City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: JULY 8, 2004

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:33 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: VICE CHAIRMAN TODD NIGRO, COMMISSIONER RICHARD TRUESDELL, MEMBERS STEVEN EVANS, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

EXCUSED: BYRON GOYNES

STAFF PRESENT: ROBERT GENZER – PLANNING & DEVELOPMENT DEPT., MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., RICK SCHROEDER –- PUBLIC WORKS, GINA VENGLASS – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE, YDOLEENA YTURRALDE – CITY CLERK'S OFFICE

MINUTES:

DAVID CLAPSADDLE, Planning and Development Department, stated that on Item 5 [SDR-4519], the applicant did not send a letter but requested the item be pulled from One Motion One Vote for discussion.

Regarding Item 7 [VAC-4491], the applicant requested to discuss Condition 2, so the item was pulled from One Motion One Vote.

Regarding Item 59 [SUP-4532], this billboard application is within 300 feet of another billboard application that was heard by City Council yesterday. Because Council held the application in abeyance, the Commission could discuss this application.

GINA VENGLASS, Public Works, stated that on Item 52 [SDR-4512], three conditions will be added, and on Item 56 [SUP-4511], a condition will be revised. She noted that Item 52 pertains to the site at 1801 Las Vegas Boulevard. There are aerial overhangs on the building that do not appear to be encroaching into the right-of-way. Should this ever occur, the applicant would be required to do aerial encroachments.

Regarding Item 53 [SUP-4540] and Item 54 [SDR-4534], which is the site at Sahara Avenue and Fairfield Avenue, MS. VENGLASS pointed out to the Commission that staff is concerned with the traffic in this area. The applicant submitted a Traffic Study this week, and it appeared that the traffic in the area is degrading from a level of service, E, to a level of service, F.

MR. CLAPSADDLE stated regarding Item 16 [TMP-3692] and Item 17 [TMP-3692], staff received documentation from eight property owners, who reside on the other side of the proposed property, and do not oppose to the height of the retaining wall.

Regarding Item 19 [GPA-4332], COMMISSIONER EVANS had confirmed with MARGO WHEELER, Planning and Development, that this project was approved several years ago with a different design. Responding to COMMISSIONER EVANS' concern regarding the Site Plan, MR. CLAPSADDLE replied that the approval was for a zoning that would allow for a multi-family project, which entailed 84 condominium units. This application is to bring the General Plan into conformance with what has already been approved. He assured COMMISSIONER EVANS that if there were a significant change in the design, staff would bring the item before the Commission as a Public Hearing.

Regarding Item 34 [GPA-4549], Item 35 [ZON-4550], Item 36 [VAR-4553] and Item 37 [SDR-4551], GARY LEOBOLD, Planning and Development, stated that BILL CURRAN was present to discuss these items, but he also had another commitment at Clark County tonight. Should he not be present when these items are opened for discussion, he requested that the items be trailed until he returned. VICE CHAIRMAN NIGRO concurred.

MEETING ADJOURNED AT 5:39 P.M.

City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: JULY 8, 2004

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by COMMISSIONER TRUESDELL.

CALL TO ORDER: 6:03 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: VICE CHAIRMAN NIGRO, MEMBERS RICHARD TRUESDELL, STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

STAFF PRESENT: ROBERT GENZER – PLANNING & DEVELOPMENT DEPT., MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., RICK SCHROEDER – PUBLIC WORKS, GINA VENGLASS – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE, YDOLEENA YTURRALDE – CITY CLERK'S OFFICE

VICE CHAIRMAN NIGRO welcomed COMMISSIONER TRUESDELL back to the Commission.

