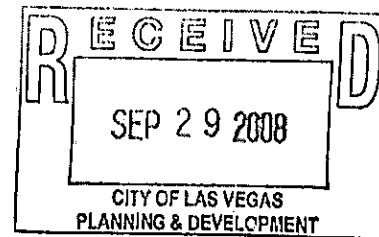
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Planning Commission Meeting of 10/9/2008

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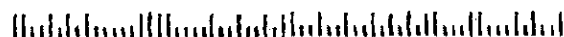


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1700 S 8TH ST
LAS VEGAS NV 89104-2845

Case VAR-29958

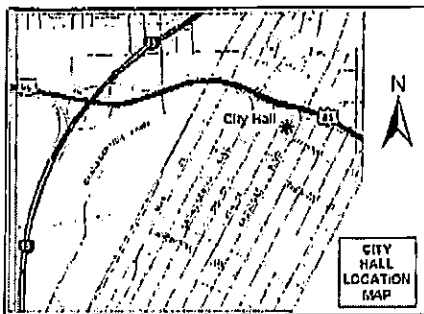
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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Official Notice of Public Hearing**



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I SUPPORT
this Request



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Please use available blank space on card for your comments.

VAR-29958 & SDR-29658

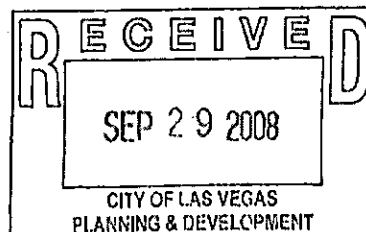
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Case: VAR-29958

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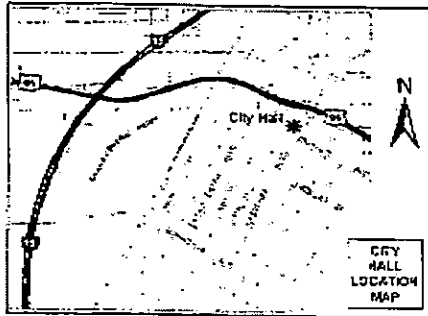
Oct. 02 2008 12:12PM P1

FAX NO. : 408 926 2584

FROM : Lorrie Residential Care Home

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

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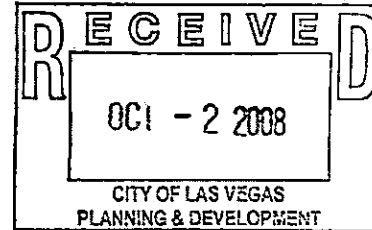
VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

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14918 REYNAUD DR
SAN JOSE CA 95127-2565

CAVDS11 95127



#26027

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VAR-29604 - VARIANCE - PUBLIC HEARING - APPLICANT: DAVID MARQUIS - OWNER: MARQUIS FAMILY REVOCABLE LIVING TRUST - Request for a Variance TO ALLOW A THREE-FOOT SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED FOR A PROPOSED 406 SQUARE-FOOT GARAGE ADDITION on 0.23 acres at 5001 Wild Thyme Avenue (APN 125-24-512-042), R-PD3 (Residential Planned Development - 3 Units per Acre) Zone, Ward 6 (Ross)

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.

4

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. Homeowners Association Additional Information
7. Protest/Support Postcard
8. Submitted after Final Agenda – Protest/Support Postcards
9. Submitted after Meeting – Recordation Notice of Planning Commission Action and Conditions of Approval

Motion made by RICHARD TRUESDELL to Approve subject to conditions

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

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

Minutes:

CHAIR GOYNES declared the Public Hearing open.

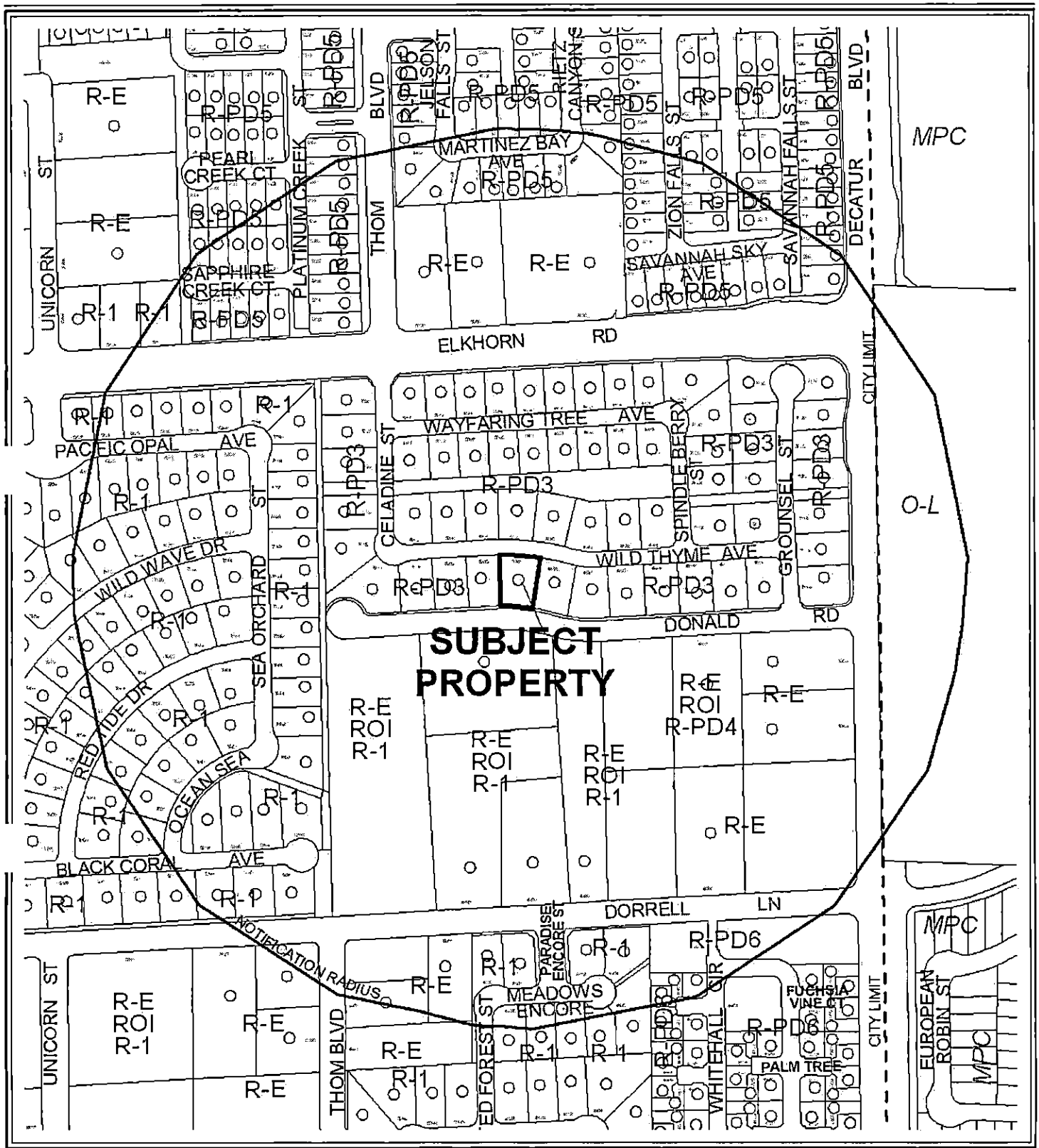
PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DOUG RANKIN, Planning and Development Department, stated this request is a self-imposed hardship and recommended denial.

ROBIN MARQUIS, 5001 Wild Thyme Avenue, explained that her family needs the additional garage for storage. She requested approval of the Variance.

MELANIE SHAROU, 4935 Wild Thyme Avenue, appeared in support of the Variance.

CHAIR GOYNES declared the Public Hearing closed.



CASE: **VAR-29604**

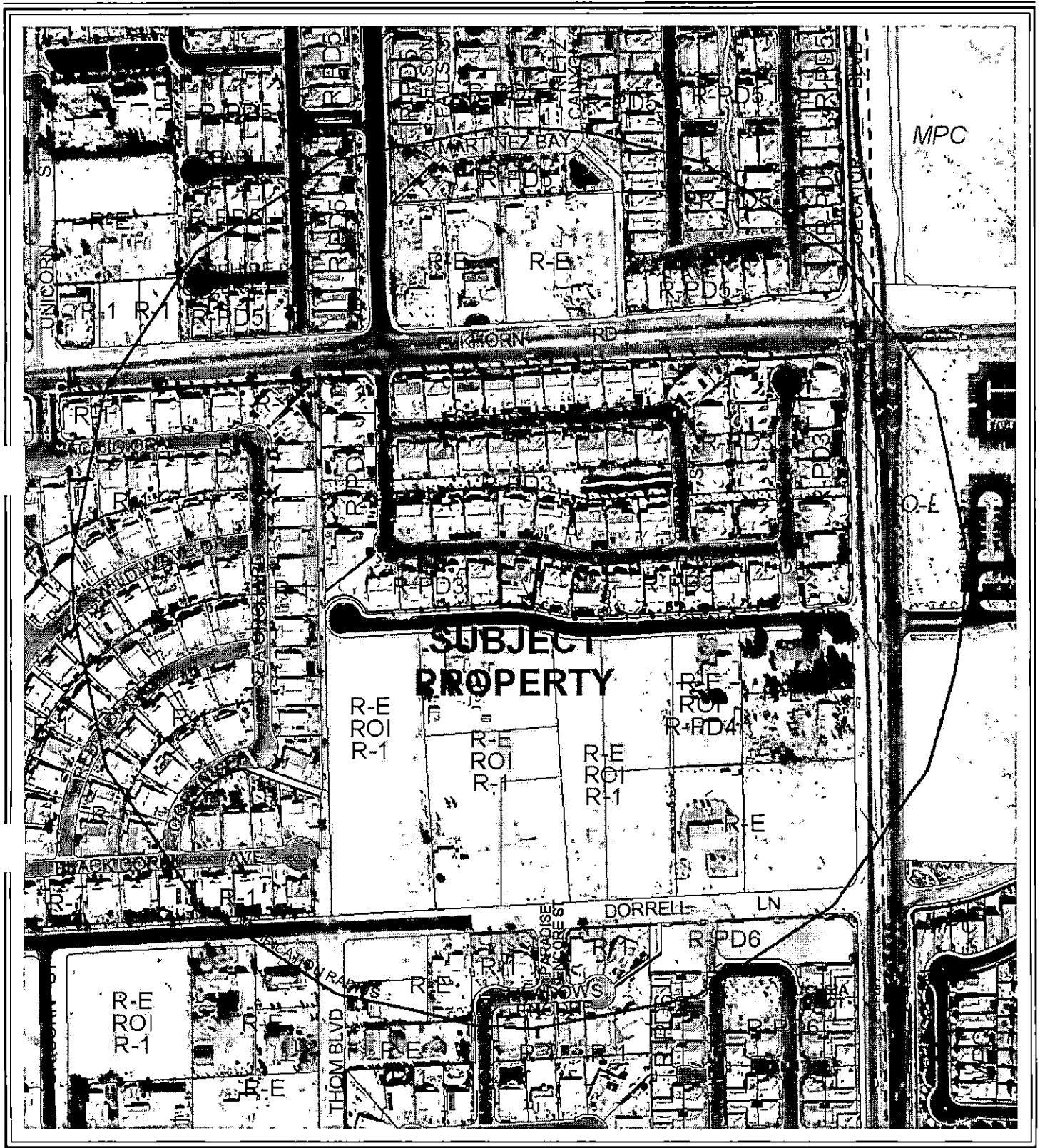
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 500 Feet





CASE: VAR-29604

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-29604 – APPLICANT: DAVID MARQUIS - OWNER:
MARQUIS FAMILY REVOCABLE LIVING TRUST**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a 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-29604 - Staff Report Page One
October 9, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Variance to allow a three-foot side yard setback where five feet is the minimum required on an R-PD3 (Residential Planned Development – 3 Units per Acre) zoned property at 5001 Wild Thyme Avenue. The applicant is requesting this Variance to accommodate a 406 square-foot attached garage addition to the existing 2,387 square-foot single-story residence. The residence currently has a 625 square-foot attached garage; this proposed garage addition would provide additional storage space for the applicant. This is a 40 percent deviation from the standard.

Due to the self-imposed hardship created by the applicant, staff is recommending denial of this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/05/99	The Planning Commission withdrew without prejudice a request for a Rezoning (Z-0016-99) of property located on the west side of Decatur Boulevard, between Elkhorn Road and Dorrell Lane from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units per Acre) to R-PD6 (Residential Planned Development – 6 Units per Acre).
08/12/99	The Planning Commission held in abeyance indefinitely a request for a Rezoning (Z-0037-99) on property located on the south side of Elkhorn Road, between Decatur Boulevard and Jeanette Street from R-E (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units per Acre) and R-PD5 (Residential Planned Development – 5 Units per Acre) for a 260-lot single-family subdivision.
04/04/01	The City Council withdrew without prejudice a request for a Variance (V-0004-01) to allow 30,492 square feet of open space where 43,124 square feet is the minimum required for a 60-lot single-family residential development at the southwest corner of the intersection of Decatur Boulevard and Elkhorn Road. The Planning Commission recommended denial of this application.
05/02/01	The City Council approved a request for Rezoning (Z-0005-01) from R-E (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units per Acre) at the southwest corner of the intersection of Decatur Boulevard and Elkhorn Road. The Planning Commission recommended approval of this application.

VAR-29604 - Staff Report Page Two
October 9, 2008 - Planning Commission Meeting

05/02/01	The City Council approved a request for a Site Development Plan Review [Z-0005-01(1)] for a proposed 60-lot single-family residential development at the southwest corner of the intersection of Decatur Boulevard and Elkhorn Road. The Planning Commission recommended denial of this application.
11/26/01	A Final Map (FM-0061-01) was administratively approved for Mystic Valley II at the southwest corner of the intersection of Decatur Boulevard and Elkhorn Road.
Related Building Permits/Business Licenses	
09/12/02	A building permit (#2016430) was issued for a single-family dwelling at 5001 Wild Thyme. The permit was finalized on 12/06/02.
12/12/02	A building permit (#2022253) was issued for a pool at 5001 Wild Thyme. The permit was finalized on 04/25/03.
04/16/03	A building permit (#3007514) was issued for a patio cover at 5001 Wild Thyme. The permit expired on 11/01/03.
02/03/06	A building permit (#59176) was issued for minor electrical for an above-ground fiberglass spa at 5001 Wild Thyme. The permit expired on 09/06/06.
Pre-Application Meeting	
08/13/08	A pre-application meeting was held where the submittal requirements for a side yard setback Variance were discussed.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
09/02/08	A routine field check revealed a well maintained single-family residence. Nothing of concern was noted by staff.

Details of Application Request	
Site Area	
Net Acres	0.23

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-Family Residence	ML (Medium Low Density Residential)	R-PD3 (Residential Planned Development – 3 Units per Acre)
North	Single-Family Residence	ML (Medium Low Density Residential)	R-PD3 (Residential Planned Development – 3 Units per Acre)
South	Vacant Land / Single-Family Residence	L (Low Density Residential)	R-E (Residence Estates) Under Resolution of Intent to R-1 (Single Family Residential)

VAR-29604 - Staff Report Page Three
October 9, 2008 - Planning Commission Meeting

East	Single-Family Residence	ML (Medium Low Density Residential)	R-PD3 (Residential Planned Development – 3 Units per Acre)
West	Single-Family Residence	ML (Medium Low Density Residential)	R-PD3 (Residential Planned Development – 3 Units per Acre)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.040(C)(4), the development standards for a project shall be established by the approval of an R-PD District and the approved Site Development Plan as described in Subchapter 19.18.050. The development standards were established by {Site Development Plan Review [Z-0005-01(1)]} and were approved by the City Council on 05/02/01.

<i>Standard</i>	<i>Required/Allowed*</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	10,215 s.f.	10,223 s.f.	Y
Min. Lot Width	95.5 ft.	95.5 ft.	Y
Min. Setbacks			
• Front	18 ft.	21 ft.	Y
• Side	5 ft.	3 ft.*	N*
• Corner	10 ft.	N/A	Y
• Rear	15 ft.	39 ft.	Y
Max. Building Height	Single Story or 15.25 feet, whichever is less**	15.25 ft.	Y

**The applicant is requesting a Variance to allow a 3-foot side yard setback where 5 feet is required.*

***Per Title 19.20, building height refers to the average height level between the eaves and ridge line of a gable, hip or gambrel roof.*

VAR-29604 - Staff Report Page Four
October 9, 2008 - Planning Commission Meeting

ANALYSIS

The applicant is requesting this Variance to allow a three-foot side yard setback where five feet is the minimum required on an R-PD3 (Residential Planned Development – 3 Units per Acre) zoned property in order to accommodate a 406 square-foot garage addition to the existing 2,387 square-foot single-story residence. The proposed garage addition would be in addition to the existing 635 square-foot garage. The proposed garage would be on the east side of the single-family residence, extending the east side of the home into the required five-foot side yard setback, thereby reducing the side yard setback to 3 feet. As stated by the applicant in his justification letter, the garage addition would have a stucco finish and tile roof to match the existing residence. The garage addition would also be the same height as the existing single-family residence, 15.25 feet. The proposed 3-foot side yard setback constitutes a 40 percent deviation from the standard.

Alternate site design would have allowed for the garage addition to the existing home without having to compromise the required side yard setback. Due to this self-imposed hardship created by the applicant, staff is recommending denial of this application.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

VAR-29604 - Staff Report Page Five
October 9, 2008 - Planning Commission Meeting

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 221

APPROVALS 2

PROTESTS 1



STATEMENT OF FINANCIAL INTEREST

Name of Representative: DAVE MARQUIS.

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?

~~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: _____

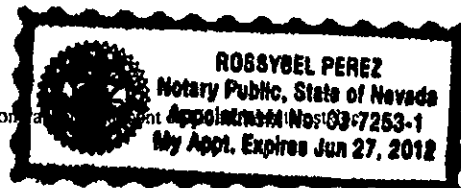
Signature of Property Owner: David Mayhew

Print Name: DAVE MARQUIS

Subscribed and sworn before me

This ~~was~~^{Thurs} day of 8/13 8/2/2008 personally appeared Dave MARCUS.

Notary Public in and for said County and State



DONALD RD.

74.76

BACK YARD
.234 ACRE

EXISTING
HOUSE
2387 $\pm$

NEW
GARAGE
406 $\pm$

EXISTING
GARAGE
625 $\pm$

PARKING

PARKING

WALK WAY

95.50

WILD THYME AVE.

VAR-29604
10/09/08 PC
REVISED

ELKORN RD.

CELADINE

1 SQUARE
= 4 FT.

SFD



RECEIVED

BRADLEY RD.

DECATUR BLVD.

DECATUR

ELKORN

WILD THYME





VAR-29604 - VARIANCE - APPLICANT: DAVID MARQUIS - OWNER: MARQUIS FAMILY REVOCABLE
LIVING TRUST
5001 WILD THYME AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29604 - VARIANCE - APPLICANT: DAVID MARQUIS - OWNER: MARQUIS FAMILY REVOCABLE
LIVING TRUST
5001 WILD THYME AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08

8/17/08.

I, DAVE MARQUIS ARE REQUESTING
A ZONE VARIANCE OF THREE FEET
TO THE EAST SIDE OF MY HOME.
MY PLANS ARE TO PUT A FOURTH
CAR GARAGE WHERE MY RV PARKING
IS CURRENTLY. TO DO THIS I NEED
A THREE FOOT ZONE VARIANCE!

Thank You,
Dave Marquis.

Home will be built out of wood,
stucco, & tile roof! Will match
existing home.

VAR-29604
10/09/08 PC
REVISED

Mystic Canyon Homeowners Association

% Colonial Property Management

August 12, 2008

David & Robin Marquis
5001 Wild Thyme Ave
Las Vegas NV 89131

Re ARC Application – 5001 Wild Thyme Ave

Dear David & Robin Marquis:

Please find the attached **CONDITIONAL APPROVAL** from the Architectural Committee of the Mystic Canyon Homeowners Association. Please contact me if you have any questions.

Sincerely,

Heather Stine

Heather Stine
Provisional Community Association Manager

As Directed by the
Mystic Canyon Homeowners Association
Board of Directors

cc: Board of Directors

Enclosure (3)

VAR-29604
10/09/08 PC

3068 E. Sunset Road, #14
Las Vegas, Nevada 89120

Phone: (702) 458-2580

Fax: (702) 458-2582

heather@cpmlv.com * www.cpmlv.com

8-11-08

Conditional approval for homeowner to obtain easement required for garage addition. Upon city approval homeowner to submit w/i 30 days architects plans with all finishes included.

Re-submit plans to Colonial property mgmt & it's Review Board.

M. Sharon 8-11-08

Jimmie C. Jones - 8-11-08

Diana E. Moore 8-11-08

VAR-29604
10/09/08 PC

565107 / 02016450

H11/V: HEA/HR 31/VE

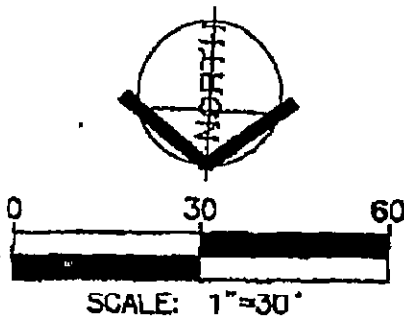


APPLICATION / PLOT PLAN FOR REPETITIVE TRACT PERMITS

ADDRESS: 5001 Wild Thyme Ave. PARCEL NO. 125-24-512-042
 REC. SUBDIV: Mystic Valley II ZONE R
 PLAN CHECK: P. 2318.98 LOT 34 BLOCK B BOOK 103 PAGE 1
 APPROVAL FOR: SFD ☒ PATIO COVER ☐ BALCONY ☐ ONLY

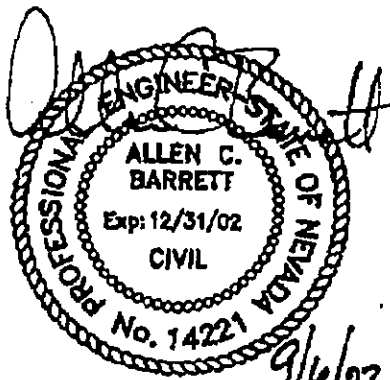
SETBACKS:

18' FRONT SETBACK, 5' SIDE YARD SETBACK,
 10' SIDE YARD SETBACK ON CORNER LOTS,
 18' REAR SETBACK ALONG ELKHORN RD,
 DECATUR BLVD. AND DONALD RD., 15' REAR
 SETBACK WITHIN INTERIOR LOTS.



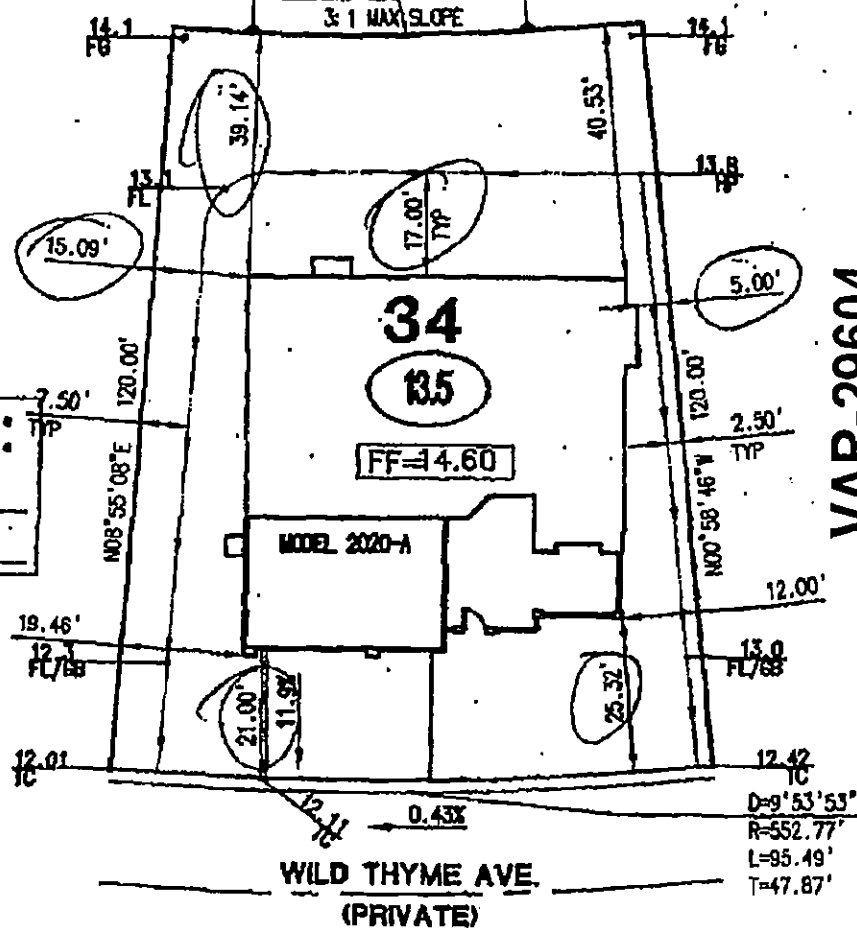
MINIMUM SETBACKS:

FRONT: 18 (15) REAR: 18
 SIDE: 5' CORNER: 10'

DONALD ROAD
(PUBLIC)

D=9°53'53"
 R=432.77'
 L=74.76'
 T=37.47'

All Construction to be
 Per Approved Grading Plan
 (dwg# 107Y 4688)
 and Drainage Study



VAR-29604
 10/09/08 PC

5001 WILD THYME AVENUE

RICHARD AND AMERICAN HOMES

9.6.02

0026417

C11-06501

CONTRACTOR/AGENT/OWNER

DATE

STATE LICENSE NO.

CITY LICENSE NO.

CONTACT NAME

Lisa Yakim

PHONE NO.

240.5600

FAX NO.

240.56

CONDITIONS

BUILDING DEPARTMENT

DATE

SEP 10 2002

BUILDING DEPARTMENT

DATE

I hereby certify that I have reviewed this application and the proposed
 and have found that the unbundled development meets the requirements

Mystic Canyon Homeowners Association
ARC NEIGHBORHOOD IMPACT STATEMENT

Submitting Homeowner:

DAVE & Robin MARQUIS (702) 591-8781
(Please print name and provide daytime phone number)

5001 Wild Thyme Ave.
Property Address

Dave Marquis
Homeowner Signature

The Homeowner at the above listed address presented plans for modification of their property specifically to _____ to the following neighbor for their information on this date: _____

Facing Neighbor:

ROBERT T. CLAWSON 5000 Wild Thyme Ave.
Please print name and address

Comments: _____

Signature: Robert T. Clawson

Side Neighbor:

Meromy Sharou 4935 Wild Thyme Ave, LV
Please print name and address

Comments: _____

Signature: Meromy Sharou

Side Neighbor:

Please print name and address

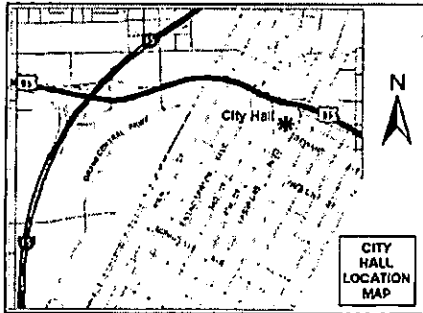
Comments: _____

Signature: _____

VAR-29604
10/09/08 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

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VAR-29604

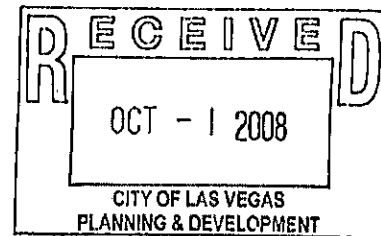
Planning Commission Meeting of 10/9/2008

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FIRST CLASS



UNITED STATES POSTAGE
FIRST CLASS PERMIT NO. 1000 LAS VEGAS NV

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MAILED FROM ZIP CODE 89101



12524512007 Case: VAR-29604
CARLETON RONALD R & CATHIE L
4932 WAYFARING TREE AVE
LAS VEGAS NV 89131-2762

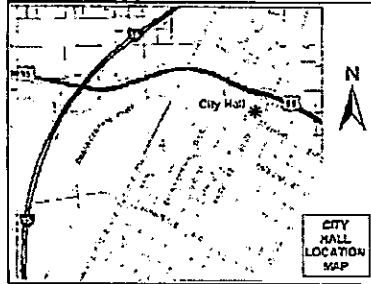
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

**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.

VAR-29604

Planning Commission Meeting of 10/9/2008

12524612041
FERMAN THOMAS M & DONNA L
4840 RAW UMBER CT
LAS VEGAS NV 89131-2788

Case: VAR-29604

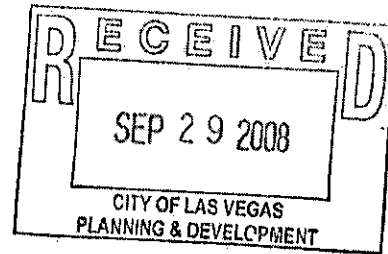
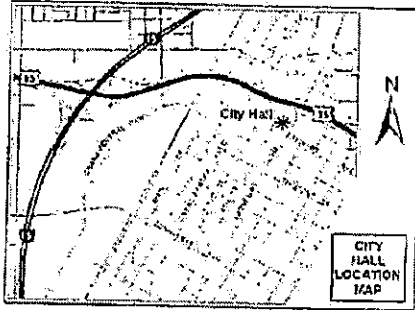
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#28

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-29604

Planning Commission Meeting of 10/9/2008

12524512051
MOSES DUANE E & CYNTHIA M
7131 CELADINE ST
LAS VEGAS NV 89131-2767

Case: VAR-29604

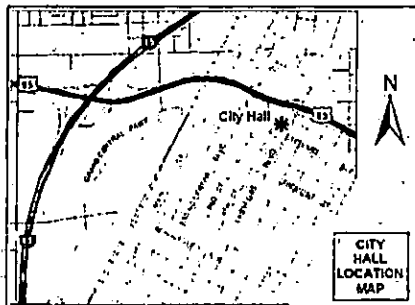
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#28
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐

I SUPPORT
this Request

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I OPPOSE
this Request

Please use available blank space on card for your comments.

VAR-29604

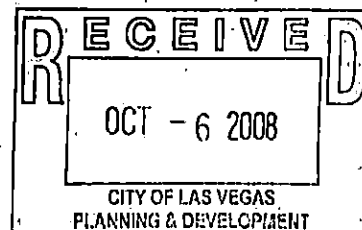
Planning Commission Meeting of 10/9/2008

PRE-SORTED
FIRST CLASS



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Case: VAR-29604
12524510067
ISHIKAWA WALTER T & FRANCES K
4025 KOKO DR
HONOLULU HI 96816-4308

CAVDS1.1 SEP 16



Submitted after final agenda

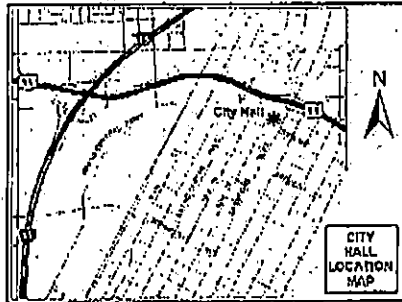
Date

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Item

#28

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-29604

Planning Commission Meeting of 10/9/2008



12524512052
BOULWARE TAMIKA
5017 WAYFARING TREE AVE
LAS VEGAS NV 89131-2763

Case: VAR-28604

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: Submitted after final agenda

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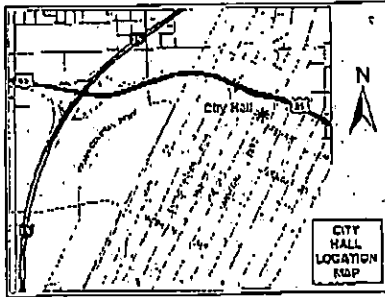
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#28

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-29604

Planning Commission Meeting of 10/9/2008

PRESORTED
 FIRST CLASS



02 1M \$ 00.39⁴
 0004239954 SEP 26 2008
 MAILED FROM ZIP CODE 89101



12524512063
 KUTIL BARBARA J & DENNIS R
 4932 WILD THYME AVE
 LAS VEGAS NV 89131-2765

Case: VAR-26604

GA00511 28131

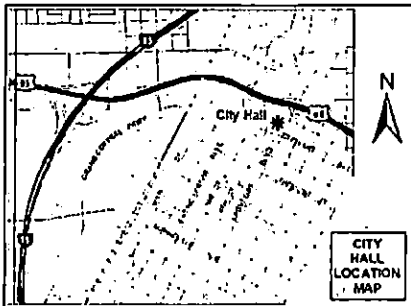
Submitted after final agenda

Date

Item
 #28

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-29604

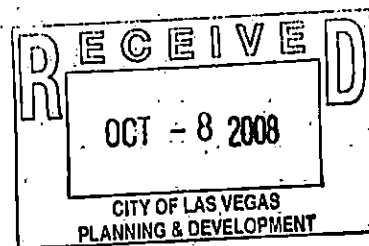
Planning Commission Meeting of 10/9/2008

PRE-SORTED
 FIRST CLASS



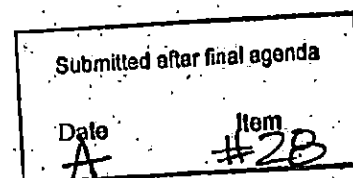
UNITED STATES POSTAGE

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 MAILED FROM ZIP CODE 89101



Case: VAR-29604
 12524512036
 KENN MELANIE A & JOHN F TRUST
 4915 WILD THYME AVE
 LAS VEGAS NV 89131-2765

GAUDE 11 55131



20081120-0003396

Fee: \$14.00
N/C Fee: \$0.00

11/20/2008 13:45:43

T20080285693

Requestor:
LAS VEGAS CITY

Debbie Conway KXC
Clark County Recorder Pgs: 1

APN(s): 125-24-512-042

**CITY OF LAS VEGAS NOTICE OF
ZONING ACTION**

TO: ALL INTERESTED PARTIES

Assessor's Parcel No(s): 125-24-512-042

Legal Description: ALL THAT REAL PROPERTY LOCATED IN THE COUNTY OF CLARK,
STATE OF NEVADA, AND LEGALLY DESCRIBED AS FOLLOWS:

MYSTIC VALLEY 2 PLAT BOOK 103 PAGE 43 LOT 34 BLOCK B.

PLEASE BE ADVISED that the Las Vegas Planning Commission, at a duly-noticed hearing held on **October 9, 2008** approved the following **Case Number(s): VAR-29604** together with various conditions, limitations, and restrictions which may affect your occupancy and/or use, and any other successor property owner(s) occupancy and/or use of the above-referenced real property in the City of Las Vegas. YOU ARE HEREBY ADVISED AND DIRECTED to contact the City of Las Vegas' Department of Planning and Development and/or the Las Vegas City Clerk's Office to request a copy of any and all such conditions, limitations, or restrictions.

October 13, 2008

ORIGINAL



John Korkosz, AICP, Planning Supervisor
City of Las Vegas
731 South Fourth Street
Las Vegas, NV 89101 - (702) 229-6301

**WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, CITY CLERK
400 STEWART AVENUE, 1ST FLOOR
LAS VEGAS, NV 89101**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VAR-29653 - VARIANCE - PUBLIC HEARING - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: PARADISE SUITES, LLC - Request for a Variance TO ALLOW SIX FREESTANDING SIGNS (ONE 50-FOOT FREESTANDING AND FIVE FIVE-FOOT TALL FREESTANDING SIGNS) WHERE TWO ARE ALLOWED; TO ALLOW A ONE-FOOT SETBACK FOR THE FIVE, FIVE-FOOT FREESTANDING SIGNS WHERE FIVE FEET IS THE MINIMUM REQUIRED; TO ALLOW FOR A 50-FOOT TALL, 504 SQUARE-FOOT FREESTANDING SIGN WHERE 12 FEET IN HEIGHT AND 48 SQUARE FEET IN AREA IS THE MAXIMUM ALLOWED; TO ALLOW A DISTANCE SEPARATION OF LESS THAN 100 FEET BETWEEN FREESTANDING TO MONUMENT SIGN, AND FREESTANDING TO FREESTANDING SIGN WHERE 100 FEET IS THE MINIMUM REQUIRED; AND TO ALLOW AN EXISTING 9.5-FOOT TALL MONUMENT SIGN WHERE 8 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.66 acres at 2000 Paradise Road (APN 162-03-411-012), R-5 (Apartment) Zone, Ward 3 (Reese)

C.C.: 11/05/2008

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

2

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

1

0

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after Final Agenda – Protest/Support Postcards and Photos

Motion made by RICHARD TRUESDELL to Approve subject to conditions and adding the following conditions as read for the record:

- A. The existing 9-1/2 foot high monument sign will remain in its current location.
- B. Approval of a new 12-foot high/48 square feet free standing sign on the St. Louis frontage, the location to be approved by the Planning and Development Department.

PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

C. Only four amenity signs will be allowed. Location to be approved by the Planning and Development Department.

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

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

NOTE: COMMISSIONER TRUESDELL disclosed that he owns property along Paradise Road but since it is outside of the notice area, he would vote on the application.

Minutes:

CHAIR GOYNES declared the Public Hearing open.

PETER LOWENSTEIN, Planning and Development Department, explained that there are six deviations related to the Variance, five of which pertain to existing illegal signs. He stated the request is the result of self-imposed hardship and recommended denial.

TABITHA FIDDYMENT, 3800 Howard Hughes and MARK WHITEHOUSE, UltraSigns, appeared on behalf of the applicant. MS. FIDDYMENT concurred with staff's remarks but explained that the applicant had purchased the neglected property and completely renovated the site. She stated that the applicant did considerable repairs to both the interior and exterior of the apartment complex, replacing equipment and performing extensive pest eradication.

With regard to the sign requests, MS. FIDDYMENT noted that the applicant needs to advertise in order to attract clientele. She provided a detailed description of each sign request which included amenity, monument and freestanding signs. She alluded to receiving support from the Beverly Green Neighborhood Association who were appreciative of the renovations and were not opposed to the current or proposed signage.

TODD FARLOW, 240 North 19th Street, commented on the illegal signs and stated that the apartment along with all the signs should be demolished.

COMMISSIONER EVANS was grateful for the internal improvements to the building; however, he expressed concern regarding the signage, particularly the banner advertisements. He suggested the applicant continue the improvements to include adequate parking and attractive landscaping. COMMISSIONER EVANS noted that he has frequently worked with the Beverly Green Neighborhood Association and would like to see proof in writing of their support of the project. In latter discussion, COMMISSIONER EVANS remarked that there is a definite need for rental housing and believed that excessive signage was not the way to attract potential residents. He strongly advised, that had this Variance been heard for any other ward in the City, it would not be approved.

PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

MS. FIDDYMENT recognized that the banners on the southern side of the building and those facing the St. Louis side of the building are illegal and stated they would be removed.

COMMISSIONER TROWBRIDGE stated that although the content of the signs could not be controlled, he believed that the number of requested signs was excessive. He called attention to the proposed 50-foot high sign proposed for the northwest corner of the building and considered it extreme, considering the height of the building is 35 feet. COMMISSIONER STEINMAN agreed with COMMISSIONER TROWBRIDGE'S comments, stating that the size of the 80-foot billboard located near the property was intrusive.

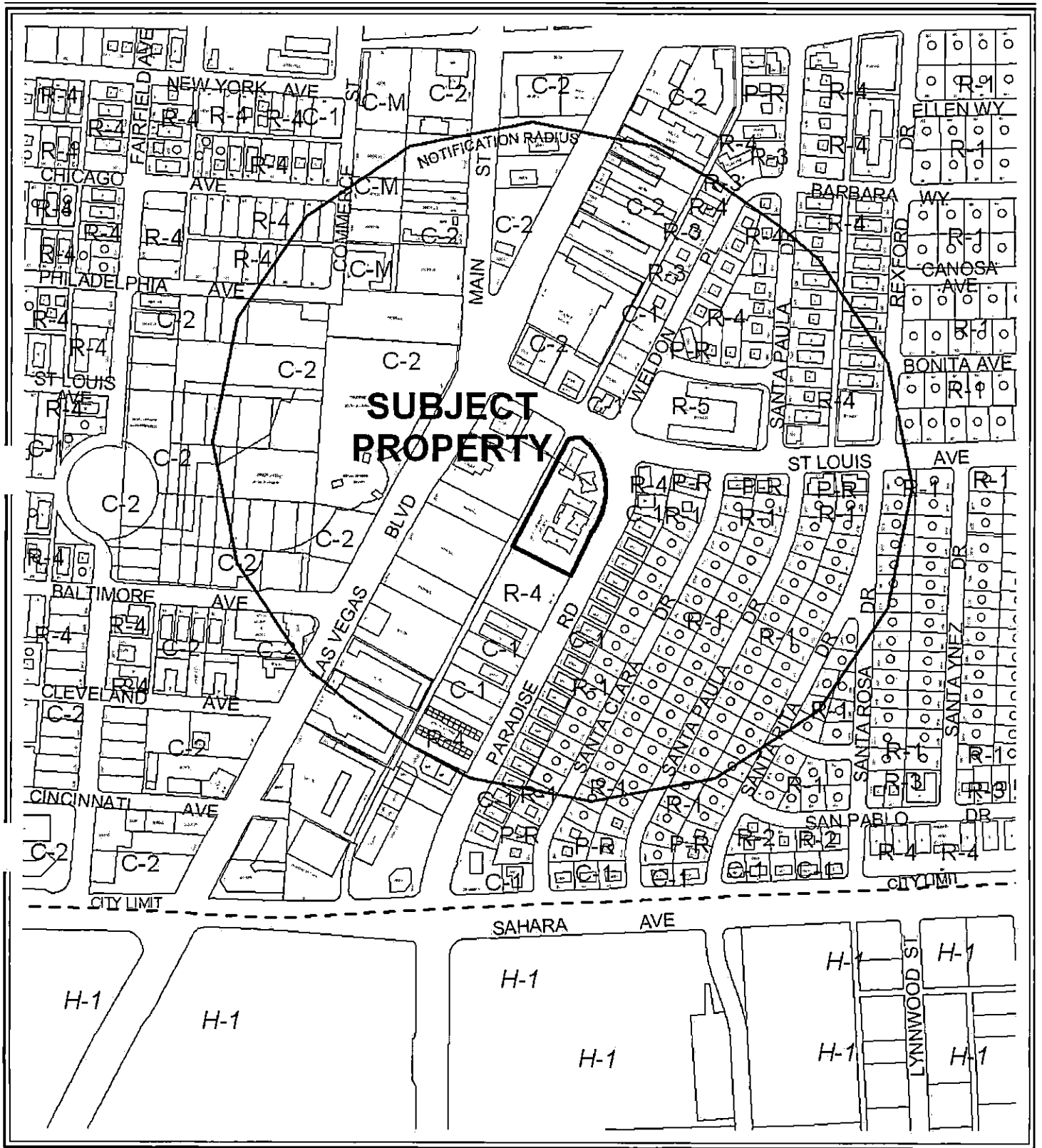
Responding to COMMISSIONER STEINMAN'S comments, MR. WHITEHOUSE stated that if the 50-foot sign was reduced, it would in turn proportionally reduce the square footage of the advertisement.

With regard to the 50-foot sign, COMMISSIONER TRUESDELL also agreed that it was inappropriate. Relative to the amenity signs, although appropriate for apartments, he stated that there was discussion on the legality of using the term, free, on signage. ASSISTANT CITY ATTORNEY BRYAN SCOTT acknowledged that Las Vegas Municipal Code regulates certain statements on outdoor signs. He felt it would be necessary to further research the issue before making a statement.

Hearing the comments regarding the excessive signage, MS. FIDDYMENT suggested that perhaps the Commission would be willing to support some of the variances.

MS. FIDDYMENT accepted the condition modifications as clarified by MARGO WHEELER, Director of the Planning and Development Department.

CHAIR GOYNES declared the Public Hearing closed.



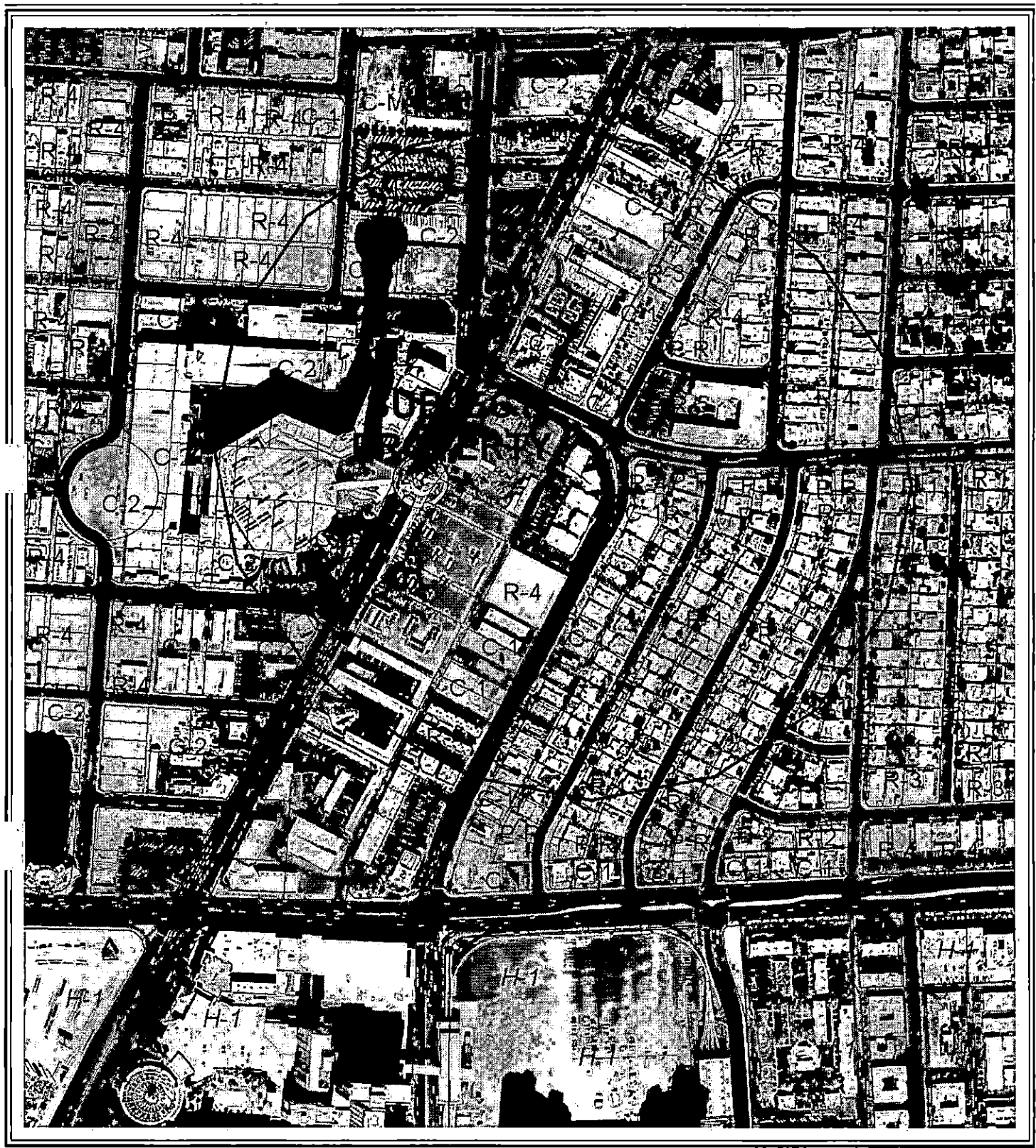
CASE: VAR-29653

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

0 600 Feet





CASE: VAR-29653

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

0 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-29653 – APPLICANT: SIEGEL COMPANIES, INC. –

OWNER: PARADISE SUITES, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

Public Works

2. The proposed sign shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The proposed ground mounted base shall not be located within existing or proposed public sewer or drainage easements.

VAR-29653 - Staff Report Page One
October 9, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Variance to allow for a 50-foot tall freestanding sign where 12 feet is the maximum height allowed; a Variance to allow for 435 square feet of sign area where 48 square feet is the maximum allowed; a Variance to allow for six freestanding signs where one sign per street frontage is the maximum allowed; a Variance to allow for a 30-foot or greater distance separation between each freestanding and/or monument sign where 100 feet is the minimum distance separation allowed; a Variance to allow a 1.5-foot setback for the five, five-foot freestanding signs where five feet is the minimum required; and a Variance to allow for an existing 9.5-foot tall monument sign where 8 feet is the maximum height allowed on 1.66 acres at 2000 Paradise Road. The Variances requested represent a ten to an 806 percent deviation from the Title 19 standard.

This is a self imposed hardship that could be easily rectified by proposing signage for this site that meets Title 19.14 standards. Due to the intensity and excessive amount (six in total) of Variances requested with this application staff can not support this request and is recommending denial of all Variances requested.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/19/05	The City Council approved a request for a Variance (VAR-5458) to allow 107 parking spaces where 120 spaces are required; a Special Use Permit (SUP-5457) for a Residence Hotel; and a Site Development Plan Review (SDR-5456) for a 120-unit Residence Hotel with Waivers of landscaping standards at 2000 Paradise Road. The Planning Commission recommended approval.
02/02/05	The City Council approved a request for a Review of Condition (ROC-6012) for condition #2 of Special Use Permit (SUP-5457) for a Residence Hotel at 2000 Paradise Road.
01/11/06	Code Enforcement (Case #37503) processed a complaint of no hot water, a leaking toilet, and a microwave that sparks when used at 2000 Paradise Road, Apartment #3201. The case was resolved on 02/07/06.
01/12/06	Code Enforcement (Case #37517) processed a complaint for the entire building having no hot water at 2000 Paradise Road. The case was resolved on 01/17/06.
05/23/06	Code Enforcement (Case #42424) processed a complaint of a bug infestation at 2000 Paradise Road, Apartment #2305. The case was resolved on 05/25/06.
07/30/07	Code Enforcement (Case #55055) processed a complaint for banners at 2000 Paradise Road. The case was resolved on 07/30/07.

VAR-29653 - Staff Report Page Two
October 9, 2008 - Planning Commission Meeting

04/09/08	Code Enforcement (Case #64330) processed a complaint of no hot water in building 51 and building 40 at 2000 Paradise Road. The case was resolved on 04/10/08.
<i>Related Building Permits/Business Licenses</i>	
11/1987	A business license application was received for an apartment house at 2000 Paradise Road. A business license (A07-01062) was then issued for an Apartment House at 2000 Paradise Road. A Cease & Desist was issued on 02/15/05. The license was re-issued on 01/10/07.
09/10/96	A building permit (#96018352) was issued for a 315 square-foot interior remodel of the laundry room at 2000 Paradise Road. The permit expired on 05/31/97.
09/16/96	A building permit (#96018782) was issued for an interior remodel (plumbing) of the laundry room at 2000 Paradise Road. The permit expired on 05/31/97.
09/20/96	A building permit (#96019076) was issued for an interior remodel (electrical) of the laundry room at 2000 Paradise Road. The permit was finalized on 10/18/96.
10/07/96	A building permit (#96020262) was issued for an interior remodel (mechanical) of the laundry room at 2000 Paradise Road. The permit expired on 05/31/97.
11/07/96	A building permit (#96399247) was issued for fire monitoring at 2000 Paradise Road. The permit expired on 05/31/97.
02/05/02	A building permit (#2001921) was issued for a 32 square-foot double faced sign (tag #005812) at 2000 Paradise Road. The permit expired on 08/31/02.
12/20/02	A business license (P35-00616) was issued for an Outdoor Pay Phone per Location at 2000 Paradise Road.
02/16/05	A building permit (#36282) was issued for a sewer fixture count at 2000 Paradise Road. The permit was finalized on 07/19/06.
07/17/06	A building permit (#69406) was issued for a water heater at 2000 Paradise Road. The permit expired on 02/16/05.
01/23/07	A building permit (#7000273) was issued for a sign (tag #09522) at 2000 Paradise Road. The permit expired on 09/01/07.
08/07/07	A Temporary Sign Permit (TSP-23526) was issued for two (2) temporary banner signs (399 feet by 4 feet) at 2000 Paradise Road. The Temporary Sign Permit expired on 09/28/07.
<i>Pre-Application Meeting</i>	
06/30/08	A pre-application meeting was held where the submittal requirements for a Variance were discussed with the applicant.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

VAR-29653 - Staff Report Page Three
October 9, 2008 - Planning Commission Meeting

Field Check	
09/02/08	A routine field check was performed by staff where several non-permitted temporary signs (banners) were noted to be on-site; the existing monument sign not built to building specifications and not finalized; the five, five-foot freestanding signs requested as part of this application have already been installed; and a non-permitted A-frame, or "sandwich board" type temporary sign being displayed at the northwest corner of the site.

Details of Application Request	
Site Area	
Net Acres	1.66

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Apartments	C (Downtown – Commercial)	R-5 (Apartment)
North	Office / Apartments	C (Downtown – Commercial)	R-5 (Apartment) & C-1 (Limited Commercial)
South	Vacant Land	C (Downtown – Commercial)	R-4 (High Density Residential)
East	Offices	C (Downtown – Commercial)	R-4 (High Density Residential) & C-1 (Limited Commercial)
West	Restaurant / Offices / Shops / Parking Lot	C (Downtown – Commercial)	C-2 (General Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan	X		N
Beverly Green Southridge Neighborhood Plan	X		N*
Las Vegas Redevelopment Plan / Downtown Redevelopment Area	X		N**
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	X		Y
G-O Gaming Enterprise Overlay District	X		Y
A-O Airport Overlay District – 175 Feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

VAR-29653 - Staff Report Page Four
October 9, 2008 - Planning Commission Meeting

***Beverly Green / Southridge Neighborhood Plan**

One of the primary issues stated by the Beverly Green / Southridge Neighborhood Plan was the lack of property maintenance by some property owners and the negative effect the poor maintenance has on the area overall. The resulting goal of this plan is to support a program that will have 100 percent of the properties in the neighborhoods up to the City of Las Vegas minimum code standards within three years of adoption of the plan. The Beverly Green / Southridge Neighborhood Plan was adopted by City Council on August 6, 2003. The subject site has had five code enforcement cases involving both exterior and interior maintenance concerns.

****Las Vegas Redevelopment Plan / Downtown Redevelopment Area**

As stated by the City of Las Vegas Redevelopment Agency Land Uses and Development Requirements, section IV.F.6 Signs, "All signs shall conform to City requirements as appropriate." The proposed signage is not in compliance with Title 19.14, and deviates from the code standard by ten to 89 percent.

A-O Airport Overlay District – 175 feet

No structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations defined by the McCarran Airport Overlay Map and the North Las Vegas Airport Overlay Map. The subject site is within the 175-foot contour limitations and does not violate the height limitations as the proposed freestanding signs do not exceed the height limitation of 175 feet set forth by the Airport Overlay District.

DEVELOPMENT STANDARDS

Freestanding Signs: [50-Foot Freestanding Sign]		
Standards	Allowed	Provided
Maximum Number	1 per Street Frontage; 2 Street Frontages Available	3 on St. Louis Avenue* 3 on Paradise Road* 6 total*
Maximum Area	48 SF	435 SF**
Maximum Height	12 Feet	50 Feet***
Minimum Setback	5 Feet	5 Feet
Illumination	Internal and external illumination. In addition, signs over 200 feet from any existing residential property or from property which is designated in the General Plan for future residential development may be animated or contain an electronic message unit.	Internal illumination with an electronic message unit.

VAR-29653 - Staff Report Page Five
October 9, 2008 - Planning Commission Meeting

* The applicant is requesting a Variance to allow for one 50-foot freestanding sign and five, five-foot freestanding signs for a total of six freestanding signs. Three of the signs will be located on the St. Louis Avenue street frontage, with the remaining three signs to be located on the Paradise Road street frontage. One freestanding sign per street frontage is allowed. The subject site fronts on both St. Louis Avenue and Paradise Road, therefore allowing for two freestanding signs.

**The applicant is requesting a Variance to allow for a freestanding sign with a face area of 435 square feet where 48 square feet is the maximum area allowed.

***The applicant is requesting a Variance to allow for a 50-foot tall freestanding sign where 12 feet is the maximum height allowed.

Freestanding Signs: [Six (6) Five-Foot Freestanding Signs]		
Standards	Allowed	Provided
Maximum Number	1 per Street Frontage; 2 Street Frontages Available	3 on St. Louis Avenue* 3 on Paradise Road* 6 total*
Maximum Area	48 SF	5.34 SF
Maximum Height	12 Feet	5 Feet
Minimum Setback	5 Feet	**1.5 Feet
Illumination	Internal and External Illumination.	No Illumination

* The applicant is requesting a Variance to allow for one 50-foot freestanding sign and five, five-foot freestanding signs for a total of six freestanding signs. Three of the signs will be located on the St. Louis Avenue street frontage, with the remaining three signs to be located on the Paradise Road street frontage. One freestanding sign per street frontage is allowed. The subject site fronts on both St. Louis Avenue and Paradise Road, therefore allowing for two freestanding signs.

**The applicant is requesting a Variance to allow a 1.5-foot setback where five feet is the minimum setback required for five freestanding signs.

Monument Signs: [9.5-foot Monument Sign]		
Standards	Allowed	Provided
Maximum Number	1 per Street Frontage; 2 Street Frontages Available	1 on Paradise Road
Maximum Area	60 SF/Sign	56 SF
Maximum Height	8 Feet	9.5 Feet*
Minimum Setback	5 Feet	5 Feet
Illumination	Direct/Internal	Internal

*The applicant is requesting a Variance to allow for a 9.5-foot tall monument sign where 8 feet is the maximum height allowed.

VAR-29653 - Staff Report Page Six
October 9, 2008 - Planning Commission Meeting

ANALYSIS

50-foot Freestanding Sign: The applicant has requested a Variance to allow for a 50-foot tall freestanding sign to be constructed at the northwest corner of the site where 12 feet in height is the maximum allowed. An additional Variance has been requested to allow for this sign to have a sign face of 435 square feet where 48 square feet is the maximum allowed. The proposed sign would have an aluminum base and pole covered with simulated stucco. The proposed elevation shows the base of the sign being painted a dark brown and the pole of the sign being painted a light tan. The sign face itself would be an aluminum faced cabinet with a map satin finish colored reflex blue with animated vertical lines of blue neon to be on a 3 point flashing chaser. The sign will also have steadily burning White, Yellow Gold II and Horizon Blue Neon trim around the sign and incorporated throughout the face of the sign with the lettering. The word "Paradise" would be lit with incandescent bulbs. Approximately 21 feet from the base of the sign, below the sign face, would be a four-foot tall aluminum faced animated LED display (reader board). The proposed height of the sign represents a 76 percent deviation and the proposed sign face represents an 89 percent deviation from code standard.

Six Freestanding Signs: The applicant has requested a Variance to allow for six freestanding signs where one per street frontage is allowed, and for five of those freestanding signs to be setback 1.5 feet where five feet is the minimum setback required. By Title 19.14 the applicant has also requested a Variance for those signs to have a distance separation less than the required minimum distance separation of 100 feet in between each freestanding and/or monument sign.

The proposed site has street frontage on both Paradise Road and St. Louis Avenue, therefore allowing for two freestanding signs. The applicant has proposed three freestanding signs for each street frontage for a total of six freestanding signs. Along St. Louis Avenue beginning at the northwest corner of the property would be the proposed 50-foot tall freestanding sign. Going east, 30 feet from that sign would be an existing five-foot tall freestanding sign. Another 75 feet from that existing sign would be an additional five-foot tall existing freestanding sign with another existing freestanding sign placed 90 feet from that sign. On Paradise Road from north to south, the applicant has three more existing freestanding signs that have a distance separation of 75 feet from the first freestanding sign to the existing monument sign, 30 feet from the existing monument sign to the next freestanding sign, and 90 feet from that freestanding sign to the final freestanding sign. Paradise Road has a total of four signs, three five-foot freestanding and one monument sign. The percent of deviation for the distance separation of said signs is noted in the chart below.

Five of the proposed six freestanding signs exist today on the subject site. These existing five-foot tall freestanding signs are a double faced non-illuminated post mounted sign that carry a commercial message (i.e. company name and logo). Currently there are three of these five-foot freestanding signs placed along Paradise Road, and two along St. Louis Avenue. There is also a non-permitted freestanding A-frame or "sandwich board" type sign on St. Louis Avenue.

VAR-29653 - Staff Report Page Seven
October 9, 2008 - Planning Commission Meeting

Monument Sign: The applicant has requested a Variance to allow for an existing 9.5-foot tall monument sign along Paradise Road. A permit (#7000273) was issued for the construction of an eight-foot tall by seven-foot wide monument sign on 01/23/07. The monument sign was not built to plan, constructed 1.5 feet too tall. A final inspection was not requested and the permit for its construction expired on 09/01/07. The existing sign is a double faced internally illuminated monument display. The existing 9.5-foot tall monument sign represents a 16 percent deviation from code standard.

	Allowed	Provided	% of Deviation
Freestanding Sign	In an R-5 (Apartment) zone, a maximum height of 12 feet, and a maximum area of 48 square feet.	A 50-foot tall Freestanding Sign with a sign area of 435 square feet.	317% for the sign height; 806% for the sign area.
Number of Freestanding Signs Allowed	One (1) per street frontage for a total of two (2) allowed.	Six (6) Freestanding Signs	200%
Distance Separation Paradise Road	Minimum separation of 100 feet measured along the street frontage.	From North to South: 75, 30, and 90 Feet.	25%, 70%, and 10% respectively.
Distance Separation St. Louis Avenue	Minimum separation of 100 feet measured along the street frontage.	From West to East: 30, 75, and 90 Feet.	70%, 25%, and 10% respectively.
Sign Setback	5 Feet	1.5 Feet	70%
Monument Sign	8 Feet Tall by 7 Feet Wide	9.5 Feet Tall by 7 Feet Wide	19% for Sign Height.

This is a self imposed hardship that could be easily rectified by proposing signage for this site that meets Title 19.14 standards. Due to the intensity and excessive number (six in total) of Variances requested with this application staff can not support this request and is recommending denial of all Variances requested.

FINDINGS

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

VAR-29653 - Staff Report Page Eight
October 9, 2008 - Planning Commission Meeting

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing signage that exceeds the allowable height, sign area, number of freestanding signs, minimum setback requirements and sign separation requirements allowed by Title 19. An alternative number of sign and sign placement would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 174

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-29653** APN: 162-03-411-012

Name of Property Owner: Paradise Suites, LLC

Name of Applicant: Siegel Companies, Inc.

Name of Representative: Tabitha Fiddymont, Kummer Kaempfer

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: _____

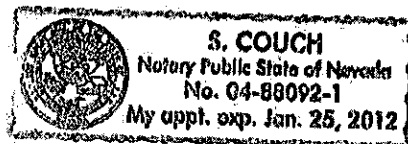
Signature of Property Owner: _____

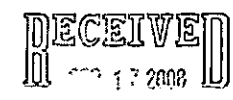
Print Name: Stephen Siegel, President, Siegel Companies, Inc

Subscribed and sworn before me S. Couch

This 10th day of August, 2008

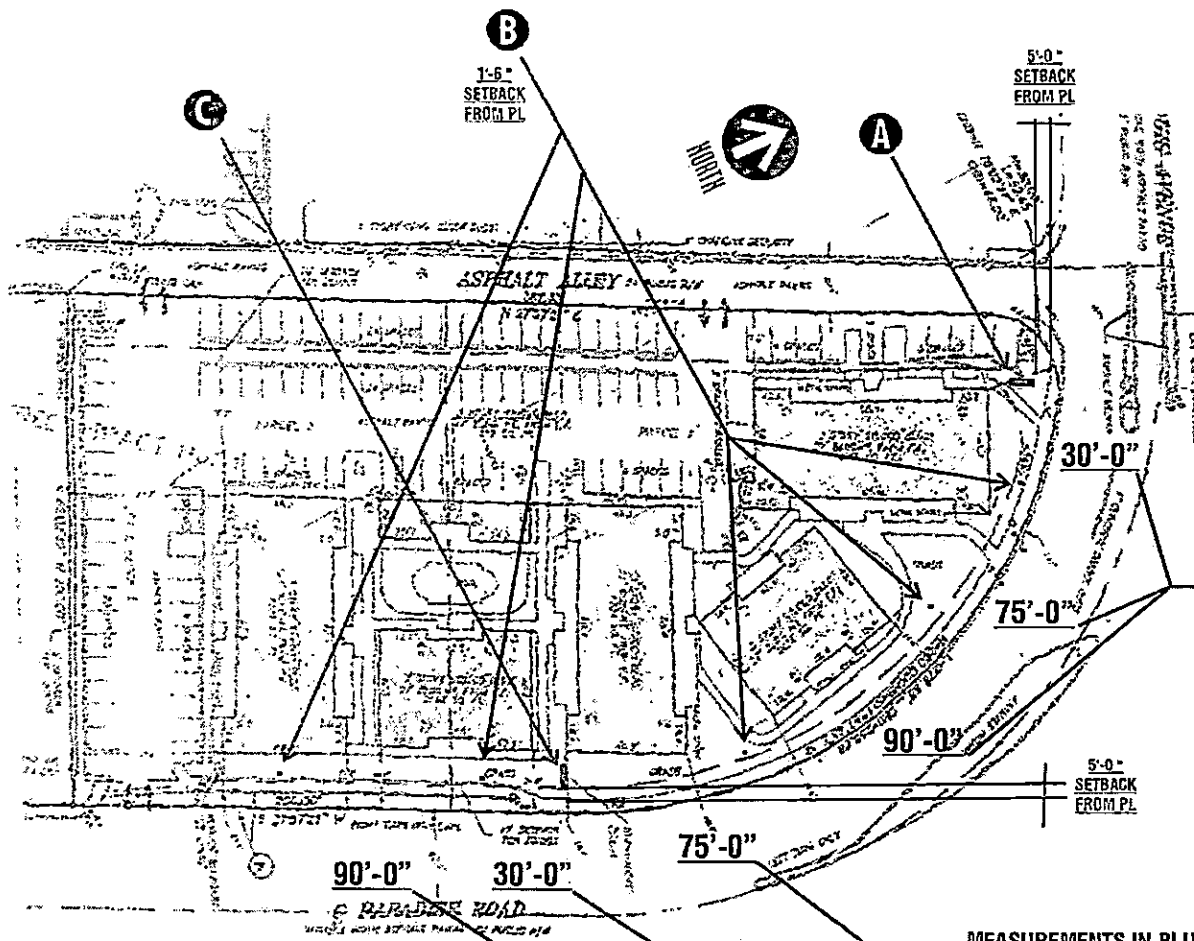
Notary Public in and for said County and State





10/09/08 PC - REVISED

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ELECTRICAL ADVERTISING
TEL: 650-569-1400 FAX: 650-569-1453
9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520



MEASUREMENTS IN BLUE INDICATE
DISTANCES BETWEEN SIGNS

MEASUREMENTS IN BLUE INDICATE
DISTANCES BETWEEN SIGNS



VAR-29653
10/09/08 PC

JOB INFORMATION
SIEGEL SUITES - PARADISE
700 NORTH LAS VEGAS BLVD.
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL06

DATE
06-26-2008
VOLTAGE
VERIFY

PRIMARY ELECTRICAL TO SIGN LOCATIONS IS TO BE PROVIDED BY OTHERS. A 20 AMP DEDICATED CIRCUIT WITH NO SHARED RECEPTALS AND A GROUND RETURNED TO THE PANEL IS REQUIRED FOR ALL INSTALLATIONS.

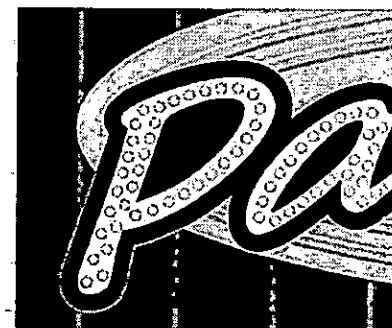
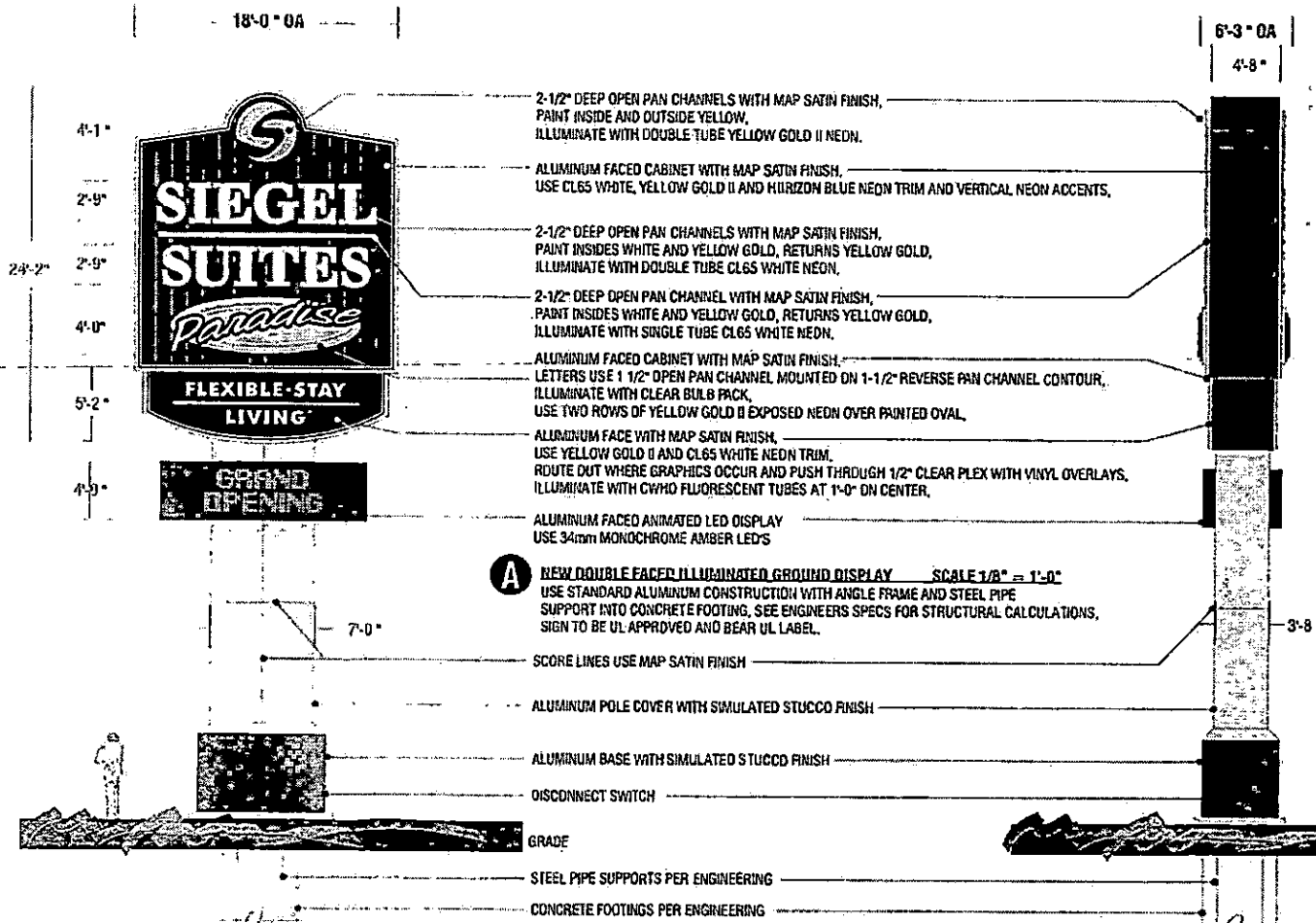
COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION PURPOSES ONLY. THEY MAY NOT MATCH YOUR RECEIVED PRODUCT PERFECTLY COLOR CALL-OUTS ARE FOR A MATCH AS CLOSE AS POSSIBLE.
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REVISION DATES

1	08-21-2008 AT	6
2	09-15-2008 DAG	7
3	09-15-2008 DAG	8
4	09-19-2008 DAG	9
5		10

CLIENT APPROVAL
Page 2 of 7

ultrasigns
ELECTRICAL ADVERTISING
TEL: 658-569-1400 FAX: 658-569-1453
9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520

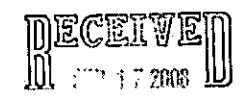


S-11 INCANDESCENT BULB DETAIL SCALE 3/4" = 1'-0"
ANIMATION SEQUENCE...ALL BULBS SCINTILLATE

NEON ANIMATION OF VERTICAL BLUE NEON
TO BE ON 3 POINT FLASHER CHASING

ALL REMAINING NEON TO BE STEADY BURNING

- MAP WHITE
- VERIFY COLOR
- MAP T/M PMS REFLEX BLUE
- MAP T/M PMS #110 YELLOW GOLD
- VERIFY COLOR



SIGN PLAN

JOB INFORMATION
SIEGEL SUITES - PARADISE
700 NORTH LAS VEGAS BLVD
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL06

DATE
06-26-2008
VOLTAGE
VERIFY

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COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION PURPOSES ONLY. THEY MAY NOT MATCH YOUR DESIRED PRODUCT PERFECTLY. COLOR CALL-OUTS ARE FOR A MATCH AS CLOSE AS POSSIBLE.
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CLIENT APPROVAL
Page 3 of 7

ultrasigns
ELECTRICAL ADVERTISING
TEL: 658-569-1400 FAX: 658-569-1453
9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520

SIGN **B**



SIGN **B**

DOUBLE FACED NON-ILLUMINATED POST MOUNTED DISPLAY
SCALE 1"=1'

RECEIVED
OCT 17 2008

VAR-29653

10/09/08 PC - REVISED

JOB INFORMATION
SIEGEL SUITES - PARADISE
~~701 NORTH LAS VEGAS BLVD~~
LAS VEGAS, NV

SALESPERSON
MARN WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL06

DATE
06-26-2008
VOLTAGE
VERIFY

PRIMARY ELECTRICAL TO SIGN LOCATIONS IS TO BE PROVIDED BY OTHERS. A 20 AMP DEDICATED CIRCUIT WITH NO SHARED NEUTRALS AND A GROUND RETURN TO THE PANEL IS REQUIRED FOR ALL INSTALLATIONS.
COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION PURPOSES ONLY. THEY MAY NOT MATCH YOUR FINISHED PRODUCT PERFECTLY. COLOR CALL-OUTS ARE FOR A MATCH AS CLOSE AS POSSIBLE.
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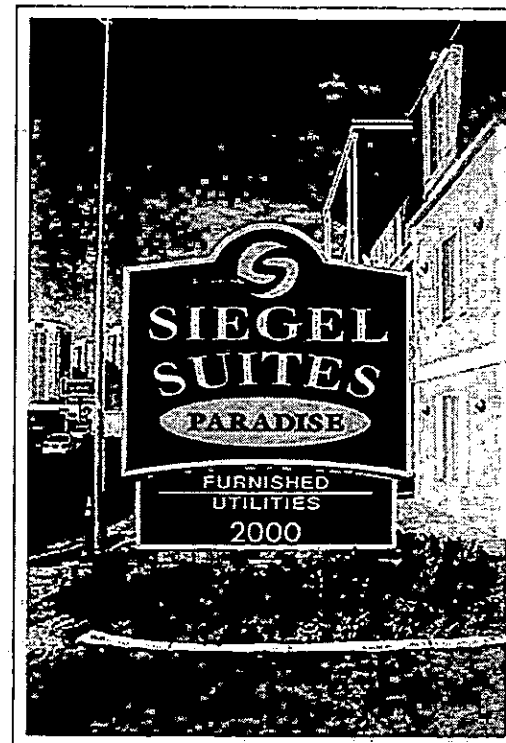
REVISION DATES

1 08-21-2008 AT
2 09-15-2000 DAG
3 09-15-2000 DAG
4
5

6
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8
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10

CLIENT APPROVAL
Page 4 of 7

ultrasigns
ELECTRICAL ADVERTISING
TEL: 858-569-1400 FAX: 858-569-1453
5025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92122-1520

SIGN DOUBLE FACED INTERNALLY ILLUMINATED MONUMENT DISPLAY
SCALE: 1/2"=1'

EXISTING CONDITION

RECEIVED
SEP 17 2008VAR-29653
10/09/08 PC - REVISED

JOB INFORMATION
SIEGEL SUITES - PARADISE
~~2000 NORTH LAS VEGAS BLVD~~
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL06

DATE
06-26-2008
VOLTAGE
VERIFY

PRIMARY ELECTRICAL TO SIGN LOCATIONS IS TO BE PROVIDED BY OTHERS. (0.20 AMP DEDICATED CIRCUIT WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR ALL INSTALLATIONS.)

COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION PURPOSES ONLY. THEY MAY NOT MATCH YOUR FINISHED PRODUCT PERFECTLY. COLOR CALL-OUTS ARE FOR A MATCH AS CLOSE AS POSSIBLE.

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5		10

CLIENT APPROVAL
Page 5 of 7

ultrasigns
ELECTRONIC ADVERTISING
TEL: 858-569-1400 FAX: 858-569-1453
8025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520

SIGN TYPE	#	ILLUMINATED	STYLE	SQ. FT.
A	1	YES/ANIMATED	FREESTANDING	504
B	5	NO	FREESTANDING	6
C	1	YES	FREESTANDING	67

RECEIVED
SEP 17 2008

VAR-29653
10/09/08 PC - REVISED

SIGN ANALYSIS TABLE

JOB INFORMATION
SIEGEL SUITES - PARADISE
700 NORTH LAS VEGAS BLVD
LAS VEGAS, NV

SALESPERSON
MARK WHITEHOUSE
DESIGNER
DAVID GREEN
SKETCH NO
SIEGEL08

DATE
06-26-2008
VOLTAGE
VERIFY

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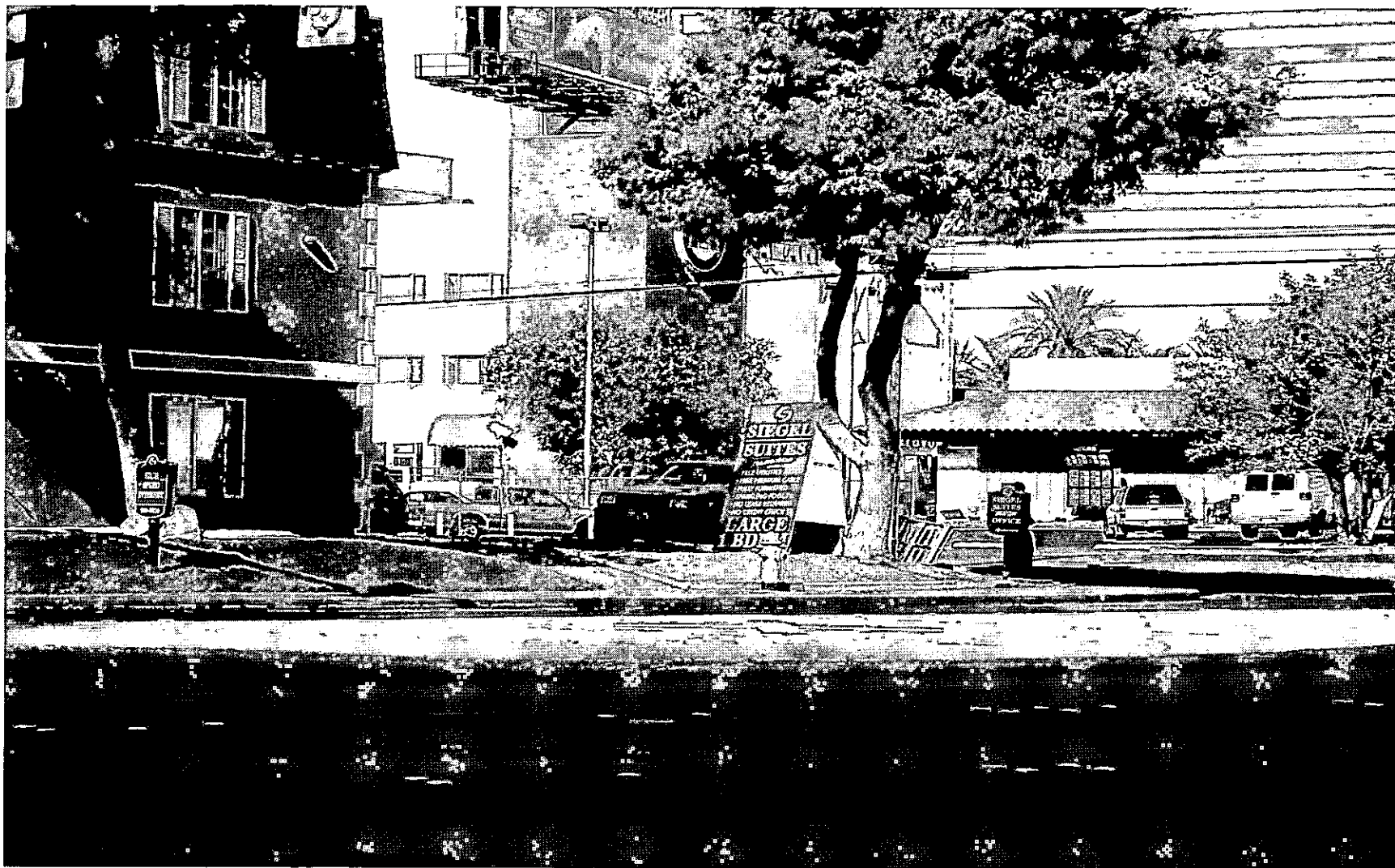
REVISION DATES

1 08-21-2008 AT
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CLIENT APPROVAL
Page 6 of 7

ultrasigns
ELECTRICAL ADVERTISING
TEL: 858-569-1400 FAX: 858-569-1453
9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520



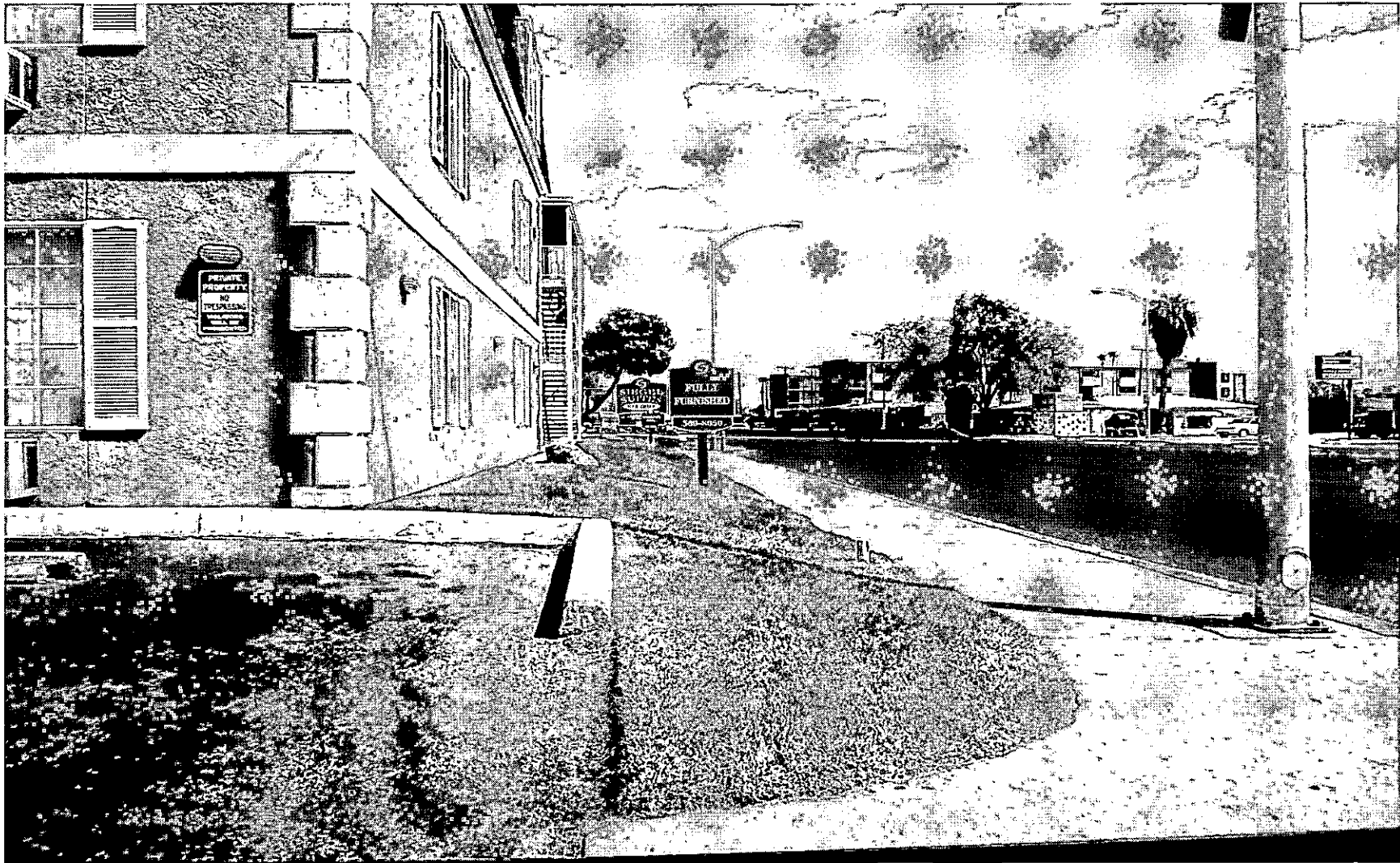
VAR-29653 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: PARADISE SUITES, LLC
2000 PARADISE ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29653 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: PARADISE SUITES, LLC
2000 PARADISE ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



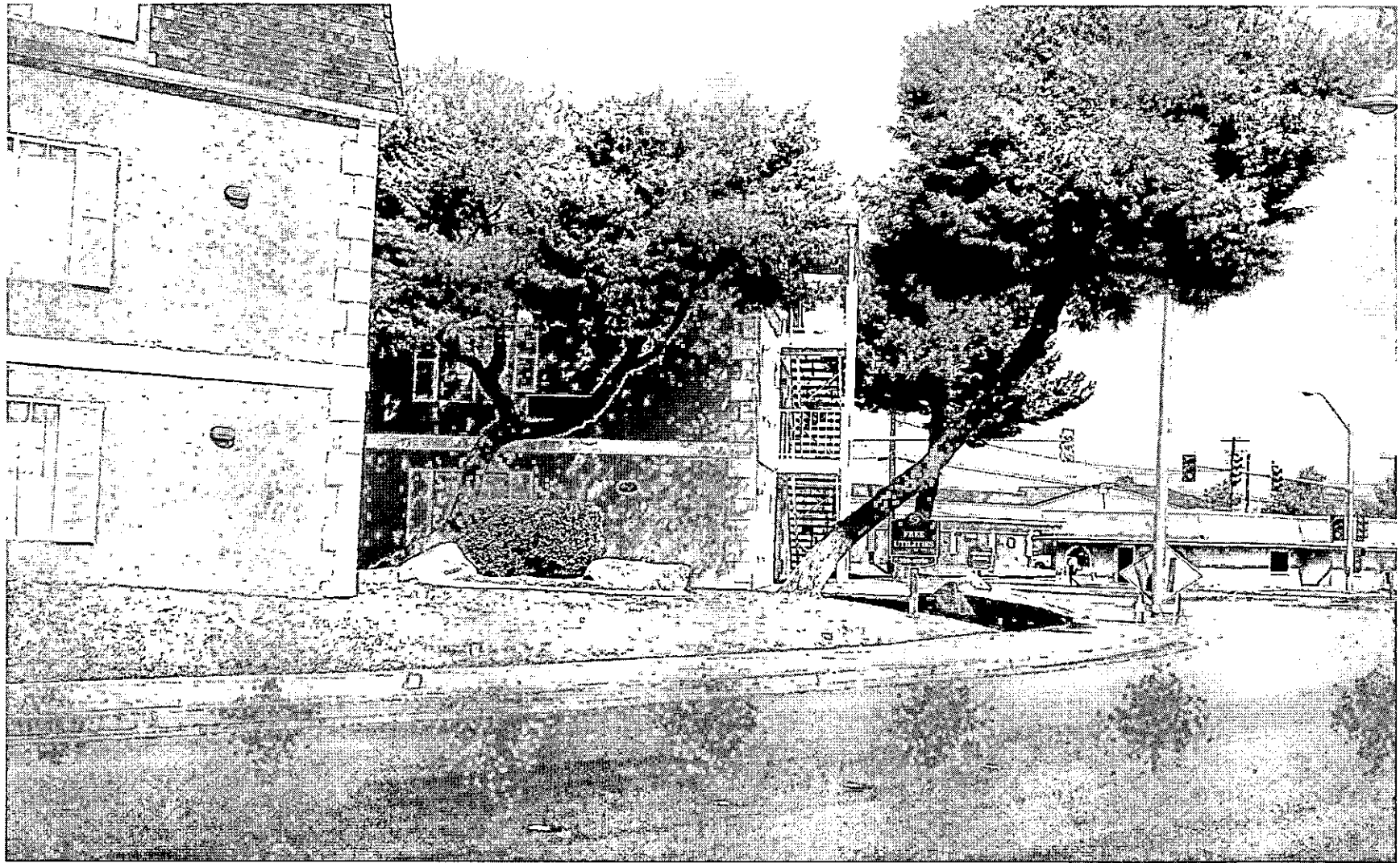
VAR-29653 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: PARADISE SUITES, LLC
2000 PARADISE ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29653 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: PARADISE SUITES, LLC
2000 PARADISE ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29653 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: PARADISE SUITES, LLC
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OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29653 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: PARADISE SUITES, LLC
2000 PARADISE ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29653 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: PARADISE SUITES, LLC
2000 PARADISE ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



JUSTIFICATION LETTER

Date: 9/16/08

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

From: Mark Whitehouse

Attn: Planning/Development Department

Re: Master Sign Plan for Siegel Suites 2000 Paradise Rd. LVNV 89104

To Whom It May Concern:

On behalf of Siegel Suites located at 2000 Paradise Rd. LVNV 89104, Ultrasigns Electrical Advertising will be filing a *Master Sign Plan*. In the package we will show all signage on the property and request the following variances.

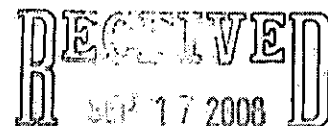
- 50' Main Identification Freestanding Sign in an R-5 zone where a 10' maximum is allowed.
- To allow 7 (seven) Freestanding Signs where 1 (one) is allowed.
- To reduce setback of 5 (five) Freestanding Signs from to 18" where 5' is required. (Main sign will maintain setback.).
- To reduce separation distance between signs to 60' where 100' is required. (Main sign will maintain separation distance.).

The subject site has been recently renovated and has proven to be a welcome addition to an area in need of revitalization. The proposed signage will not only enhance and compliment the building it will not have any adverse impact on surrounding properties. Further, the property owner held a neighborhood meeting to solicit input from the surrounding property owners and only received positive feedback from those who were in attendance.

Thank you for your kind consideration of our request.

Sincerely,

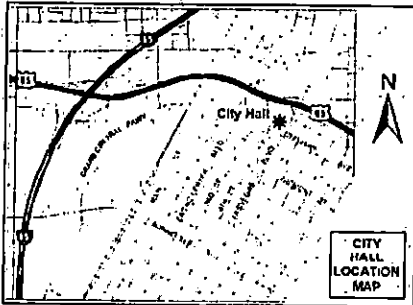
Mark Whitehouse
Ultrasigns, Inc.
(702) 336-3336



VAR-29653
10/09/08 PC - REVISED

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-29653

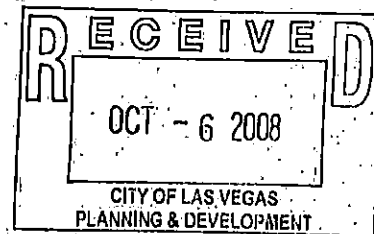
Planning Commission Meeting of 10/9/2008

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE

02.1M \$00.394
0004239954 SEP 26 2008
MAILED FROM ZIP CODE 89101



16203416008
BARTSAS MARY 16 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

Case: VAR-29653

GAUDP11 89106

|||||

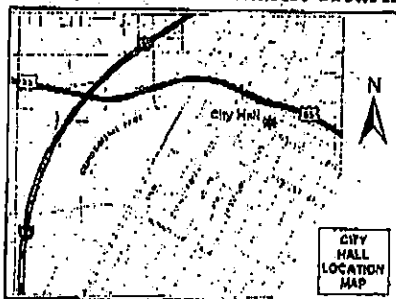
Submitted after final agenda

Date
P

Item
#29

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.

☒ **OPPOSE**
this Request

No. Asking for approval for a

16203415010
HENDEE STEPHEN W
2201 SANTA PAULA DR
LAS VEGAS NV 89104-2633

Case: VAR-29853

Please use available blank space on card for your comments.

VAR-29653

Planning Commission Meeting of 10/9/2008

sign that is over 4x what is zoned is just too much.
20 feet, maybe, but 50 - NO WAY!

CHANDLER L. L. 433 N. 5th

Hickel

Submitted after final agenda

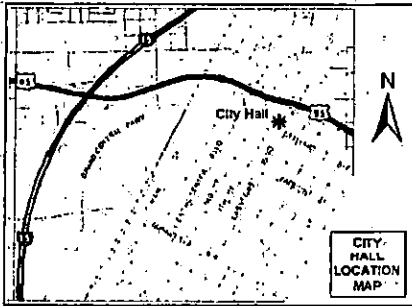
Date _____

iten

#20

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.

AR-29653

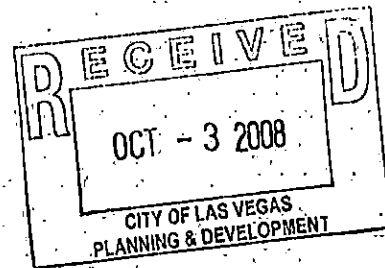
Planning Commission Meeting of 10/9/2008

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE

02.1M \$ 00.394
0004239954 SEP 26 2008
MAILED FROM ZIP CODE 89101



16203414004 Case: VAR-29653
WELLER HELEN LIVING TRUST
5533 SANDBURG AVE
SAN DIEGO CA 92122-4129

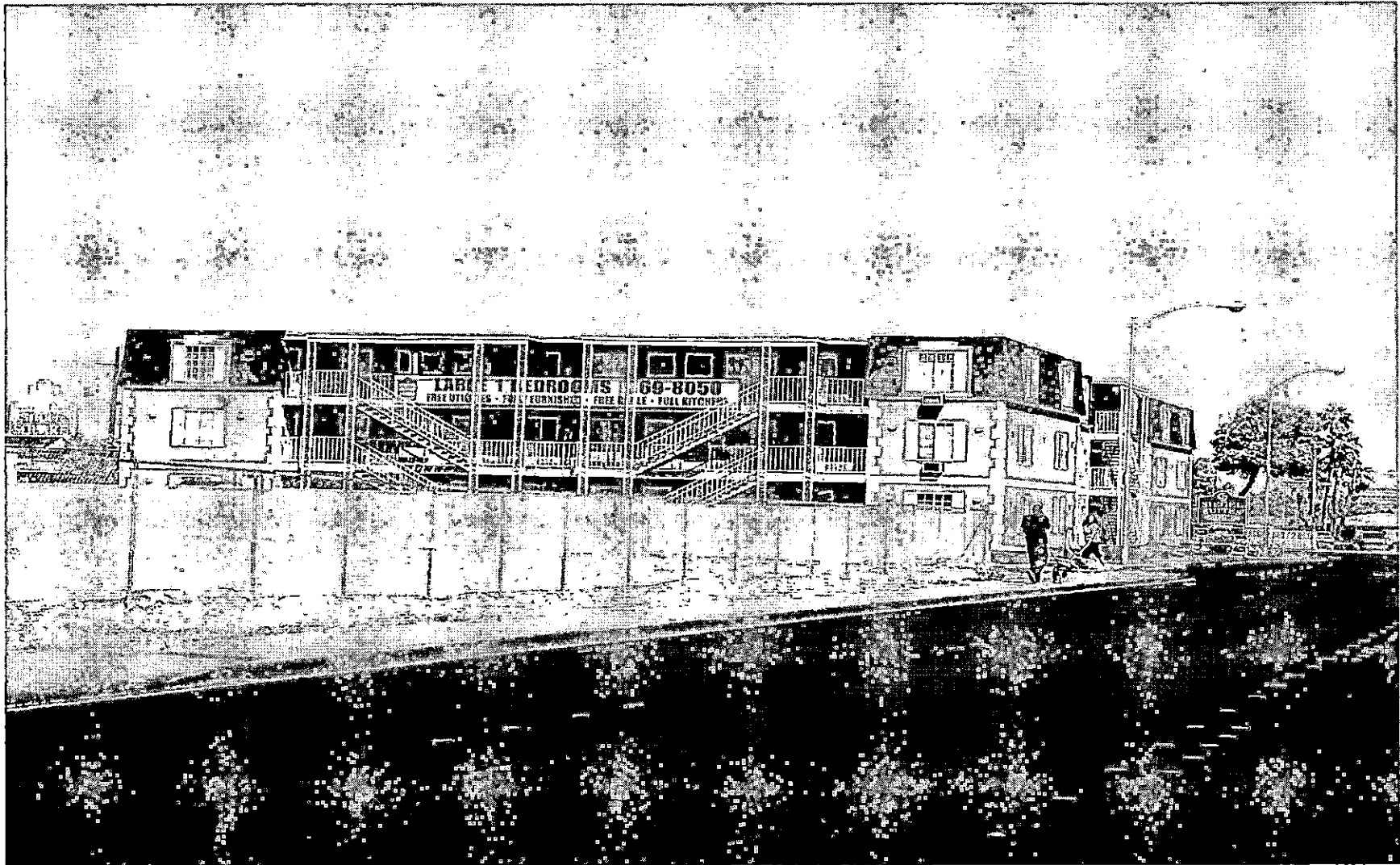
52122+4129 0010



Submitted after final agenda.

Date
A

Item
#29



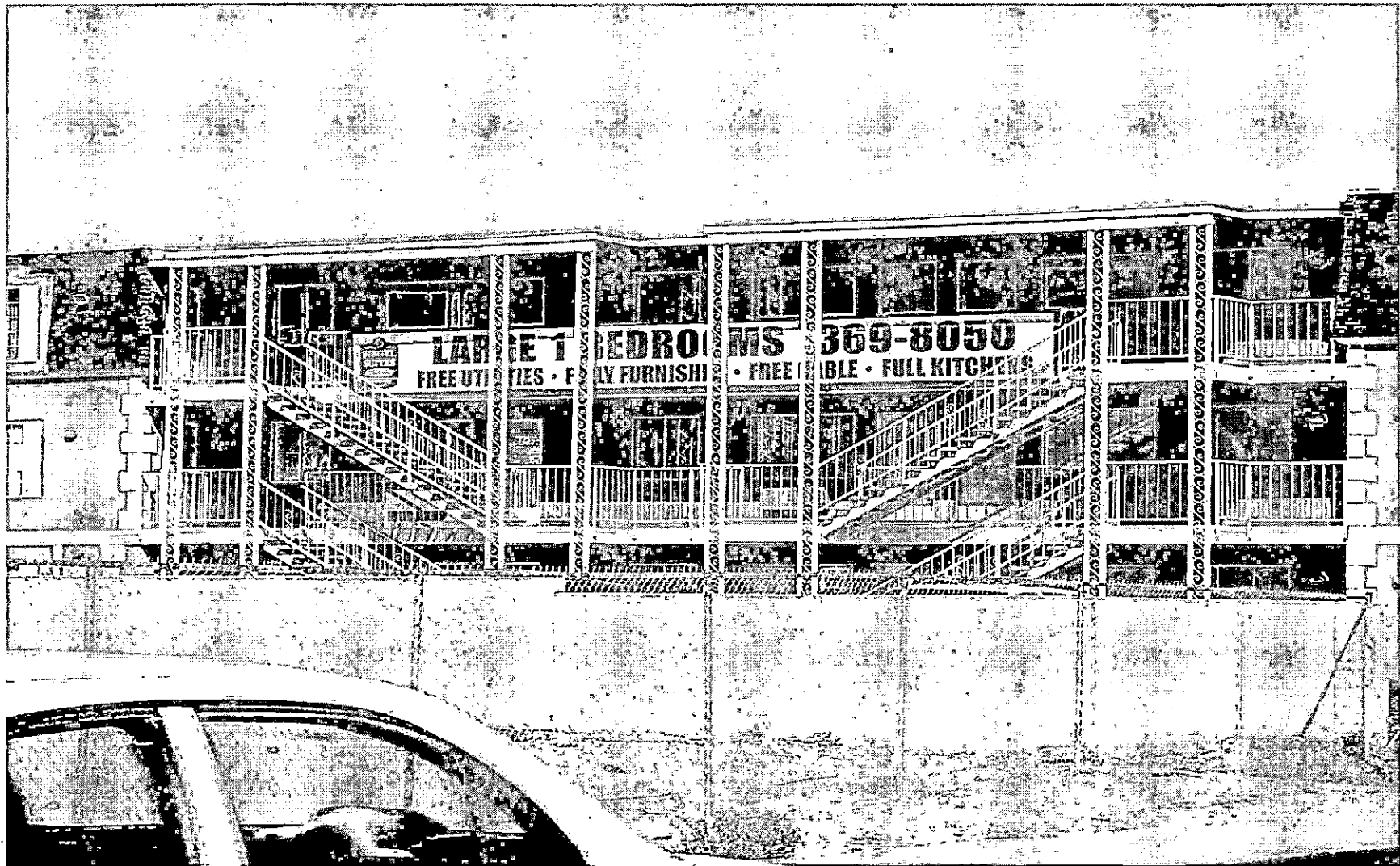
VAR-29653 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: PARADISE SUITES, LLC
2000 PARADISE ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

Submitted after final agenda

Date

Item
#29

10/09/08



VAR-29653 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: PARADISE SUITES, LLC
2000 PARADISE ROAD
OCTOBER 9, 2008 PLANNING COMMISSION

Submitted after final agenda

Date

Item
#29

10/09/08

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VAR-29659 - VARIANCE - PUBLIC HEARING - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC - Request for a Variance TO ALLOW A PROPOSED 250 SQUARE-FOOT WALL SIGN WHERE 50 SQUARE FEET IS THE MAXIMUM ALLOWED on 1.90 acres at 525 East St. Louis Avenue (APN 162-03-312-016), R-5 (Apartment) Zone, Ward 3 (Reese)

C.C.: 11/05/2008

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

Planning Commission Mtg.

(6)

Planning Commission Mtg.

1

City Council Meeting

0

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. Submitted after Final Agenda – Protest Postcards, Telephone Protest, Support Postcards and Photos

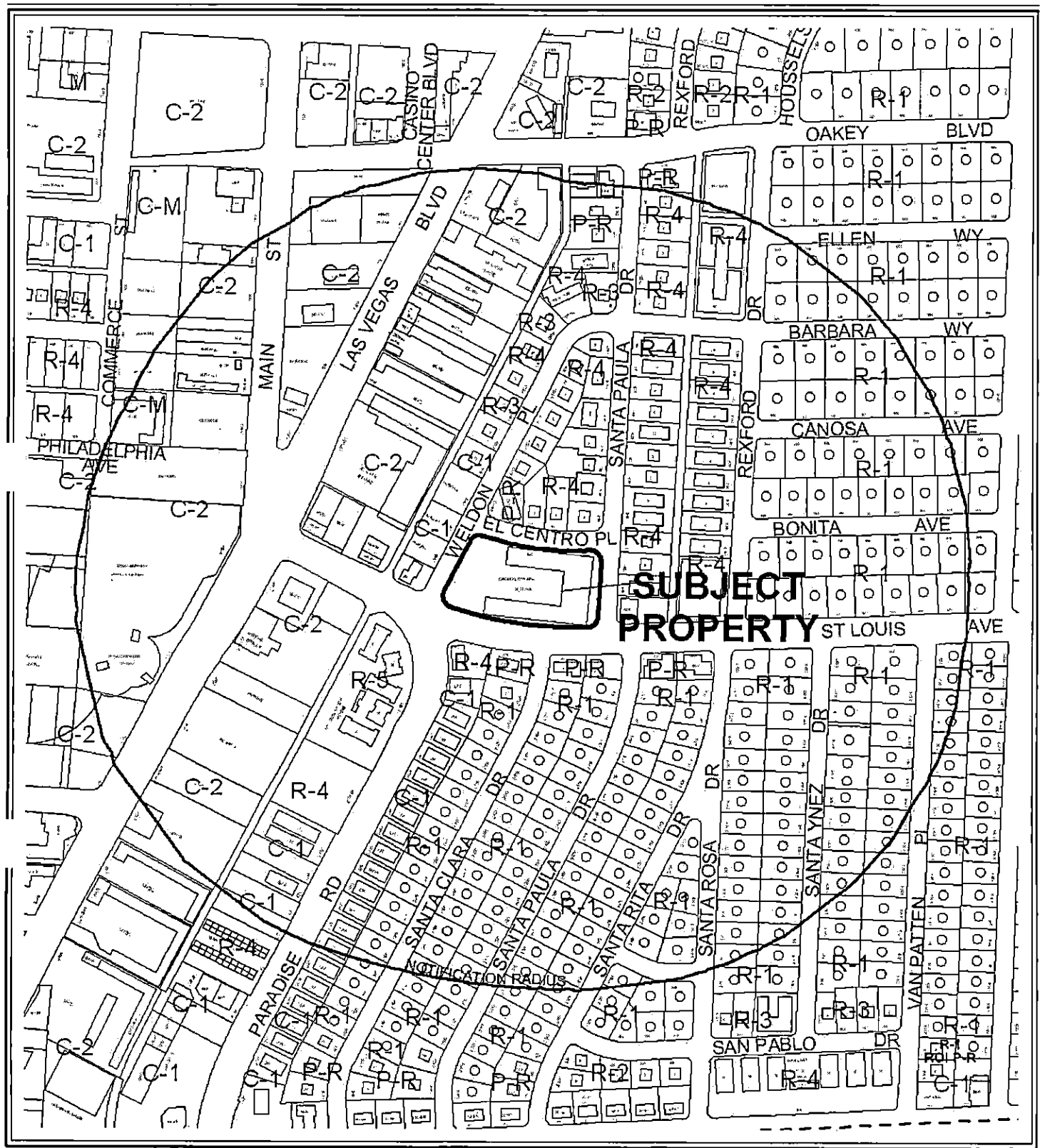
Motion made by GLENN TROWBRIDGE to Hold in abeyance Items 16 and 30 to 11/6/2008; Items 24-27 to 10/23/2008; and Items 17 and 18 to 12/4/2008

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

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

Minutes:

See Item 5 for related discussion.



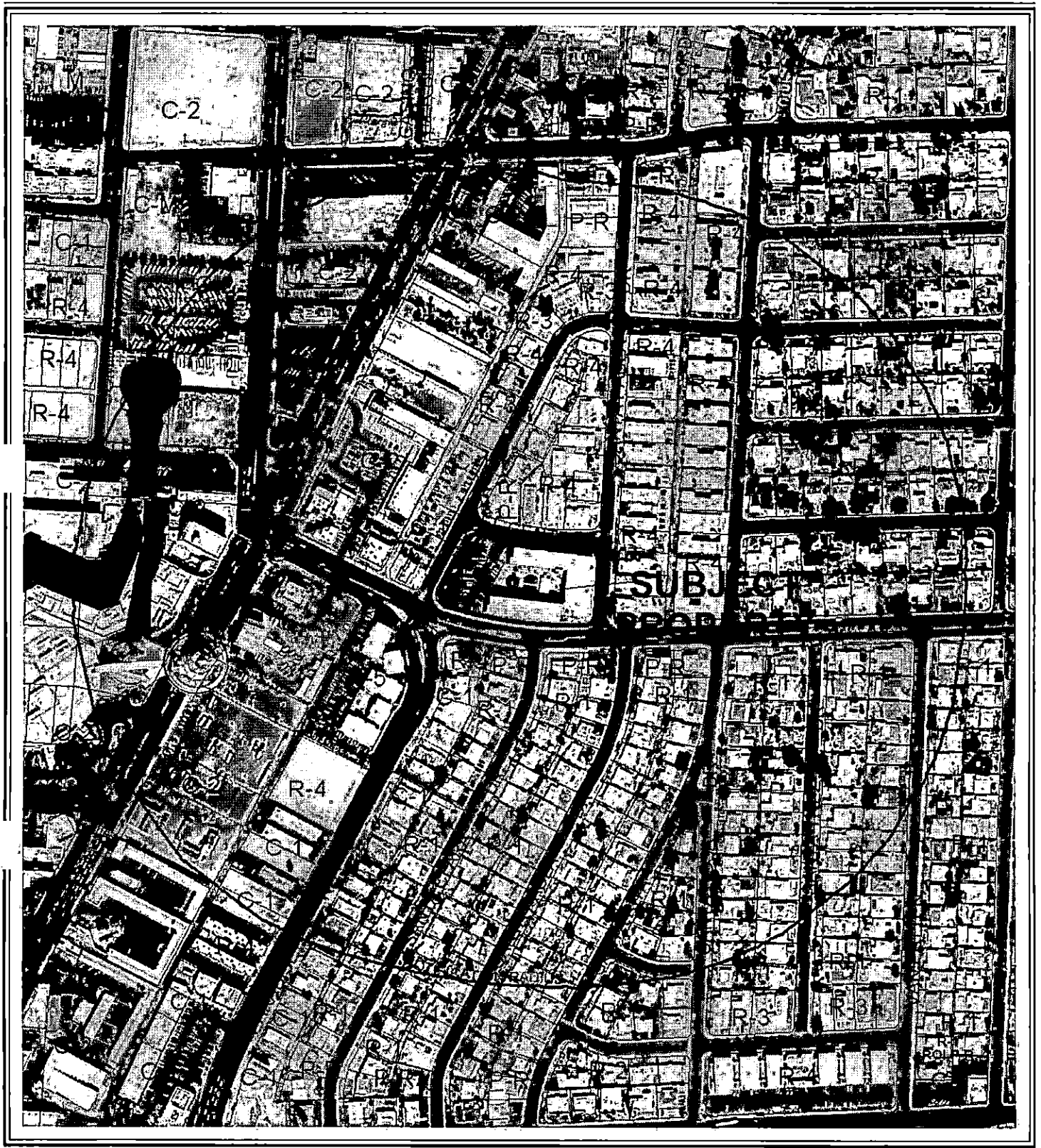
CASE: **VAR-29659**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

0 500 Feet





CASE: VAR-29659

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-29659 – APPLICANT: SIEGEL COMPANIES, INC. –

OWNER: ST. LOUIS SUITES, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a 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-29659 - Staff Report Page One
October 9, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Variance to allow for a 250 square-foot wall sign where 50 square feet is the maximum allowed at 525 East St. Louis Avenue. This request represents an 80 percent deviation from the Title 19.14 standard.

Due to the massive size of the proposed wall sign, staff can not support this application and is recommending denial of this Variance request. This is a self imposed hardship that could be easily rectified by proposing a wall sign that meets Title 19.14 standards.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/27/90	The Board of Zoning Adjustment approved a Variance (V-0112-90) request to allow a ten-foot high block wall where six feet is the maximum height allowed at 525 East St. Louis Avenue.
09/30/03	Code Enforcement (Case #4943) processed a complaint for the air conditioning not working, and mold at 525 East St. Louis Avenue, Apt. #4. The case was resolved on 10/24/03.
01/28/04	Code Enforcement (Case #9231) processed a complaint for no hot water at 525 East St. Louis Avenue, Apt. #416. The case was resolved on 01/30/04.
02/05/04	Code Enforcement (Case #9586) processed a complaint for no hot water at 525 East St. Louis Avenue, Apt. #416. Manager fixed the hot water (Case #9231), but it was not working two days later. The case was resolved on 05/18/04.
02/09/04	Code Enforcement (Case #9670) processed a complaint for no hot water at 525 East St. Louis Avenue, Apt. #310. The case was resolved on 02/17/04.
02/10/04	Code Enforcement (Case #9766) processed a complaint for no hot water at 525 East St. Louis Avenue, Apt. #217. The case was resolved on 02/17/04.
02/12/04	Code Enforcement (Case #9846) processed a complaint for no hot water and no heat at 525 East St. Louis Avenue, Apt. #309. The case was resolved on 02/13/04.
04/08/04	Code Enforcement (Case #12404) processed a complaint of a broken stove, broken air conditioning, sewer backed-up in bathroom, toilet doesn't flush, mushrooms on bathroom ceiling, broken sliding glass door, and a broken kitchen sink at 525 East St. Louis Avenue, Apt. #21. The case was resolved on 12/10/04.
08/30/04	Code Enforcement (Case #20990) processed a complaint of a broken stove, a broken bathroom, mold, the ceiling caving in, and a roach infestation at 525 East St. Louis Avenue, Apt. #21. The case was resolved on 04/19/04.

NE

VAR-29659 - Staff Report Page Two
October 9, 2008 - Planning Commission Meeting

09/02/04	Code Enforcement (Case #21187) processed a complaint for the master bathroom having no water, a sewage back-up in the shower stall, mold in bathrooms, ceiling above the shower growing mushrooms, no handle on both sliding glass doors – can't get in or out, carpet in bedroom soaked, broken stove, plugged kitchen sink, no screens, black spots on carpet in living room, air conditioning doesn't work, tile unfinished in bathroom, holes in living room wall, and no outlet covers in kitchen and living room at 525 East St. Louis Avenue, Apt. #21. The case was resolved on 10/07/04.
10/04/04	Code Enforcement (Case #22429) processed a complaint for a roach infestation, over grown vegetation, dead trees, laundry room equipment does not function properly, and plumbing problems at 525 East St. Louis Avenue. The case was resolved on 01/19/05.
11/12/04	Code Enforcement (Case #23686) processed a complaint of electrical receptacles that are falling apart, have no covers, and have open wiring. Hole by kitchen sink created by flood never repaired, carpet is disintegrating, and the landlord issued a 30-day notice to tenant for complaining at 525 East St. Louis Avenue, Apt. #9. The case was resolved on 12/21/04.
01/25/05	Code Enforcement (Case #25434) processed a complaint for no hot water, disposal not working, no return air filter, roaches, and holes in walls at 525 East St. Louis Avenue, Apt. #415. The case was resolved on 01/12/06.
05/04/05	Code Enforcement (Case #29558) processed a complaint of a hole in the floor at 525 East St. Louis Avenue, Apt. #10. The case was resolved on 06/01/05.
07/20/05	Code Enforcement (Case #32736) processed a complaint for the air conditioning not working at 525 East St. Louis Avenue, Apt. #416. The case was resolved on 08/03/05.
07/21/05	Code Enforcement (Case #32812) processed a complaint for the air conditioning not working, plumbing not working (toilet overflows and no water coming out of one sink), and possible mold at base boards at 525 East St. Louis Avenue, Apt. #20. The case was resolved on 08/16/05.
07/29/05	Code Enforcement (Case #33068) processed a complaint for the air conditioning not working at 525 East St. Louis Avenue, Apt. #416. The case was resolved on 07/29/05.
08/02/05	Code Enforcement (Case #33183) processed a complaint for the air conditioning not functioning properly, mold in the bathroom, a hole in the ceiling, and mold that was painted over at 525 East St. Louis Avenue, Apt. #1. The case was resolved on 08/15/05.
12/29/05	Code Enforcement (Case #37268) processed a complaint for both elevators. One doesn't work at all, the other only works sometimes. The door to the building has been removed and not replaced, padlocks on gate for parking were removed and not replaced, communication system not working, and kids getting into pool (empty) area at 525 East St. Louis Avenue. The case was resolved on 01/12/06.

VAR-29659 - Staff Report Page Three
October 9, 2008 - Planning Commission Meeting

02/02/06	Code Enforcement (Case #38070) processed a complaint for mushrooms growing in the bedroom, the shower caving in, and mold in the kitchen and bathroom sinks at 525 East St. Louis Avenue, Apt. #215. The case was resolved on 02/15/06.
04/28/06	Code Enforcement (Case #40704) processed a complaint for no air conditioning and doors that do not work at 525 East St. Louis Avenue, Apt. #14. The case was resolved on 06/07/06.
05/01/06	Code Enforcement (Case #40750) processed a complaint for no air conditioning at 525 East St. Louis Avenue, Apt. #314. The case was resolved on 05/09/06.
05/01/06	Code Enforcement (Case #40751) processed a complaint for no air conditioning at 525 East St. Louis Avenue, Apt. #310. The case was resolved on 05/03/06.
05/23/06	Code Enforcement (Case #42401) processed a complaint for no hot water throughout complex, no air conditioning, pool was drained and is now being used as a storage area, and the security doors are broken and/or missing throughout the complex at 525 East St. Louis Avenue. The case was resolved on 06/15/06.
05/30/06	Code Enforcement (Case #42641) processed a complaint for no air conditioning in the entire complex for over a week at 525 East St. Louis Avenue. The case was resolved on 06/01/06.
05/31/06	Code Enforcement (Case #42689) processed a complaint for no air conditioning in the entire complex for over a week at 525 East St. Louis Avenue. The case was resolved on 06/15/06.
06/05/06	Code Enforcement (Case #42827) processed a complaint for no hot water, no air conditioning, manager threatening to give 30-day notices for people complaining, exposed pipes, sewage, garbage, and the hallways and pool are being used as storage areas at 525 East St. Louis Avenue, Apt. #410. The case was resolved on 06/15/06.
06/14/06	Code Enforcement (Case #43013) processed a complaint for the entire complex having no air conditioning and no hot water at 525 East St. Louis Avenue. The case was resolved on 06/30/06.
06/30/06	Code Enforcement (Case #43975) processed a complaint for no air conditioning and poor maintenance at 525 East St. Louis Avenue. The case was resolved on 06/30/06.
07/03/06	Code Enforcement (Case #44006; #44007; #44011; #44012; #44013; #44017; #44019; #44021; #44025; #44029; #44030; #44032; #44037; #44040; #44041; #44042; #44043; #44045; #44046; #44047; #44048; #44049; #44051; #44052; #44055; #44056; and #44057) processed a complaint for no air conditioning and poor maintenance at 525 East St. Louis Avenue. The cases were resolved on 07/03/06.

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October 9, 2008 - Planning Commission Meeting

07/05/06	Code Enforcement (Case #44062; #44063; #44064; #44065; #44067; #44068; #44070; #44071; #44072; #44073; #44074; #44075; and #44076) processed a complaint for no air conditioning and poor maintenance at 525 East St. Louis Avenue. The cases were resolved on 07/05/06.
09/21/06	Code Enforcement (Case #46506) processed a complaint of the complex advertising a weekly rate (banner displayed \$299 weekly rate) without a business license for said use at 525 East St. Louis Avenue. The case was resolved on 10/04/06.
12/05/06	Code Enforcement (Case #48424) processed a complaint for non-permitted remodeling of the complex by unlicensed contractors at 525 East St. Louis Avenue. The case was resolved on 12/12/06.
12/18/06	Code Enforcement (Case #48653) processed a complaint of an exposed ceiling, water leaking into unit causing electrical problems, and the tenant was told not to complain or they will be evicted at 525 East St. Louis Avenue, Apt. #316. The case was resolved on 12/27/06.
01/02/07	Code Enforcement (Case #48829) processed a complaint for the water being turned off to complex, no hot water, and no cable at 525 East St. Louis Avenue, Apt. #305. The case was resolved on 01/08/07.
04/18/07	Code Enforcement (Case #52310) processed a complaint for excessive dog waste along Santa Paula Drive at 525 East St. Louis Avenue. The case was resolved on 05/16/07.
06/18/07	Code Enforcement (Case #54528) processed a complaint for two (2) non-permitted banners on a fence and one (1) on the west side of the building at 525 East St. Louis Avenue. The case was resolved on 07/02/07.
07/02/07	A request for a Temporary Sign Permit (TSP-22978) to allow three (3) temporary banner signs at 525 East St. Louis Avenue was approved. The temporary banner signs were permitted to be displayed from 07/02/07 to 08/30/07.
07/05/07	Code Enforcement (Case #55081) processed a complaint for dangerous / unsafe elevators at 525 East St. Louis Avenue. The case was resolved on 07/09/07.
08/01/07	Code Enforcement (Case #56328) processed a complaint for exposed tacks on floor that were left after carpet was removed, no hot water, front has no door knob and the door can not be locked from the outside, air conditioner is broken and is dripping water into the unit because there is no ceiling at 525 East St. Louis Avenue, Apt. #201. The case was resolved on 08/03/07.
08/13/07	Code Enforcement (Case #56684) processed a complaint for no air conditioning, carpet not being tacked down, and the carpet has mildew at 525 East St. Louis Avenue, Apt. #201. The case was resolved on 08/16/07.
09/14/07	Code Enforcement (Case #57839) processed a complaint for the air conditioner being broken at 525 East St. Louis Avenue, Apt. #321. The case was resolved on 09/17/07.

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October 9, 2008 - Planning Commission Meeting

04/17/08	Code Enforcement (Case #64726) processed a complaint for plumbing problems at 525 East St. Louis Avenue. The case was resolved on 04/24/08.
05/19/08	Code Enforcement (Case #65733) processed a complaint for no air conditioning at 525 East St. Louis Avenue, Apt. #321. The case was resolved on 05/22/08.
06/04/08	Code Enforcement (Case #66339) processed a complaint for the air conditioner being broken and no cold water at 525 East St. Louis Avenue, Apt. #321. The case was resolved on 06/18/08.
06/20/08	Code Enforcement (Case #66897) processed a complaint for the entire complex not having air conditioning at 525 East St. Louis Avenue. The case was resolved on 06/24/08.
06/20/08	Code Enforcement (Case #66918) processed a complaint for the entire complex not having air conditioning for 16 days at 525 East St. Louis Avenue. The case was resolved on 06/24/08.
<i>Related Building Permits/Business Licenses</i>	
01/01/51	A business license (#A07-00530) was issued for an apartment house at 525 East St. Louis Avenue. A cease & desist was issued on 02/15/02. The license was re-issued on 05/18/04 and marked out on 06/06/06.
09/14/89	A building permit (#89039137) was issued for plumbing work to be performed at 525 East St. Louis Avenue. The permit was finaled on 09/20/89.
03/18/91	A building permit (#91100332) was issued for electrical work at 525 East St. Louis Avenue. The permit was finaled on 04/11/91.
05/17/91	A building permit (#91106959) was issued to replace an existing boiler at 525 East St. Louis Avenue. The permit was finaled on 07/23/91.
12/31/93	A building permit (#93182282) was issued for an iron fence for lots 1-12 at 525 East St. Louis Avenue. The permit expired on 12/31/93.
08/09/95	A building permit (#95384338) was issued for re-roofing at 525 East St. Louis Avenue. The permit expired on 02/24/96.
08/18/95	A building permit (#95385291) was issued for an AVI loop at 525 East St. Louis Avenue. The permit expired on 02/24/96.
08/23/99	A building permit (#99016634) was issued for re-roofing at 525 East St. Louis Avenue. The permit expired on 02/19/00.
12/04/02	A business license (#P35-00526) was issued for an outdoor pay phone located at 525 East St. Louis Avenue. The license was marked out on 07/17/07.
05/14/04	A building permit (#4012546) was issued to replace a boiler at 525 East St. Louis Avenue. The permit expired on 11/13/04.
08/19/04	A business license (#G04-05675) was issued for gifts and novelties at 525 East St. Louis Avenue. The license was marked out on 03/26/07.
09/13/05	A business license (#M01-08625) was issued for a maintenance service – janitorial at 525 East St. Louis Avenue. The license was marked out on 04/15/06.
05/30/06	A building permit (#66521) was issued for fire repair (electrical and mechanical) at 525 East St. Louis Avenue.

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05/31/06	A building permit (#66404) was issued for fire repair (change out of HVAC units) at 525 East St. Louis Avenue.
06/19/06	A business license (#A07-01713) was issued for an apartment house at 525 East St. Louis Avenue.
Pre-Application Meeting	
06/30/08	A pre-application meeting was held where the submittal requirements for a Variance were discussed with the applicant.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
09/02/08	A routine field check was performed by staff where temporary non-permitted signs (banners) were noted on-site; the parking lot landscaping is dead, only sawed-off tree stumps remain; and a temporary cooling system was installed within the landscape buffer at the corner of St. Louis Avenue and Santa Paula Drive. Exposed piping and cords were noted leading from the cooling system to the building.

Details of Application Request	
Site Area	
Net Acres	1.90

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Apartments	C (Downtown – Commercial)	R-5 (Apartment)
North	Offices & Multi-Family Residences	C (Downtown – Commercial)	P-R (Professional Office and Parking) & R-4 (High Density Residential)
South	Offices	C (Downtown – Commercial) & SC (Service Commercial)	P-R (Professional Office and Parking) & R-4 (High Density Residential)
East	Multi-Family Residences	H (High Density Residential)	R-4 (High Density Residential)
West	Offices & Parking Lot	C (Downtown – Commercial)	C-1 (Limited Commercial)

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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		N
Beverly Green / Southridge Neighborhood Plan	X		N*
Las Vegas Redevelopment Plan / Downtown Redevelopment Area	X		N**
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District – 175 feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

***Beverly Green / Southridge Neighborhood Plan**

One of the primary issues stated by the Beverly Green / Southridge Neighborhood Plan was the lack of property maintenance by some property owners and the negative effect the poor maintenance has on the area overall. The resulting goal of this plan is to support a program that will have 100 percent of the properties in the neighborhoods up to the City of Las Vegas minimum code standards within three years of adoption of the plan. The Beverly Green / Southridge Neighborhood Plan was adopted by City Council on August 6, 2003. The subject site has had over 80 code enforcement cases involving both exterior and interior maintenance concerns.

****Las Vegas Redevelopment Plan / Downtown Redevelopment Area**

As stated by the City of Las Vegas Redevelopment Agency Land Uses and Development Requirements, section IV.F.6 Signs, "All signs shall conform to City requirements as appropriate." The proposed sign is not in compliance with Title 19.14. The proposed sign deviates from code standard by 80 percent.

A-O Airport Overlay District – 175 feet

No structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations defined by the McCarran Airport Overlay Map and the North Las Vegas Airport Overlay Map. The subject site is within the 175-foot contour limitations and does not violate the height limitations as the proposed wall sign does not alter the height of the structure in any way, nor does it exceed the height limitations set forth by the Airport Overlay District.

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October 9, 2008 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Wall Signs: [250 Square-Foot Wall Sign]		
Standards	Allowed	Provided
Maximum Number	1 per Street Frontage 1 Street Frontage	1 per Street Frontage 1 Wall Sign
Maximum Area	50 SF / Sign	250 SF*
Maximum Projection	2 FT	1.25 FT
Illumination	Internal/External	Internal

*The applicant is requesting a Variance to allow for a 250 square-foot wall sign where 50 square feet is the maximum size allowed in an R-5 (Apartment) zone.

ANALYSIS

The applicant is requesting a Variance to allow for a 250 square-foot wall sign where 50 square feet is the maximum allowed. The proposed wall sign is 18.25 feet high, and 13.67 feet in width. The sign will be internally lit with "Reflex Blue" and "#110 Yellow Gold" as the primary colors of the sign. The sign will also have an exposed "White" neon border and a "Yellow Gold II" neon surrounding cabinet. The sign border will also consist of a 0.42-foot split color retainer, alternating the yellow outside and the blue inside. Since this wall sign faces the west away from residential development, residential adjacency does not apply in regards to the neon elements of the proposed sign. The sign face itself is an aluminum flexible vinyl with a map satin finish. The proposed wall sign will protrude 1.25 feet from the building façade meeting the maximum allowed by Title 19.14 of two feet. This request represents an 80 percent deviation from the standard.

Due to the massive size of the proposed wall sign, staff can not support this application and is recommending denial of this Variance request. This is a self imposed hardship that could be easily rectified by proposing signage for this site that meets Title 19.14 standards.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 277

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-29659** APN: 162-03-312-016

Name of Property Owner: St. Louis Suites, LLC

Name of Applicant: Siegel Companies, Inc.

Name of Representative: Tabitha Fiddymont, Kummer Kaempfer

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: _____

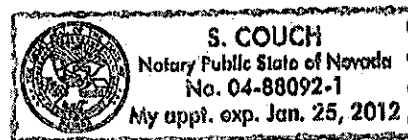
Signature of Property Owner: _____

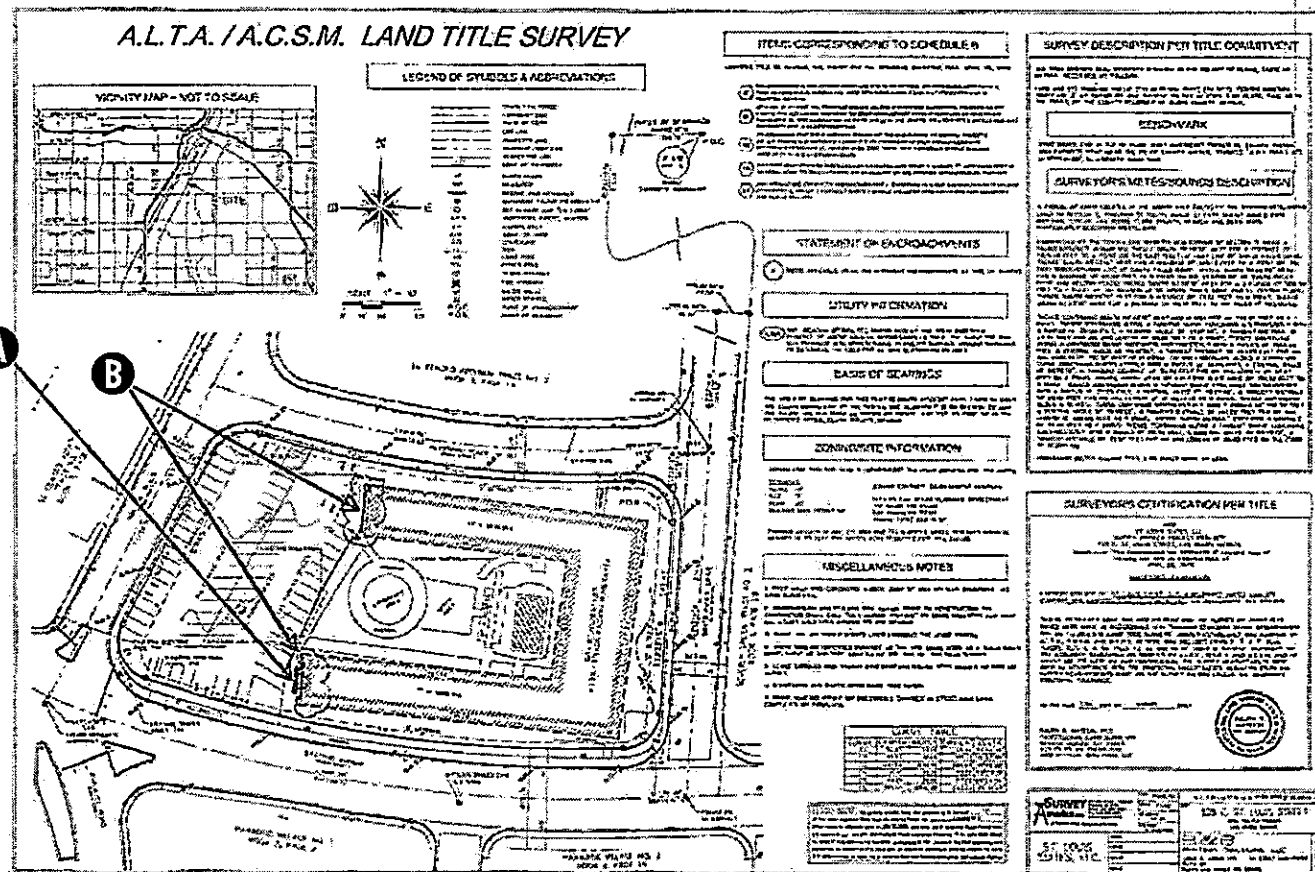
Print Name: Stephen Siegel, President, Siegel Companies, Inc

Subscribed and sworn before me

This 16th day of August, 2008

Notary Public in and for said County and State





SITE PLAN

JOB INFORMATION
SEGEL SUITES - ST. LOUIS
525 ST. LOUIS
LAS VEGAS, NV
89104

SALESPERSON
MARK WHITEHOUSE
 DESIGNER
DAVID GREEN
 SKETCH NO.
STIEGLOS

DATE
02-19-2008
 VOLTAGE
VERIFY

PRIMARY ELECTRICAL TO SIGN LOCATIONS IS TO BE PROVIDED BY OTHERS. A 20 AMP DEDICATED CIRCUIT WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR ALL INSTALLATIONS.

COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION PURPOSES ONLY. THEY MAY NOT MATCH YOUR FINISHED PRODUCT. PERFECT COLOR CALL-OUTS ARE FOR A MATCH AS CLOSE AS POSSIBLE.

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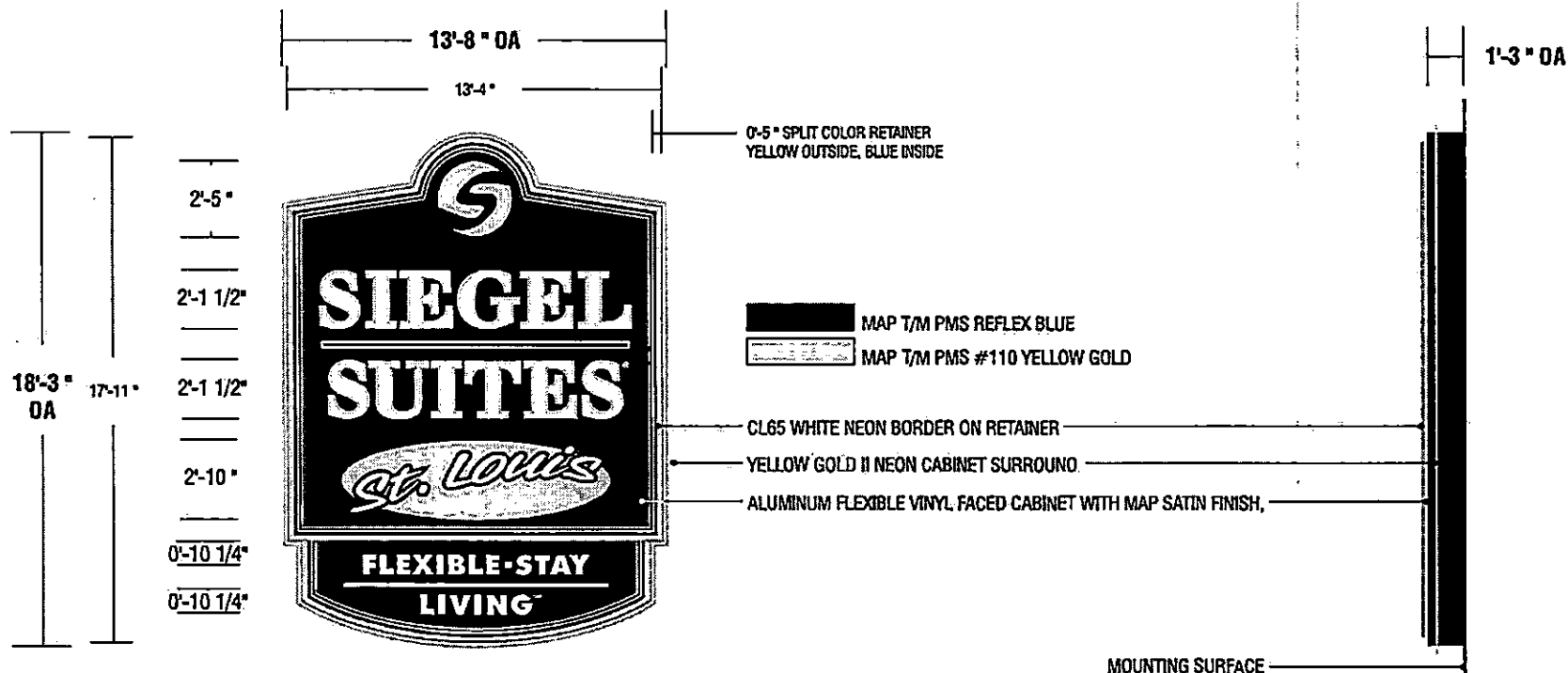
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2	03-03-2008	DAG	7
3	03-13-2008	DAG	8
4	08-12-2008	DAG	9
5			10

CLIENT APPROVAL
 Page 2 of 8

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- A** NEW SINGLE FACED INTERNALLY ILLUMINATED FLEXIBLE FACED WALL DISPLAY WITH EXPOSED NEON TRIM
 SCALE 1/4" = 1'-0"
 USE STANDARD ALUMINUM CONSTRUCTION WITH MAP SATIN FINISH,
 ILLUMINATE WITH CWHO FLUORESCENT TUBES AT 1'-0" ON CENTER,
 SEE ENGINEERS SPECS FOR STRUCTURAL CALCULATIONS,
 SIGN TO BE UL APPROVED AND BEAR UL LABEL

SIGN PLAN

JOB INFORMATION
SIEGEL SUITES - ST. LOUIS
525 ST. LOUIS
LAS VEGAS, NV
89104

SALESPERSON
MARK WHITEHOUSE
 DESIGNER
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 SKETCH NO
SIEGEL05

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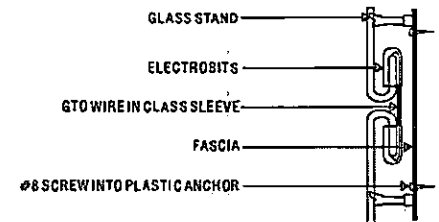
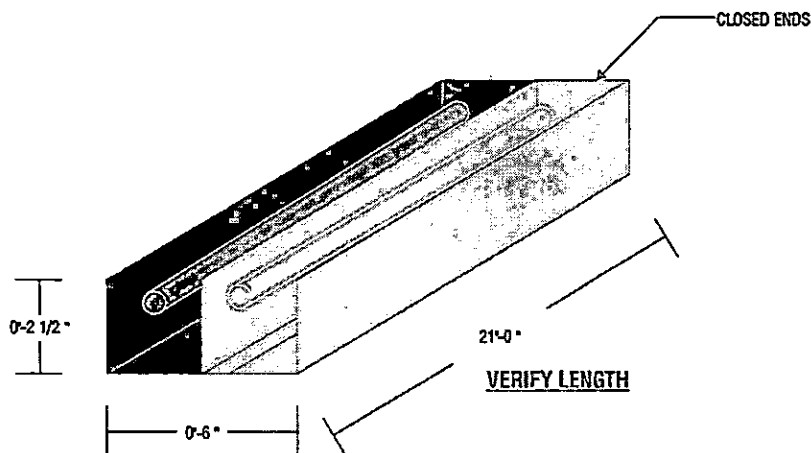
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SECTION

SIGN TO BE UL APPROVED AND BEAR UL LABEL
INTERMEDIATE CONNECTION

B¹B²

MAKE TWO

NEW EXPOSED NEON BORDER IN ALUMINUM OPEN PAN CHANNEL
NOT TO SCALE

USE STANDARD ALUMINUM CONSTRUCTION WITH MAP SATIN FINISH,
PAINT INSIDE OF TOP CHANNEL BLUE, ILLUMINATE WITH SINGLE TUBE HORIZON BLUE NEON,
PAINT INSIDE OF LOWER CHANNEL YELLOW, ILLUMINATE WITH YELLOW GOLD II NEON,
VERIFY EXACT TRANSFORMER LOCATION PRIOR TO INSTALLATION.



NEON BUILDING TRIM

JOB INFORMATION
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LAS VEGAS, NV
89104

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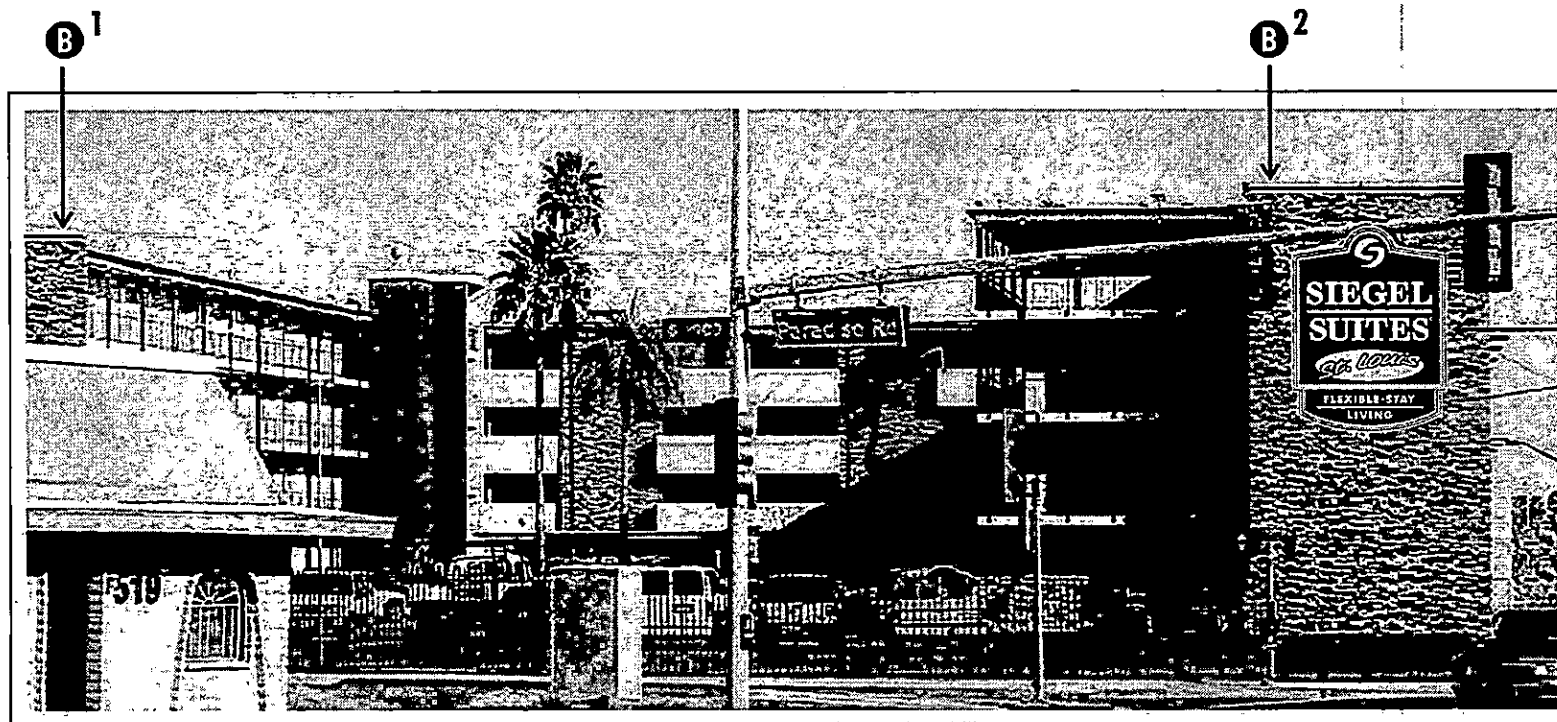
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PROPOSED ELEVATION SCALE 3/32" = 1'-0"

ELEVATION

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<u>SIGN TYPE</u>	<u>QUANTITY</u>	<u>ILLUMINATION</u>	<u>STYLE</u>	<u>SQUARE FOOTAGE</u>
A	<u>ONE</u>	<u>YES</u>	<u>WALL</u>	<u>250</u>
B 1	<u>ONE</u>	<u>YES</u>	<u>WALL</u>	<u>20</u>
B 2	<u>ONE</u>	<u>YES</u>	<u>WALL</u>	<u>20</u>

SIGN ANALYSIS TABLE

JOB INFORMATION
SIEGEL SUITES - ST. LOUIS
525 ST. LOUIS
LAS VEGAS, NV
89104

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1 02-20-2008 DAG
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3 03-13-2008 DAG
4 08-12-2008 DAG
5

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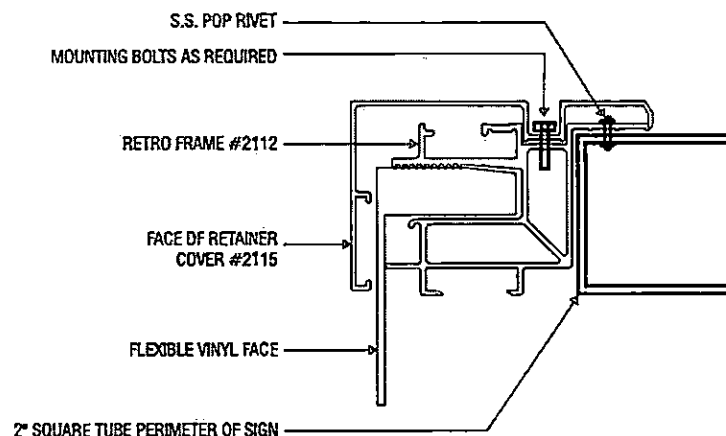
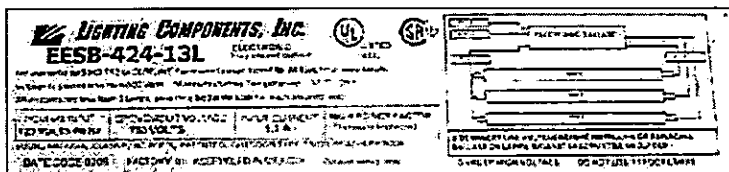
REVISION DATES
① 02-20-2008 DAG ⑥
② 03-03-2008 DAG ⑦
③ 03-13-2008 DAG ⑧
④ 08-12-2008 DAG ⑨
⑤ ⑩

CLIENT APPROVAL
Page 7 of 8

ultrasigns
ELECTRICAL SIGNAGE
TEL: 858-569-1400 FAX: 858-569-1453
9025 BALBOA AVENUE, STE 150
SAN DIEGO, CA 92123-1520

VAR-29659
10/09/08 PC

RECEIVED
AUG 26 2008



MISC DETAILS

JOB INFORMATION
SIEGEL SUITES - ST. LOUIS
525 ST. LOUIS
LAS VEGAS, NV
89104

SALESPERSON
MARK WHITEHOUSE
 DESIGNER
DAVID GREEN
 SKETCH NO
SIEGEL05

DATE
02-19-2008
 VOLTAGE
VERIFY

PRIMARY ELECTRICAL TO SIGN LOCATIONS IS TO BE PROVIDED BY OTHERS. A 20 AMP DEDICATED CIRCUIT WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR ALL INSTALLATIONS.
 COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION PURPOSES ONLY. THEY MAY NOT MATCH YOUR FINISHED PRODUCT PERFECTLY. COLOR CALL-OUTS ARE FOR A MATCH AS CLOSE AS POSSIBLE.
 THIS ORIGINAL DESIGN IS THE SOLE PROPERTY OF ULTRASIGNS. IT CANNOT BE REPRODUCED, COPIED OR EMITTED, IN WHOLE OR PART, WITHOUT FIRST OBTAINING WRITTEN CONSENT FROM ULTRASIGNS.

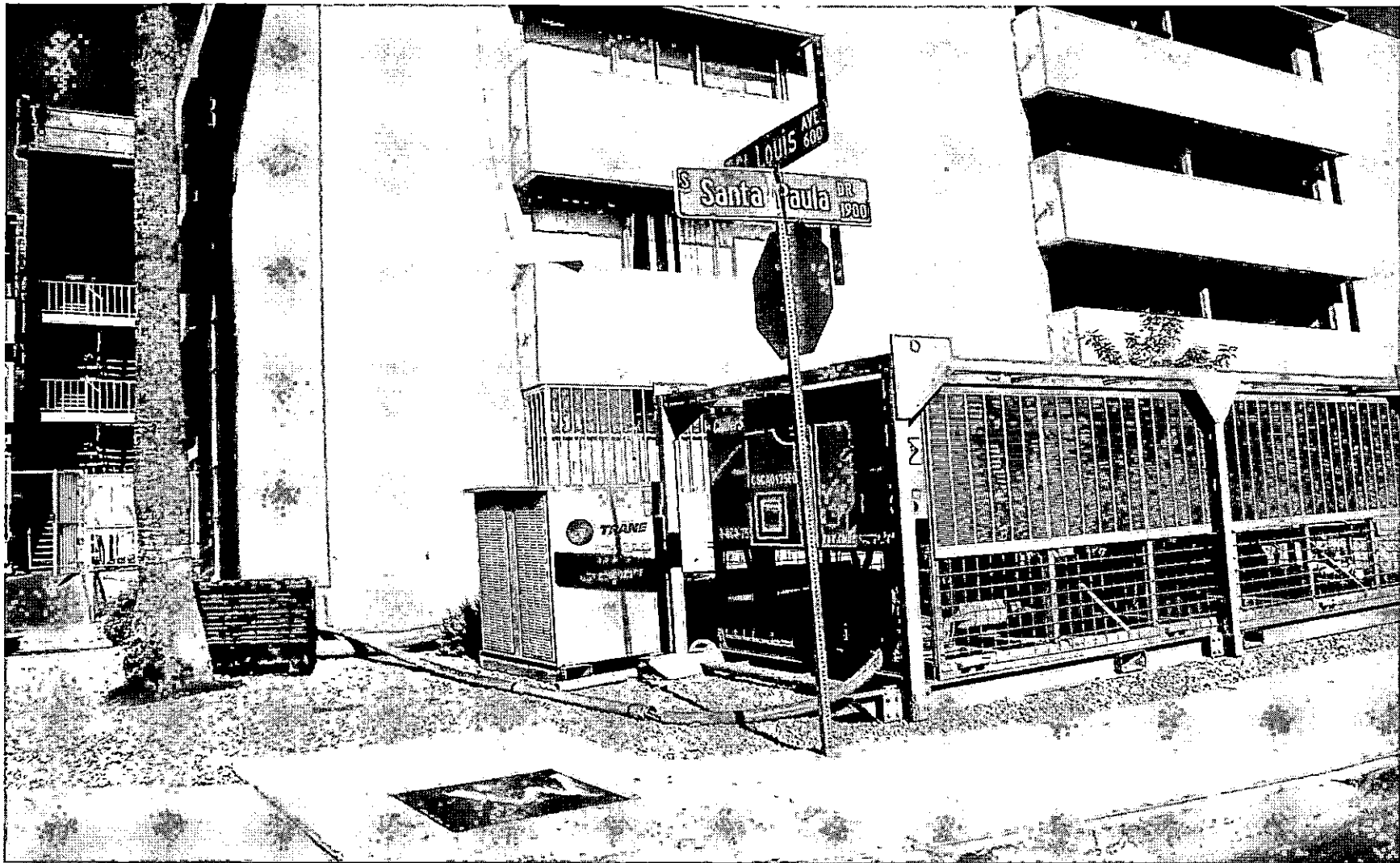
REVISION DATES
 1 02-20-2008 DAG 6
 2 03-03-2008 DAG 7
 3 03-13-2008 DAG 8
 4 08-12-2008 DAG 9
 5 10

CLIENT APPROVAL
 Page 8 of 8

ultrasigns
 ELECTRICAL COVERING
 TEL: 858-569-1400 FAX: 858-569-7455
 9025 BALBOA AVENUE, STE 150
 SAN DIEGO, CA 92123-7520

VAR-29659
10/09/08 PC

RECEIVED
AUG 26 2008



VAR-29659 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC
525 EAST ST. LOUIS AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29659 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC
525 EAST ST. LOUIS AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29659 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC
525 EAST ST. LOUIS AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29659 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC
525 EAST ST. LOUIS AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



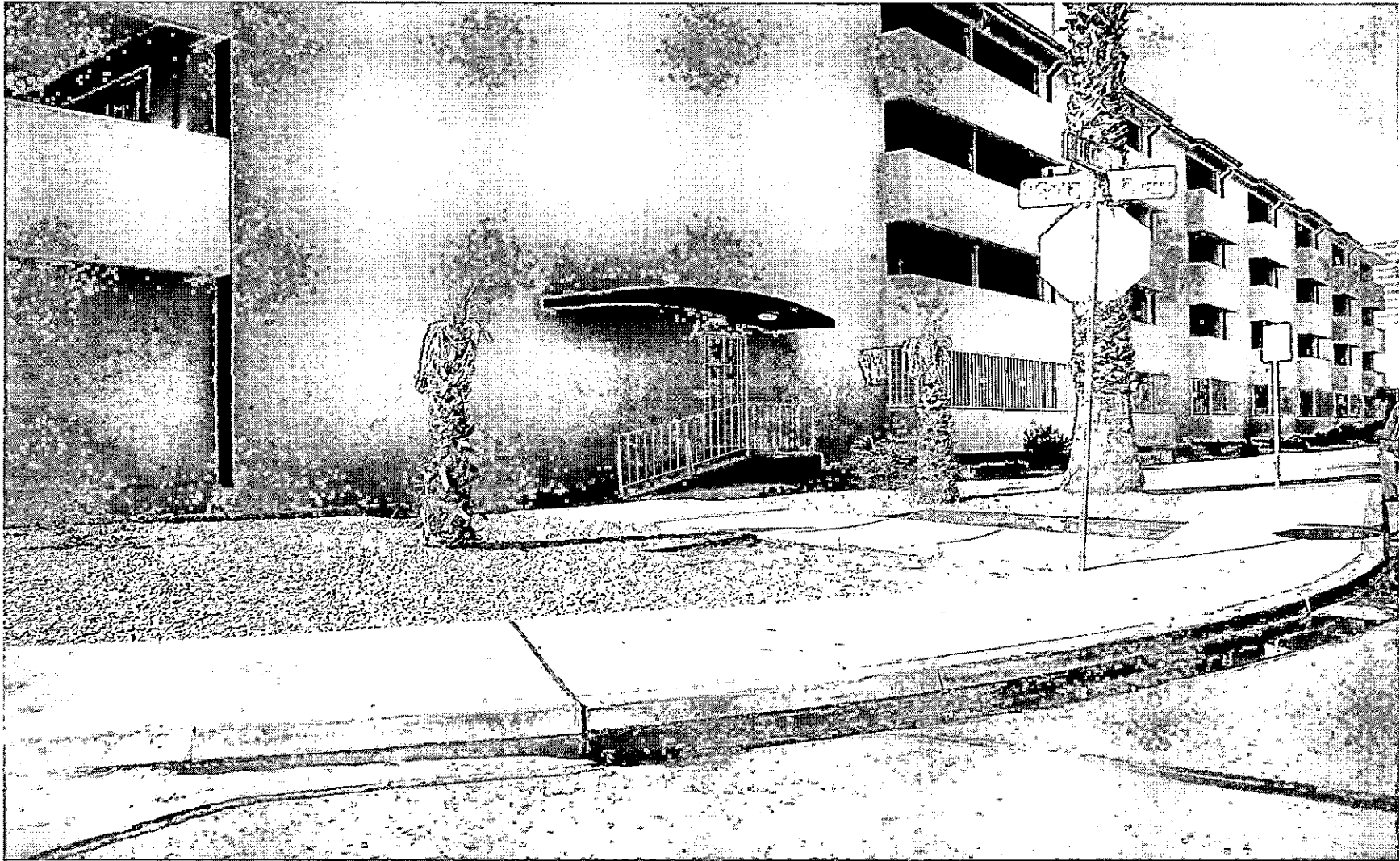
VAR-29659 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC
525 EAST ST. LOUIS AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29659 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC
525 EAST ST. LOUIS AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29659 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC
525 EAST ST. LOUIS AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



JUSTIFICATION LETTER

Date: 8/26/08

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

From: Mark Whitehouse

Attn: Planning/Development Department

Re: Master Sign Plan for Siegel Suites 525 E. St. Louis LVNV 89104

To Whom It May Concern:

On behalf of Siegel Suites located at 525 E. St. Louis LVNV 89104, Ultrasigns Electrical Advertising will be filing for a *Master Sign Plan*. In this package we will show all identification signage on the property and request to increase the size of the Main Wall Identification Sign size to 250 square feet where 50 square feet per building elevation is allowed. The Sign will face west and is to advertise only to Las Vegas Boulevard.

The subject site has been recently renovated and has proven to be a welcome addition to an area in need of revitalization. The proposed signage will not only enhance and compliment the building it will not have any adverse impact on surrounding properties. Further, the property owner held a neighborhood meeting to solicit input from the surrounding property owners and only received positive feedback from those who were in attendance.

Thank you for your kind consideration of our request.

Sincerely,

Mark Whitehouse
Ultrasigns, Inc.
(702) 336-3336

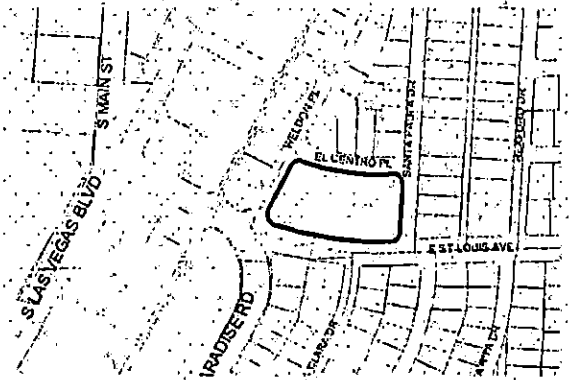
**VAR-29659
10/09/08 PC**

Application Information

VAR-29659 - VARIANCE - PUBLIC HEARING - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC - Request for a Variance TO ALLOW A PROPOSED 250 SQUARE-FOOT WALL SIGN WHERE 50 SQUARE FEET IS THE MAXIMUM ALLOWED on 1.90 acres at 525 East St. Louis Avenue (APN 162-03-312-016), R-5 (Apartment) Zone, Ward 3 (Reese).

THERE is already
enough signage
at this location!

Application Location



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

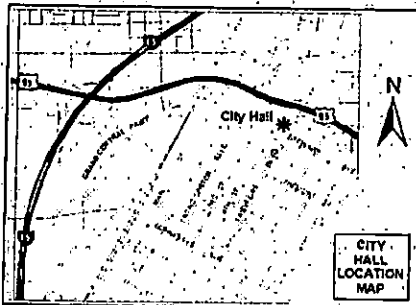
Public Hearing Information

Meeting: Planning Commission
Date: *October 09, 2008*
Time: 6:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD) 386-9108) <http://www.lasvegasnevada.gov>.

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.

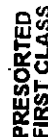
☐ I SUPPORT this Request

☒ I OPPOSE
this Request

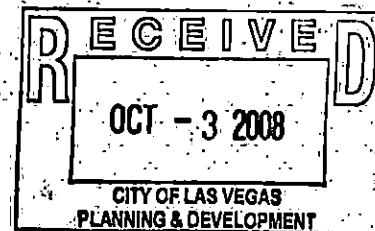
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VAR-29659

Planning Commission Meeting of 10/9/2008.



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16203314033 Case: VAR-28859
HAVEY REVOCABLE LIVING TRUST
550 BARBARA WY
LAS VEGAS NV 89104-2858

Submitted after final agenda

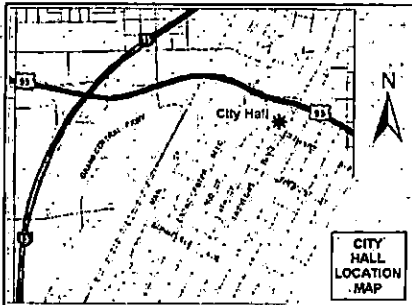
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2004.11 2004.12

Wickham

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-29659

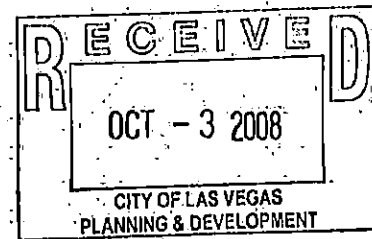
Planning Commission Meeting of 10/9/2008

RESORT
 FIRST CLASS



U.S. AIR MAIL

0004239954 SEP 26 2008
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16203310003
 LITTLE CHAPEL L L C
 1717 LAS VEGAS BLVD S
 LAS VEGAS NV 89104-1301

Case: VAR-29659

GA00311 89104



Submitted after final agenda

Date
 P

Item
 #30

Application Information

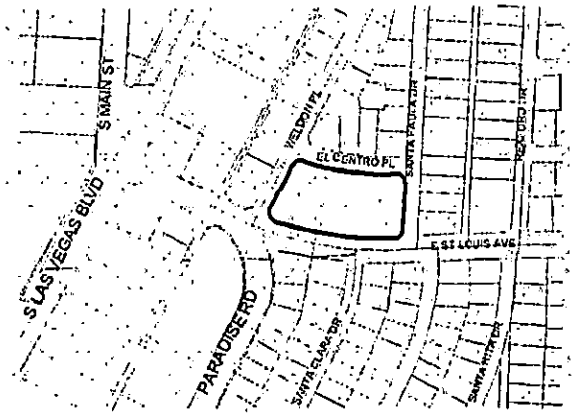
VAR-29659 - VARIANCE - PUBLIC HEARING - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC - Request for a Variance TO ALLOW A PROPOSED 250 SQUARE-FOOT WALL SIGN WHERE 50 SQUARE FEET IS THE MAXIMUM ALLOWED on 1.90 acres at 525 East St. Louis Avenue (APN 162-03-312-016); R-5 (Apartment) Zone, Ward 3 (Reese)

I FEEL SIEGEL SUITES IS A BUFFER BETWEEN THE COMMERCIAL BUSINESSES ON LAS VEGAS BLVD & PARADISE RD AND THE SINGLE FAMILY RESIDENCES TO THE EAST. THE CURRENT 50 SQ. FT. SIGNAGE IS MORE IN KEEPING WITH THAT NOTION.

*THANKS
PLEASE DON'T CHIP AWAY AT OUR NEIGHBORHOOD*

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request, or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezoning will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.

Application Location



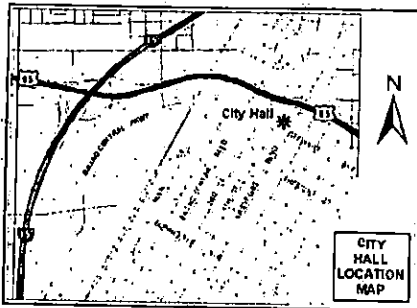
The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting: Planning Commission
Date: October 09, 2008
Time: 6:00 P.M.
Location: City Council Chambers
 400 Stewart Avenue
 Las Vegas, Nevada

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.

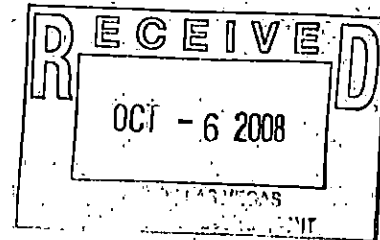
VAR-29659

Planning Commission Meeting of 10/9/2008

PRESORTED
 FIRST CLASS



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Case: VAR-29659
 16203314047
 VILLASENOR BENITA C
 546 ELLEN WY
 LAS VEGAS NV 89104-2860

Submitted after final agenda

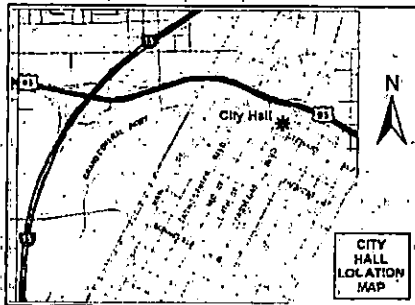
Date: P Item: #30

GA00P11 48104



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

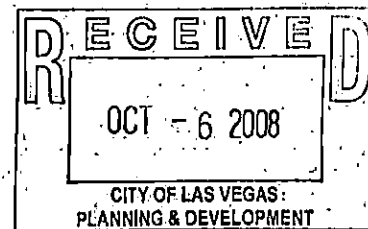
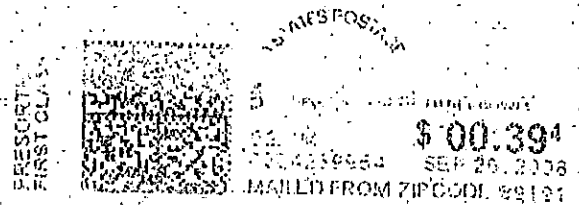
☒

I OPPOSE
this Request

Please use available blank space on card for your comments.

VAR-29659

Planning Commission Meeting of 10/9/2008



16203311002
BARTSAS MARY 19 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

Case: VAR-29659

GAUDP 11 89106



Submitted after final agenda

Date

P

Item

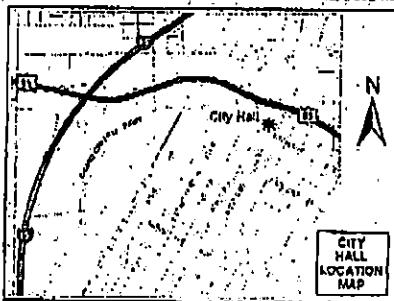
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10/08/2008 12:55 FAX

001

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**



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☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

NO WAY!

Please use available blank space on card for your comments.

VAR-29659

Planning Commission Meeting of 10/9/2008

*This property has already blighted the area with
a huge HVAC unit at street level when it
its 25' long! ← should be on the roof. Enough is enough!*

16203415010
HENDEE STEPHEN W
2201 SANTA PAULA DR
LAS VEGAS NV 89104-2833

Case: VAR-29659

Submitted after final agenda

Date *P* Item *#30*

Telephone Protest/Support Log

Meeting Date: 10-09-08 PC

Case Number: VAR-29659

Date: 10-1-08
Name: ANNETTE MARCUS
Address: 545 CANASA AVE
Phone: 732-2232
☒ PROTEST ☐ SUPPORT
TOO BIG

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

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

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

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

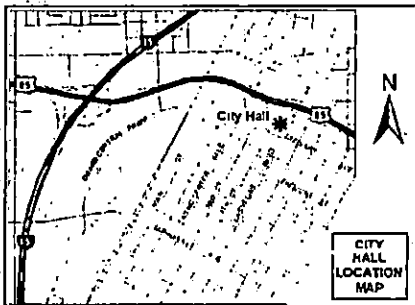
Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ SUPPORT

Submitted after final agenda

Date: P Item: #30

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

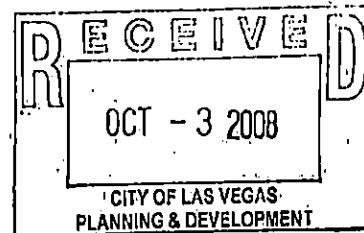


I OPPOSE
 this Request

Please use available blank space on card for your comments.

VAR-29659

Planning Commission Meeting of 10/9/2008



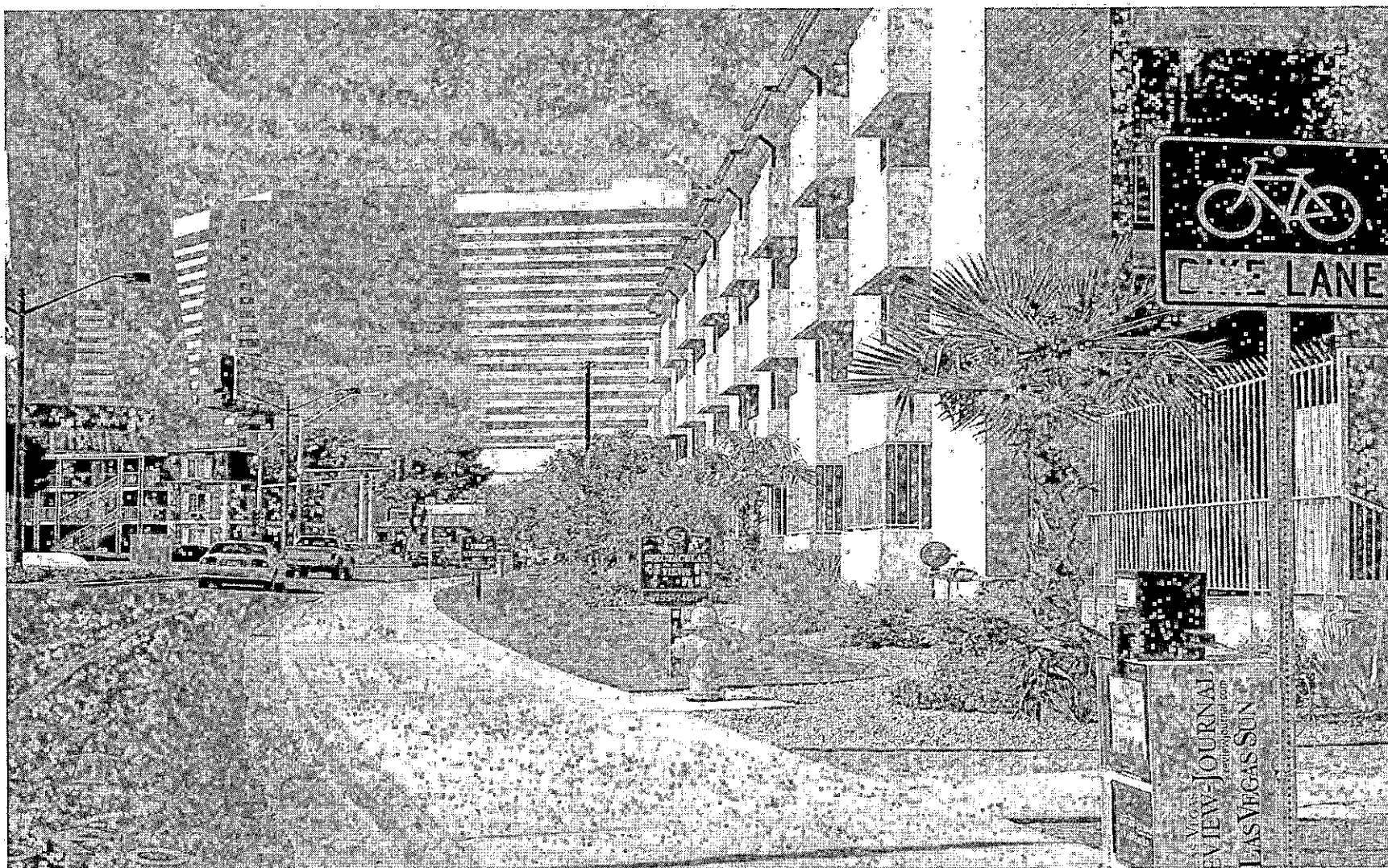
Case: VAR-29659
 16203414004
 WELLER HELEN LIVING TRUST
 5533 SANDBURG AVE
 SAN DIEGO CA 92122-4129

GAUDS11 82132



Submitted after final agenda

Date A Item #30



VAR-29659 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC
525 EAST ST. LOUIS AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

Submitted after final agenda

Date

Item

#30

10/09/08



VAR-29659 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC
525 EAST ST. LOUIS AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

Submitted after final agenda

Date

Item

~~20~~ 30

10/09/08



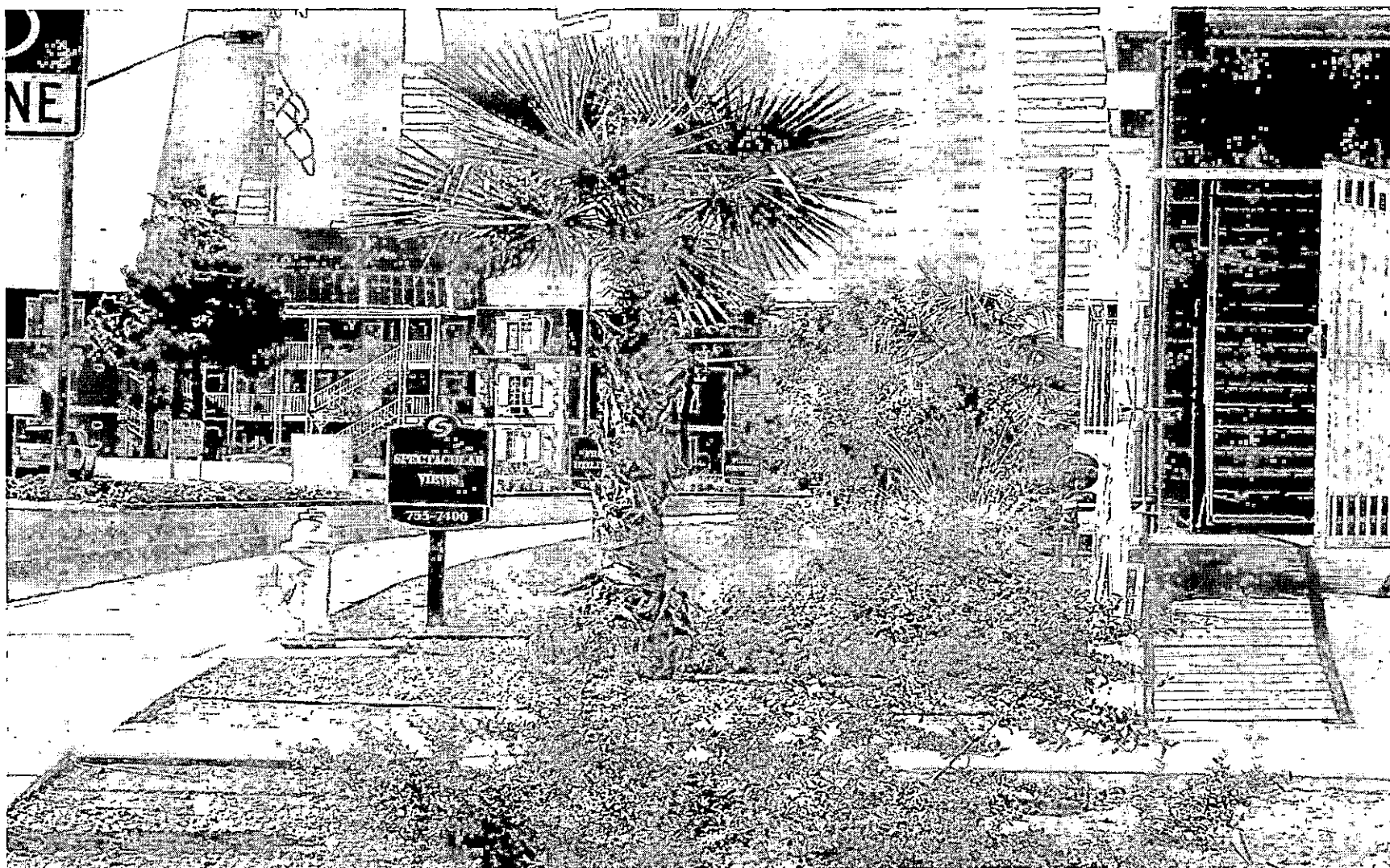
VAR-29659 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC
525 EAST ST. LOUIS AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

Submitted after final agenda

Date

Item
#30

10/09/08



VAR-29659 - VARIANCE - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: ST. LOUIS SUITES, LLC
525 EAST ST. LOUIS AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

Submitted after final agenda

Date

Item
#30

10/09/08

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VAR-29657 - VARIANCE - PUBLIC HEARING - APPLICANT: ALPHA OMEGA STRATEGIES - OWNER: CITY OF LAS VEGAS - Request for a Variance TO ALLOW A FOUR-FOOT SETBACK ON THE NORTH AND SOUTH PROPERTY LINES WHERE 10 FEET IS REQUIRED on 13.36 acres on the west side of Decatur Boulevard, approximately 150 feet south of Vegas Drive (APN 138-25-503-006, 138-25-516-001 through 016 and a portion of 138-25-515-001 through 064), C-1 (Limited Commercial) and R-3 (Medium Density Residential) Zones, Ward 5 (Barlow)

C.C.: 11/05/2008

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

6

City Council Meeting

0

RECOMMENDATION:
APPROVAL

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 – Protest/Support Postcards

Motion made by GLENN TROWBRIDGE to Approve subject to conditions

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

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

Minutes:

CHAIR GOYNES declared the Public Hearing open for Items 31-33.

PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008

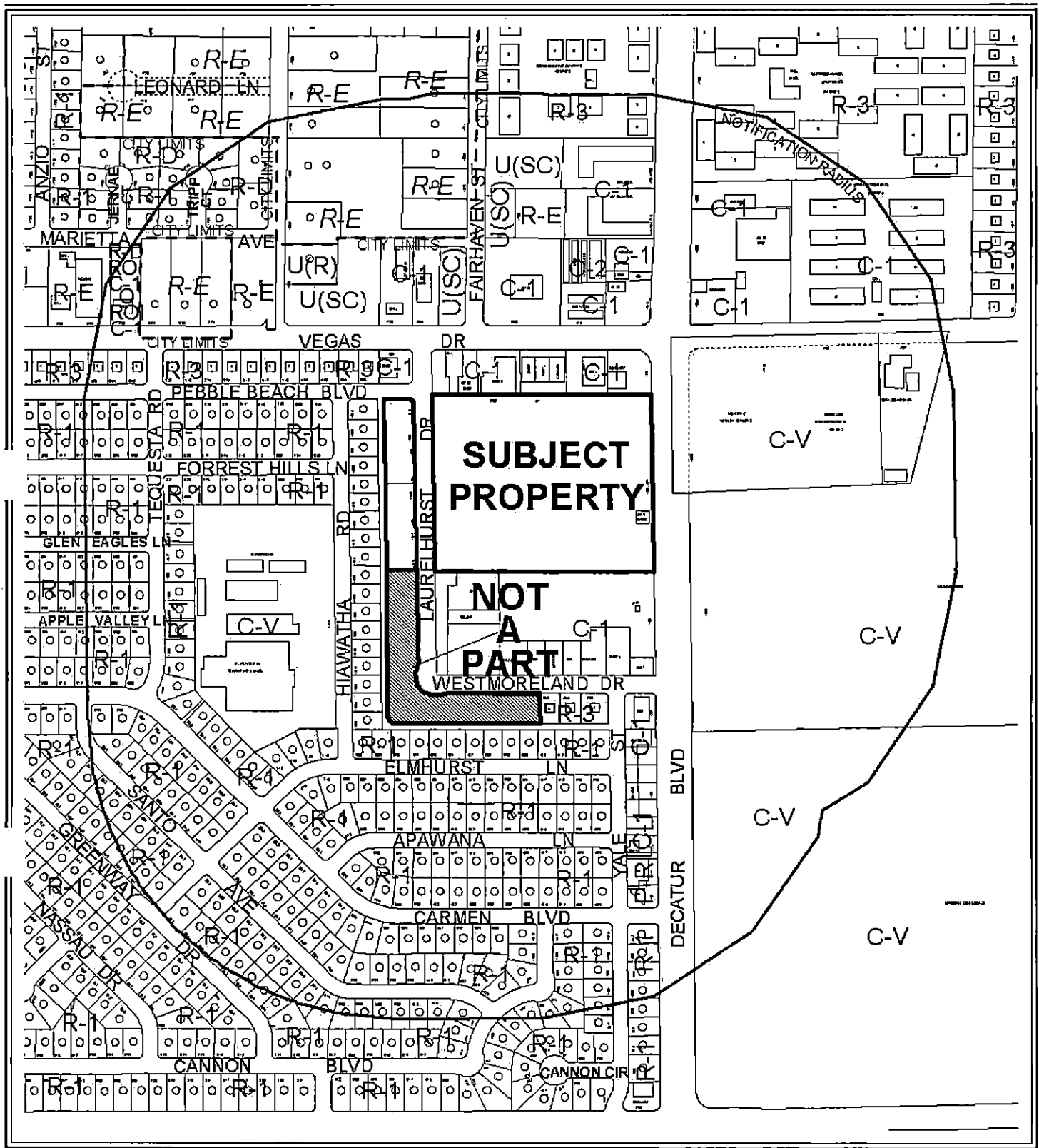
PETER LOWENSTEIN, Planning and Development Department, explained that the Variance had been noticed separately from Items 32 and 33. He stated that the setback and encroachment will have no negative affect to the adjacent commercial centers. The subject site was previously approved as it furthers the goals of the Las Vegas 2020 Master Plan in achieving attainable and affordable senior housing. He recommended approval of all applications.

MICHAEL McDONALD, 4908 Carmen Boulevard, appeared on behalf of the applicant. He thanked staff for the recommendations and reiterated how important it is to have senior housing. MR. McDONALD stated he worked not only with COUNCILMAN BARLOW but held several neighborhood meetings. He briefly described details of the site plan and asked for approval.

TODD FARLOW, 240 North 19th Street, concurred with staff's recommendations.

COMMISSIONER STEINMAN asked MR. McDONALD to clarify the 34 parking spaces as it related to the 45 senior apartments. MR. McDONALD explained that most seniors do not have vehicles and the spaces were based on City guidelines. The Variance relates to the extra rooms that were added.

CHAIR GOYNES declared the Public Hearing closed for Items 31-33.



CASE: **VAR-29657**

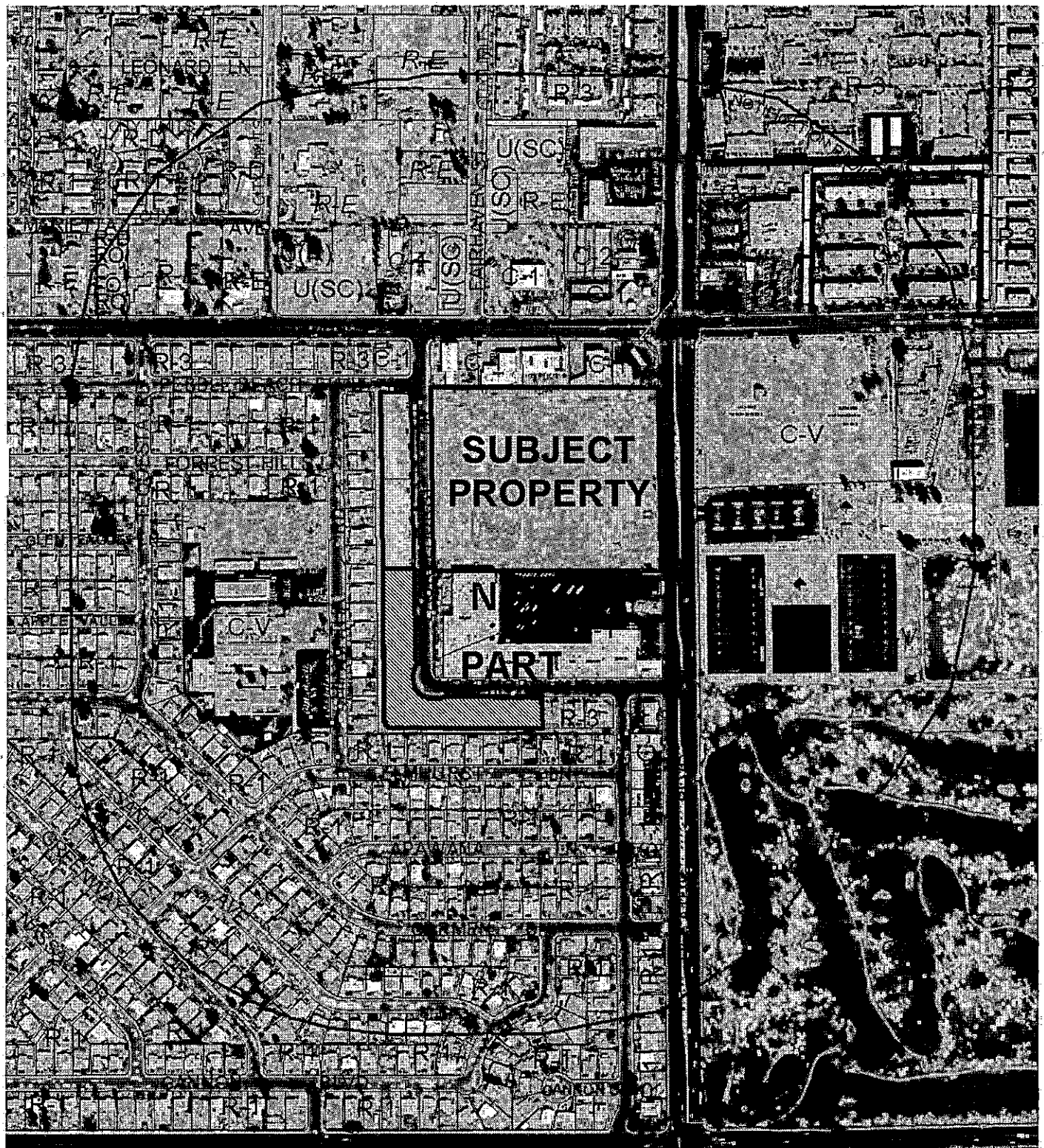
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) AND R-3 (MEDIUM DENSITY RESIDENTIAL)

0 400 800 Feet





CASE: **VAR-29657**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL) AND R-3 (MEDIUM DENSITY RESIDENTIAL)

0 400 800 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-29657 – APPLICANT: ALPHA OMEGA STRATEGIES –

OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-28101), Special Use Permit (SUP-28102), Variance (VAR-27964), Variance (VAR-29654) and Site Development Plan Review (SDR-27965) and Site Development Plan Review (SDR-29651), if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-29657 - Staff Report Page One
October 9, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a four-foot north and south property line setback where 10 feet is required on 13.36 acres adjacent to the west side of Decatur Boulevard 150 feet south of Vegas Drive. The site was originally approved with a 10-foot side yard setback for an 11-story, 416-unit Senior Citizen Apartment development with 56,150 square feet of commercial and 47,700 square feet of Government Facilities (Fire Station). The setbacks shown for this building on the original Site Development Plan Review (SDR-27965) included a written notation indicating a 10-foot north and south property line setback on the site plan while the actual setback in scale depicted a four-foot north and south property line setback. This proposal seeks to correctly identify the north and south setback of the residential building from ten feet to four feet and obtain the proper Variance for the setback.

In addition to this proposal, the applicant has submitted a Variance (VAR-29654) to allow a reduction of 34 parking spaces for 45 Senior Citizen Apartments and a Site Development Plan Review (SDR-29651) to increase the number of residential units from 416 to 461 within an additional floor with no additional height. As this proposal will have no impact on the adjacent commercial properties, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/24/61	The Board of City Commissioners approved a Zoning Reclassification (Z-0018-61) from R-1 (Single Family Residential) to C-1 (Limited Commercial) and R-3 (Medium Density Residential) for approximately 18.3 acres generally located at the southwest corner of Vegas Drive and Decatur Boulevard. The Planning Commission recommended approval of this request.
07/30/70	A Final Map (Decatur Gardens Unit 1) for a proposed 16-unit Condominium development located generally at the southwest corner of Laurelhurst Drive and Vegas Drive recorded at the Clark County Recorder's office.
11/17/82	The Board of City Commissioners approved a Tentative Map (Shalimar Gardens Condominiums) for a 64-unit Condominium development located generally on the west side of Laurelhurst Drive and the south side of Westmoreland Drive, west of Decatur Boulevard. The Planning Commission recommended approval of this request.
05/19/04	A Code Enforcement Citation was issued (#15146) for an abandoned automobile at 1501 North Decatur Boulevard. The case was resolved on 06/03/04.

VAR-29657 - Staff Report Page Two
October 9, 2008 - Planning Commission Meeting

11/01/04	A Code Enforcement Citation was issued (#23453) for an illegal vendor operating at 1501 North Decatur Boulevard. The case was resolved on 11/04/04.
06/19/05	A Code Enforcement Citation was issued (#31477) for an illegal vendor operating at 1501 North Decatur Boulevard. The case was resolved on 06/25/05.
10/17/05	A Code Enforcement Citation was issued (#35370) for an illegal vehicle repair business operating out of a home at 1513 Laurelhurst Drive. The case was resolved 11/30/05.
12/10/05	A Code Enforcement Citation was issued (#36848) for an illegal car wash operating at 1501 North Decatur Boulevard. The case was resolved 12/11/05.
07/16/06	A Code Enforcement Citation was issued (#44540) for an illegal car wash operating at 1501 North Decatur Boulevard. The case was resolved 07/16/06.
03/20/07	A Code Enforcement Citation was issued (#51401) for an illegal car wash, homeless loitering and goose droppings on City property at 1501 North Decatur Boulevard. The case was resolved 04/03/07.
07/14/07	A Code Enforcement Citation was issued (#55717) for an illegal car wash operating at 1501 North Decatur Boulevard. The case was resolved on 07/14/07.
04/12/08	A Code Enforcement Citation was issued (#64409) for an illegal car wash operating at 1501 North Decatur Boulevard. The case was resolved 05/10/08.
05/19/08	A Code Enforcement Citation was issued (#65435) for an illegal car wash operating at 1501 North Decatur Boulevard. The case was resolved 07/05/08.
07/16/08	The City Council approved a request for a Variance (VAR-27964) to allow 640 parking spaces where 696 spaces were required, a Special Use Permit (SUP-28101) for Senior Citizen Apartments, a Special Use Permit (SUP-28102) to allow a 11-story 135-foot building where 105 feet is the maximum height allowed in the Airport Overlay District and a Site Development Plan Review (SDR-27965) for an 11-story, 416-unit Senior Citizen Apartment development with 56,150 square feet of Commercial, 47,700 square feet of Government Facilities (Fire Station), and a Park with a Waiver of the Residential Adjacency Standards to allow a 183-foot setback where 405 feet is required and to allow a six-foot wide landscape buffer on the southern portion of the site where eight feet is required on 13.36 acres on the west side of Decatur Boulevard, approximately 150 feet south of Vegas Drive. The Planning Commission and staff recommended approval of these requests.
08/14/08	The Planning Commission approved a request for a Tentative Map (TMP-27963) for a one-lot commercial subdivision on 9.98 acres on the west side of Decatur Boulevard, approximately 150 feet south of Vegas Drive. Staff recommended approval of this request.
09/19/08	A Final Map (FMP-30176) was submitted to the Planning and Development Department for a 1-lot Commercial Subdivision on 9.95 acres adjacent to east side of North Decatur Boulevard, approximately 150 feet south of Vegas Drive.

VAR-29657 - Staff Report Page Three
October 9, 2008 - Planning Commission Meeting

<i>Related Building Permits/Business Licenses</i>	
02/07/01	A demolition permit (#01002063) was issued for the removal of an existing Shopping Center. The permit was finalized on 02/20/01.
07/26/04	Demolition permits (#04018530 and #04018531) were issued for the removal of Condominium buildings at 1501 and 1509 Laurelhurst Drive. The permits were finalized on 08/17/04.
<i>Pre-Application Meeting</i>	
08/19/08	A pre-application meeting was held with the applicant where the requirements of submitting a Major Modification to an approved Site Development Plan Review and a Variance were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	
<i>Field Check</i>	
09/02/08	A field check was performed by staff at the subject property. The site was void of structures; however, the parking lot and parking lot lighting remain from the previous use of the site. A chain link fence exists near the west half of the site surrounding the pad where the former site buildings once stood.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	13.36

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant [Proposed 416-Unit Senior Citizen Apartments, 47,700 SF Government Facility and 56,150 SF Commercial Development (SDR-27965)]	SC (Service Commercial)	C-1 (Limited Commercial) and R-3 (Medium Density Residential)
North	Office/Retail	SC (Service Commercial) and M (Medium Density Residential)	C-1 (Limited Commercial)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
	Single-Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)

VAR-29657 - Staff Report Page Four
October 9, 2008 - Planning Commission Meeting

East	Bureau of Land Management Offices and City of Las Vegas Park	PF (Public Facilities) and PR-OS (Parks/ Recreation/Open Space)	C-V (Civic)
West	Single-Family Residences	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			
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 (105 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

* The City Council approved a Special Use Permit (SUP-28102) to allow a 135-foot tall building where 105 feet is the maximum height permitted within the Airport Overlay District.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	581,962 SF	N/A
Min. Lot Width	100 Feet	591 Feet	Y
Min. Setbacks			
• Front	20 Feet	27 Feet	Y
• Side	10 Feet	4 Feet	N*
• Corner	N/A	N/A	N/A
• Rear	20 Feet	20.54 Feet	Y
Max. Lot Coverage	50%	15.8%	Y
Max. Building Height	135 Feet**	129 Feet	Y**
		Screened, Internal to the Residential Building	
Trash Enclosure	Screened		Y***
Mech. Equipment	Screened	Not Shown	N****

* The applicant has submitted this Variance to allow a four-foot setback along the north and south perimeters where 10 feet is required.

VAR-29657 - Staff Report Page Five
October 9, 2008 - Planning Commission Meeting

** A maximum building height of 135 feet was approved where 105 Feet was the maximum permitted through Special Use Permit (SUP-28102).

*** The proposed site depicts two trash enclosures and one trash compactor adjacent to the commercial buildings. In addition, the Senior Citizen Apartment building, as well as the Government Facility portion of the building, will utilize trash chutes located on either side of the building. A condition of approval was added to the Site Development Plan Review (SDR-29651) to substantiate conformance with Title 19.08.050(E)(4)(b).

**** The proposed building elevations and site plan do not depict the location of any mechanical equipment. Pursuant to Title 19.08.050(E)(4)(c) all mechanical equipment shall be concealed or screened from view of public rights-of-way. A condition was added to the Site Development Plan Review (SDR-29651) requiring conformance with Title 19.08.050(E)(4)(c).

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	183 Feet	183 Feet	Y*
Adjacent development matching setback	20 Feet	20.54 Feet	Y
Trash Enclosure	50 Feet	630 Feet	Y

* A Waiver was approved with the previously approved Site Development Plan Review (SDR-27965) which permitted a residential adjacency setback of 183 feet where 405 feet is required.

ANALYSIS

This is a request for a Variance to allow a four-foot north and south property line setback where 10 feet is required on 13.36 acres adjacent to the west side of Decatur Boulevard 150 feet south of Vegas Drive. The site was originally approved with a 10-foot side yard setback for an 11-story, 416-unit Senior Citizen Apartment development with 56,150 square feet of commercial and 47,700 square feet of Government Facilities (Fire Station). The setbacks shown for this building on the original Site Development Plan Review (SDR-27965) included a written notation indicating a 10-foot north and south property line setback on the site plan while the actual setback in scale depicted a four-foot north and south property line setback. This proposal seeks to correctly identify the north and south setback of the residential building from ten feet to four feet and obtain the proper Variance for the setback. As this proposal will have no impact on the adjacent commercial properties, staff recommends approval of this request.

VAR-29657 - Staff Report Page Six
October 9, 2008 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

Evidence of a unique or extraordinary circumstance has been presented, in that the site plan originally approved through Site Development Plan Review (SDR-27965) depicted the building with a four-foot setback in scale while mislabeling the setback as 10 feet. The approved Senior Citizen Apartments will not change or shift in location from the already approved site plan and will not affect the adjacent commercial development; therefore, staff is recommending approval of this Variance application.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

ASSEMBLY DISTRICT 34

SENATE DISTRICT 4

NOTICES MAILED 379

APPROVALS 2

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-29657** APN: 138-25-503-006; 515-001 thru 015; 516-001

Name of Property Owner: The City of Las Vegas

Name of Applicant: Alpha Omega Strategies

Name of Representative: DRC Engineering / Jolene Granberg

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

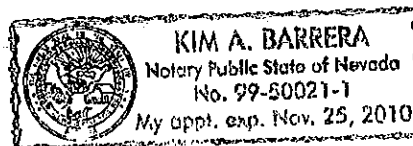
Signature of Property Owner: Douglas Selby

Print Name: Douglas Selby

Subscribed and sworn before me

This 25 day of August, 2008

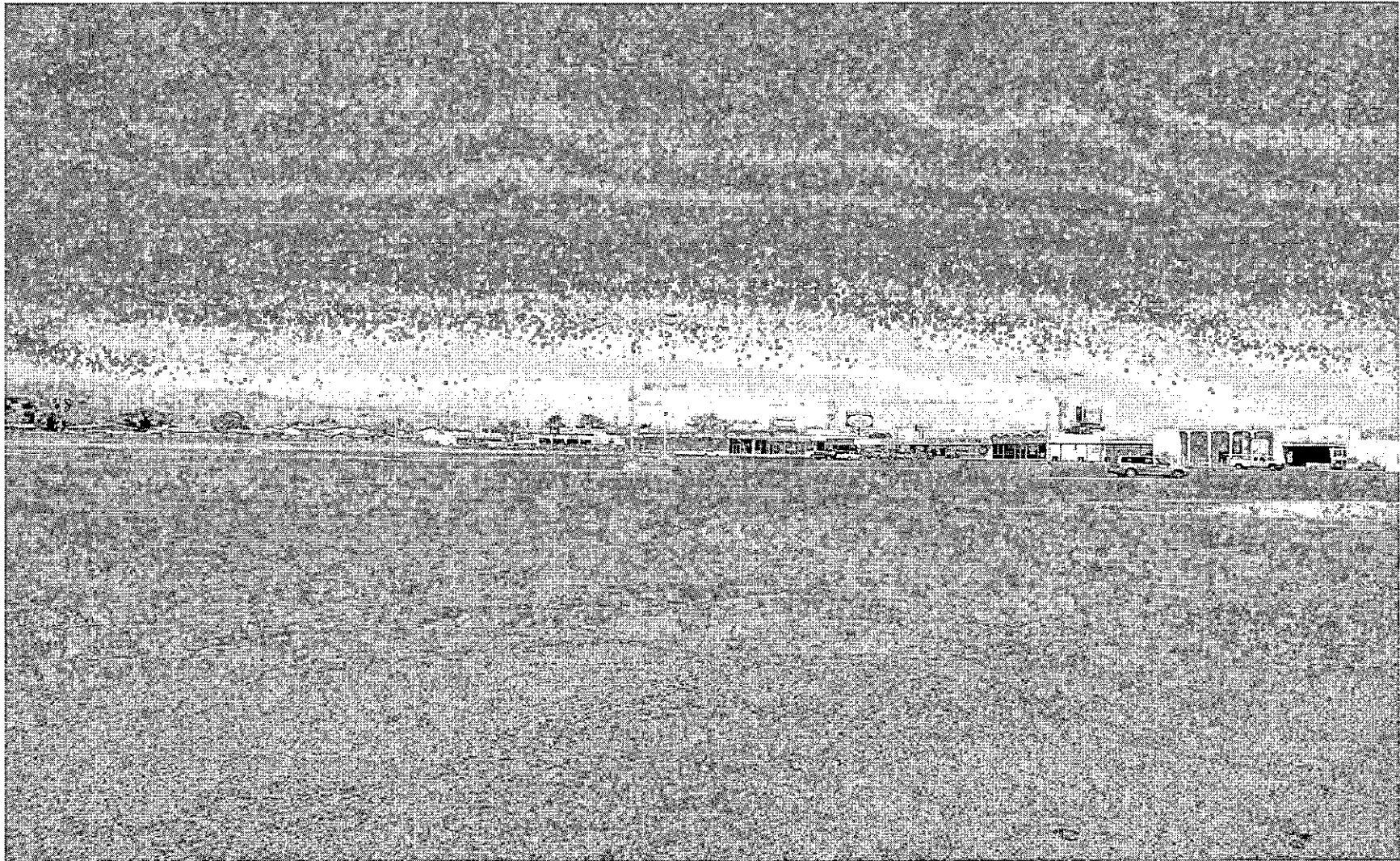
Kim A. Barrera
Notary Public in and for said County and State





**VAR-29657 - VARIANCE - APPLICANT: ALPHA OMEGA STRATEGIES - OWNER: CITY OF LAS VEGAS
WEST SIDE OF DECATUR BOULEVARD, APPROXIMATELY 150 FEET SOUTH OF VEGAS DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION**

09/02/08



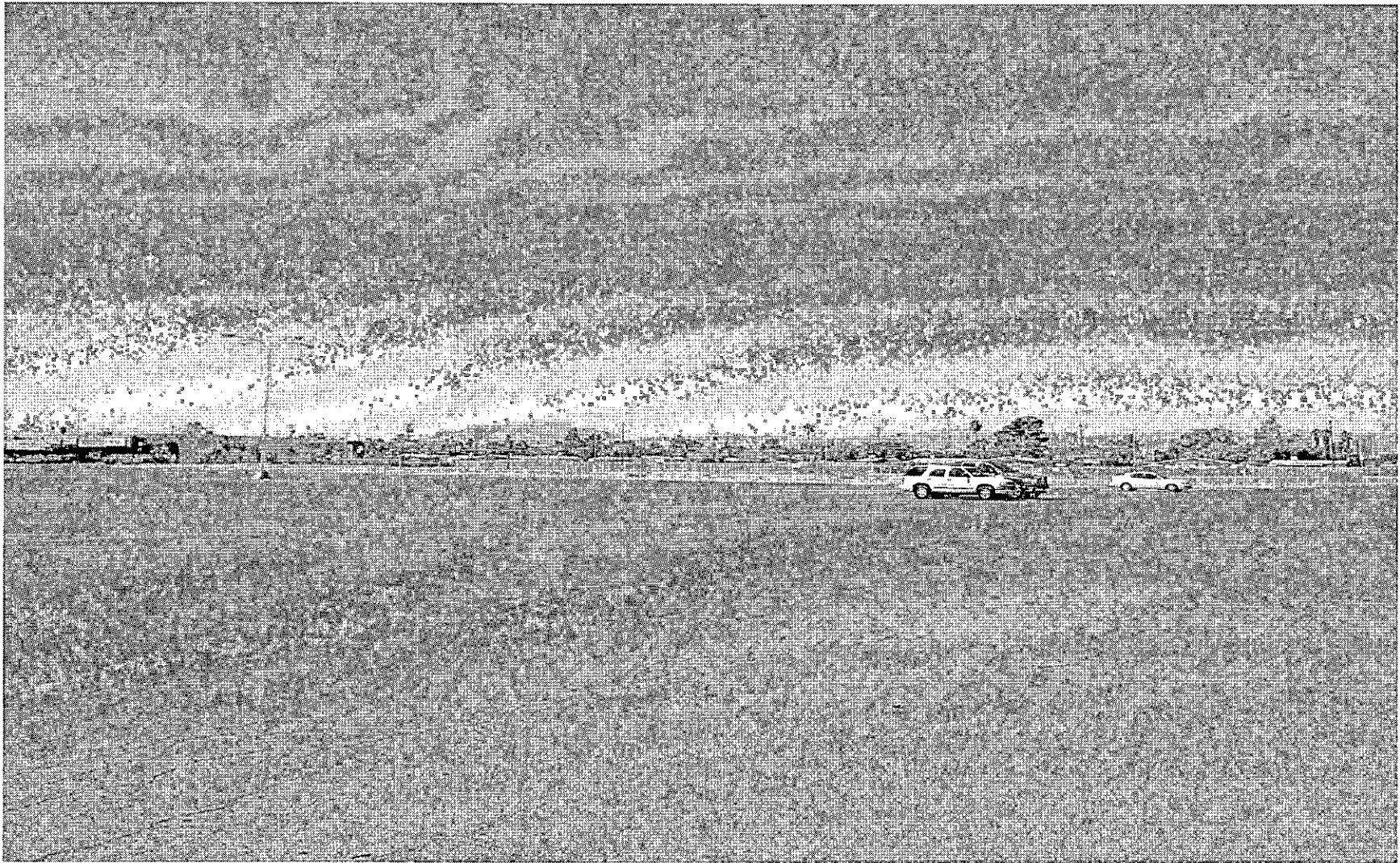
**VAR-29657 - VARIANCE - APPLICANT: ALPHA OMEGA STRATEGIES - OWNER: CITY OF LAS VEGAS
WEST SIDE OF DECATUR BOULEVARD, APPROXIMATELY 150 FEET SOUTH OF VEGAS DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION**

09/02/08



VAR-29657 - VARIANCE - APPLICANT: ALPHA OMEGA STRATEGIES - OWNER: CITY OF LAS VEGAS
WEST SIDE OF DECATUR BOULEVARD, APPROXIMATELY 150 FEET SOUTH OF VEGAS DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



VAR-29657 - VARIANCE - APPLICANT: ALPHA OMEGA STRATEGIES - OWNER: CITY OF LAS VEGAS
WEST SIDE OF DECATUR BOULEVARD, APPROXIMATELY 150 FEET SOUTH OF VEGAS DRIVE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08



Development Resource Consultants, Inc.

Civil Engineering • Land Surveying • Land Planning

August 25, 2008

RECEIVED
SEP 15 2008

City of Las Vegas
Current Planning Division
700 S. 4th St.
Las Vegas, NV

Attention: **Margo Wheeler**
Planning Director

RE: **Justification letter for a Site Design Review with Variances**
Vegas and Decatur / APN #138-25-503-006, 138-25-515-001 thru
015; 138-25-506-001 thru 015

Dear Margo,

Alpha Omega Strategies would like to submit a request for an additional Site Design Review with Variances on previously approved Site Design Review (SDR-27965) and Variance (VAR-27964) on approximately 15.77 +/- acres of land, generally located on southwest corner Vegas Drive and Decatur Boulevard. The site is currently zoned C-1 and R-3. To the North is C-1 to the West is a residential subdivision, Golf Ridge Terrace which is zoned R-1, to the South is C-1, R-3 which is currently owned by the city and a residential subdivision that is zoned R-1. To the East is an existing Park, Ed Fountain Park.

We are requesting an increase of 45 apartment units, and additional floor within the same building space, reduction of side yard setback to 4' where 10' is required, a reduction in parking to allow 640 spaces where 730 are required, and the removal of landscape diamonds in the parking lot that were previously approved.

Site Design Review

Building #1 will consist of 461 residential units, 364,654 sqft, and 13,200 sqft for a Fire Station and 35,914 sqft of commercial use on the top floor. The overall square footage for building 1 is 413,768 sq ft. The site also consists of five (5) other buildings for commercial use.

VAR-29654 VAR-29657
SDR-29651 10/09/08 PC
REVISED

We are currently proposing a twelve (12) story affordable Senior Living Building (Building 1). The site will also include a pad for future development of a Market (Building 2), two fast food pads (Buildings 5 and 6), and two pads for shops (Building 3 and 4). The tenants and design of all the building except for building #1 will be determined at a later date. The City Fire Department has also requested that we include a Fire Station on a portion of the first floor of the

Senior Center. The top floor will be used for commercial purposes such as offices.

The site will be developed in phases, with the 12-story Senior Living Building and adequate parking being in the first phase. These improvements will include a signalized intersection of the project entry aligning with Ed Fountain Park to the East, which will provide safe access for the park and our site.

In recognition of the tenants for this development this signal will provide safe ingress and egress from the site and will also be effective for the proposed fire station that will occupy the lower level of building 1.

Internal circulation shall be accommodated by a main drive aisle with a 30' width. All secondary drive aisle will have 24' width. Recognizing that the surrounding neighborhood is residential in nature, the site location is conducive to walk in sales. The design and philosophy of Alpha Omega Strategies is responsive to the intent of the affordable senior housing by providing a compatible yet innovative housing solution that incorporates a ground floor use that encourages interactivity.

Alpha Omega Strategies wishes to introduce a housing prototype to Las Vegas that recognizes our city's long-range goal of becoming a world class senior housing center. The Architectural character of the project is sophisticated and purposefully distinguishes itself from typical senior housing and commercial developments responding to a market sector that seeks alternative living solutions.

The main building is styled with icons of older buildings reminiscent of the turn of the century. The exterior will be graduating earth tones capped with a large crown molding. The main entrance to the tower will have a port o cochere to signify the entry. The exterior will consist of dryvit (EFIS) over insulated metal stud walls. The exterior finishes will have molded shapes for a distinctive appearance.

Because of the parking area configuration, we would respectfully request to limit landscape islands within the parking lot to those shown on this site plan.

VAR-29654 VAR-29657
SDR-29651 10/09/08 PC
REVISED

The following tables indicate what was previously approved and what we are currently proposing:

Site Design Review

Nature of Request	Proposing	Previously Approved under SDR-27965
<u>Number of residential units</u>	461	416
<u>Landscape diamonds</u>	None	5

Variance – Add side setback and modify parking requirements from previously approved.

Currently proposing

Nature of Request	Proposed Standard	City of Las Vegas Standard
<u>Reduce side setback</u>	To allow 4 feet	10 foot is required.
<u>Reduce the number of parking</u>	To allow 640 space	730 spaces are required

Previously approved under VAR-27964

Nature of Request	Proposed Standard	City of Las Vegas Standard
<u>Reduce 3:1 ratio setback</u>	To allow 195 feet	405 foot is required.
<u>Reduce the number of parking</u>	To allow 640 space	696 spaces are required

Use Permit – No changes being requested from previous approval.

Previously approved under SUP-28102 and SUP-28101

Nature of Request	Proposed Standard	City of Las Vegas Standard
<u>To allow a Senior Citizen Housing</u>	Senior Citizen Housing in C-1	None without Use Permit
<u>Increase building Height</u>	Temp 215' / 135' building height	105'

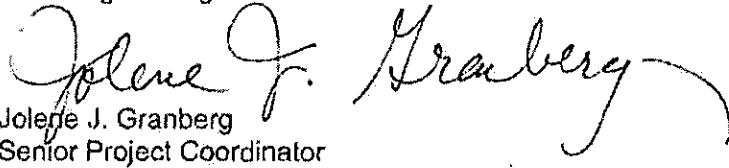
VAR-29654 VAR-29657
SDR-29651 10/09/08 PC
REVISED

With the constraints that are imposed by the "Low Income Housing Tax Credit" program, "Section 8" program and the "HOME Fund" program, we were required to seek a cost effective way to design our site. As a solution to achieve density, the site was designed vertically to accommodate the age restrictive tenants. Because of the limited income and the age restriction we are assuming that the necessary parking will be minimal. Open spaces are being provided in the form of a mini park on the west side of Laurelhurst which was also requested by the Fire Department for their use. This mini park is in excess of the required 50 square foot per acre. There is an existing multi-use park on the east side of Decatur Boulevard which is in close proximity for the residents of our site.

Thank you in advance for your consideration of this application. Please call me if you should have any questions or require additional information.

Sincerely,

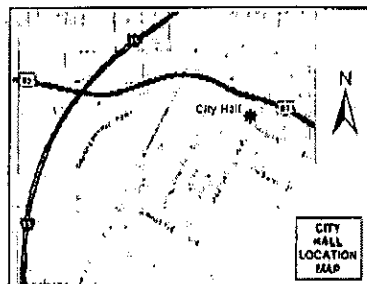
DRC Engineering


Jolene J. Granberg
Senior Project Coordinator

CC: Dennis Wertzler / DRC
Billy Bayne / Peccole
Richard Henry / AOS
File

VAR-29654 VAR-29657
SDR-29651 10/09/08 PC
REVISED

Return Service Requested
Official Notice of Public Hearing

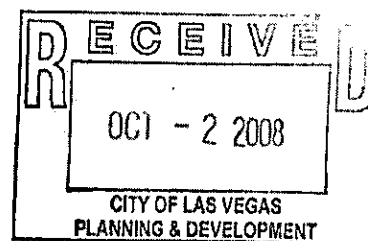


I SUPPORT
this Request

I OPPOSE
this Request

VAR-29657

Planning Commission Meeting of 10/9/2008



Case: VAR-20057
13824814016
BARNEY SEAN & CATHERINE SHEEHAN
1700 TRIPP CT
LAS VEGAS NV 89108-2374

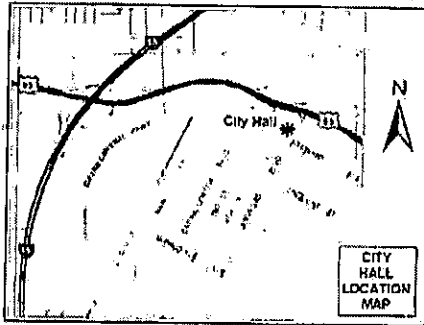
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U.S. DEPARTMENT OF COMMERCE
BUREAU OF ECONOMIC ANALYSIS

#3
P

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



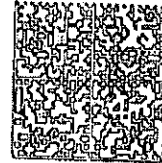
I OPPOSE
 this Request

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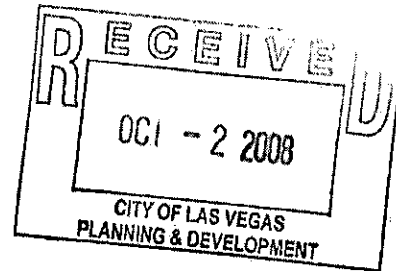
VAR-29657

Planning Commission Meeting of 10/9/2008

PRESORTED
 FIRST CLASS



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Case VAR-29657

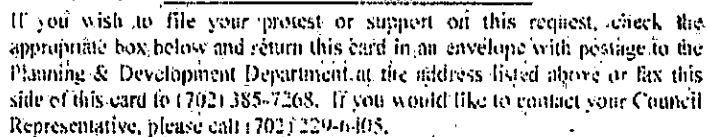
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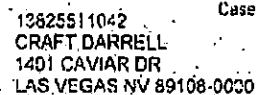
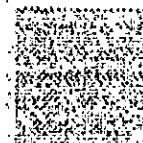
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HILLIARD BRYAN R & YOUNG SUN
7508 MARDEAN CT
LAS VEGAS NV 89131-3207

Return Service Requested
Official Notice of Public Hearing



☒ **OPPOSE!**
this request

Planning Commission Meeting of 10/9/2008



Case VAR:29057

13825511042

CRAFT, DARRELL

1401 CAVIAR DR

LAS VEGAS NV 89108-0030

SECRET

11/11/2013 11:11:11 AM

Healthcare Disparities

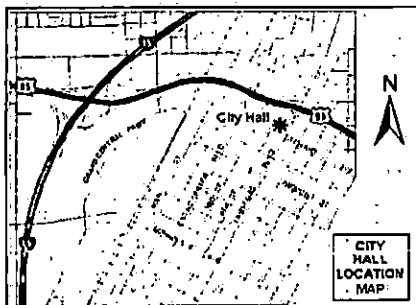
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Return Service Requested
Official Notice of Public Hearing



I SUPPORT
this Request



I OPPOSE
this Request

VAR-29657

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RESORTED
FIRST CLASS



UNITED STATES POSTAGE

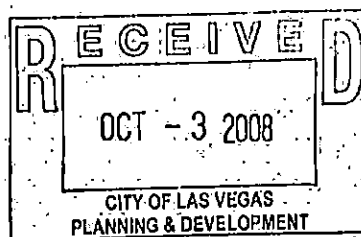
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SEP 26 2008

MAILED FROM ZIP CODE 89101



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VASSAR GLYNN W & MAE REV LIV TR
HCR-69 BOX 511-Z
AMARGOSA VALLEY NV 89020-9750

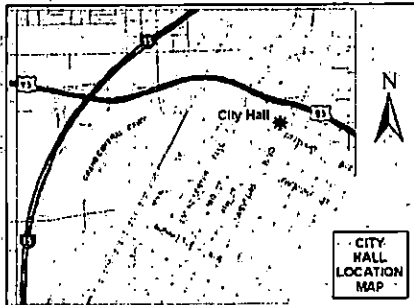
Submitted after final agenda

Date _____

Item

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Return Service Requested
Official Notice of Public Hearing



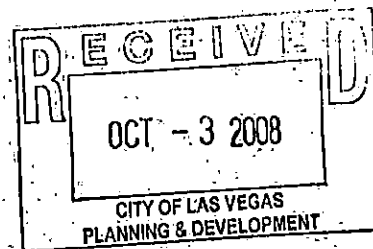
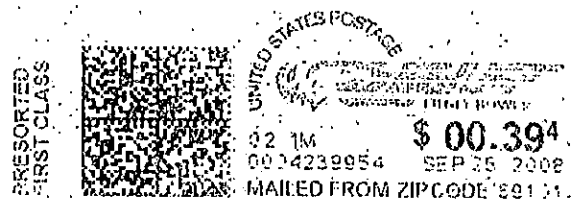
I SUPPORT
this Request



I OPPOSE
this Request

✓ AR-29657.

Planning Commission Meeting of 10/9/2008



Case: VAR:
13825617042
RAY JOHN H & WESSELINA RAY
4912 CARMEN BLVD
LAS VEGAS NV 89108-1339

Case: VAR-29657

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Hochschule Niederrhein

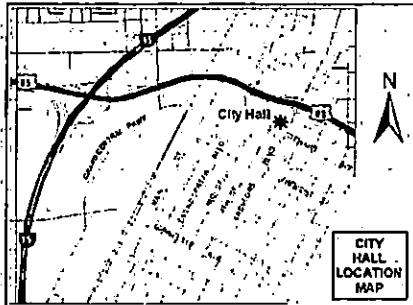
Submitted after final agenda.

DATE 11/11/11

Item #31

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



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VAR-29657

Planning Commission Meeting of 10/9/2008

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FIRST CLASS



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\$ 00.394
SEP 26 2008



13825513027 Case: VAR-29657
PAGE DORIS J REVOCABLE LIVING TR
5205 CARMEN BLVD
LAS VEGAS NV 89108-1342

GAUDESI: 89108



Submitted after final agenda

Date:

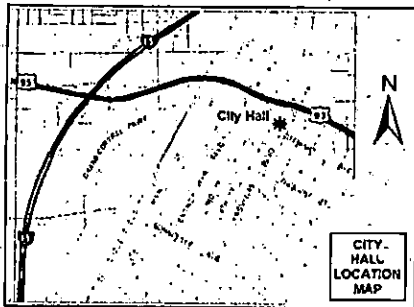
Item

A

#31

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

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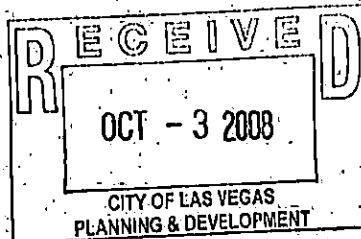
AR-29657

Planning Commission Meeting of 10/9/2008

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Case: VAR-29657

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1553 N DECATUR BLVD
LAS VEGAS NV 89108-1204

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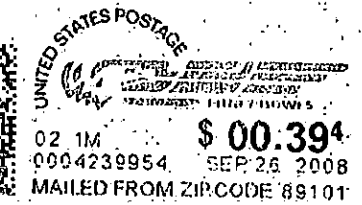
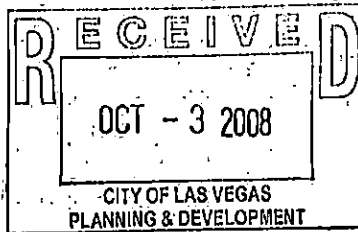
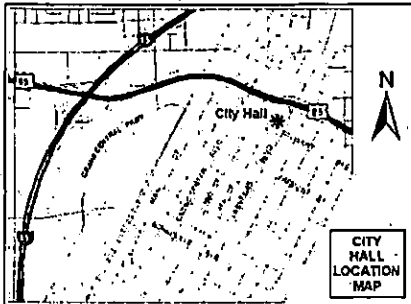
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Date: **A**

Item: **#31**

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

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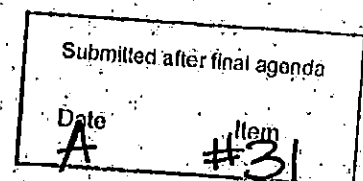
VAR-29657

Planning Commission Meeting of 10/9/2008

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1553 N DECATUR BLVD
LAS VEGAS NV 89108-1204

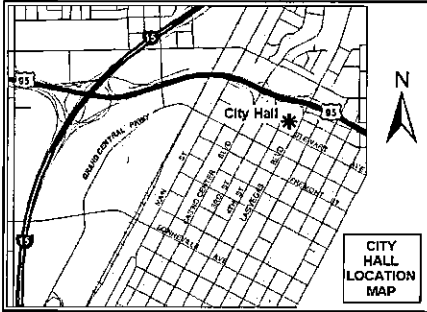
Case: VAR-29657

CAVDS11 AS108



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

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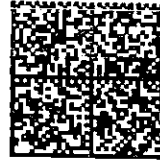
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VAR-29958 & SDR-29658

Planning Commission Meeting of 10/9/2008

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4324 MARK AVE
LAS VEGAS NV 89108-2852

Case: VAR-29958

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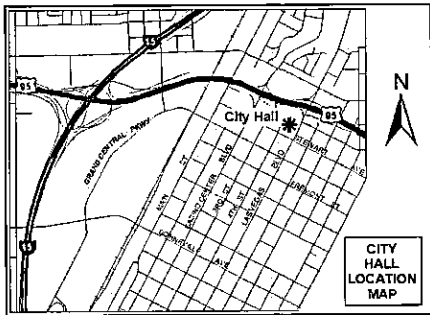


Submitted after meeting
Date 11/10/08 Item #26+27

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
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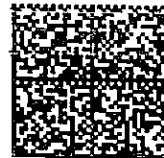
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ZON-29661 & VAR-29663

Planning Commission Meeting of 10/9/2008

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4324 MARK AVE
LAS VEGAS NV 89108-2852

Case: ZON-29661

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Submitted after meeting
Date 11/19/08 Item 24+25

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