DAVID CLAPSADDLE, Planning and Development Department, referenced the following items that were requested to be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 10 [ZON-4208]	Tabled
Item 11 [VAR-4209]	Tabled
Item 12 [SUP-4210]	Tabled
Item 13 [VAC-4212]	Tabled
Item 14 [SDR-4214]	Tabled
Item 23 [GPA-4528]	Abeyance to 8/12/2004 Planning Commission meeting
Item 24 [GPA-4535]	Abeyance to 8/12/2004 Planning Commission meeting
Item 30 [GPA-4548]	Abeyance to 8/12/2004 Planning Commission meeting
Item 31 [ZON-4544]	Abeyance to 8/12/2004 Planning Commission meeting
Item 32 [VAR-4677]	Abeyance to 8/12/2004 Planning Commission meeting
Item 33 [SDR-4555]	Abeyance to 8/12/2004 Planning Commission meeting

SHERRY OLSEN, 216 Star Cluster Circle, Las Vegas, NV 89145, stated that on Item 23 [GPA-4528], the applicant is attempting to place more units on the parcel, but this would lead to increased traffic as there is only one entrance/exit out of the development. VICE CHAIRMAN NIGRO informed MS. OLSEN that the Commission is only deciding on whether or not to hear the item tonight or hold it until the August 12th Planning Commission meeting. MR. CLAPSADDLE added that by holding this item in abeyance, MS. OLSEN would have the opportunity to hear and discuss all of the applications at one time on August 12th. She thanked the Commission and staff.

RON JACKSON, Integrity Engineering, 2480 E. Tompkins, Las Vegas, 89121, requested that Item 7 [VAC-4491] be pulled from One Motion One Vote. MR. CLAPSADDLE informed MR. JACKSON that this item is on the One Motion One Vote portion of the agenda, which would be brought up shortly.

COMMISSIONER TRUESDELL motioned to bring forward the abeyance/tabled items as read into the record for approval.

(6:03)

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 8, 2004

SUBJECT:
Approval of the minutes of the June 10, 2004, Planning Commission Meeting

MOTION:
GOYNES - APPROVED - UNANIMOUS

MINUTES:
There was no discussion.

(6:08)

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 8, 2004

VICE CHAIRMAN NIGRO announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:
ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

VICE CHAIRMAN NIGRO read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

VICE CHAIRMAN NIGRO noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.

2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.

3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.

4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.

5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.

6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.

7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.

8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

City of Las Vegas

Agenda Item No.: 1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [X] CONSENT [ ] DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4146 - ELKHORN COURT - OWNER/APPLICANT: D.R. HORTON INC. - Request for a Tentative Map FOR A 126-UNIT CONDOMINIUM DEVELOPMENT on 10.29 acres adjacent to the south side of Grand Teton Drive, approximately 660 feet east of Grand Canyon Drive (APN: 125-18-501-015), U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation)] under Resolution of Intent to R-PD12 (Residential Planned Development - 12 Units Per Acre), Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Consent Item 1 [TMP-4146], Item 2 [TMP-4488], Item 3 [TMP-4513] and Item 4 [TMP-4522] subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 1 [TMP-4146] as her firm is bidding work for D.R. Horton and on Item 3 [TMP-4513] as her firm is involved in litigations with a sister company of Pulte Homes, and TRUESDELL abstaining on Item 1 [TMP-4146] as an individual in his office is working on projects with D.R. Horton

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO stated this is a Consent item.

(6:10 – 6:12)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 1 – TMP-4146

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Rezoning ZON-2849, and Site Development Plan Review SDR-4147.

3. Street names must be provided in accordance with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. 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.

Environmental Health Division of the Clark County Health District

6. Written verification from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the map has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.

7. A letter from the appropriate sewer agency stating that service from the existing system of community sewerage will be extended to the subdivision and the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service, or that the facility will be expanded to provide for the added service.

8. A letter from the appropriate water utility stating it will supply water for domestic and fire protection purposes, that the system has the necessary facilities to treat water to meet the standards of the Water Supply Regulations Part I, and that the capacity is available to meet the demands upon the system.

9. Improvement plans must be submitted to this office for review and approval before the final map can be signed. Include "Finished Floor" elevations and "Sanitary Sewer Manhole" rim elevations on all utility plans to expedite review of the required sewer "Back Water Valves" on the improvement plans.

10. A statement must be provided that states that this development is not part of a master plan or the master plan is provided.

CONDITIONS – Continued:

Public Works

11. A note on the map that reads "Note: All buildings shall have a sprinkler system," Clarify if the system is for Fire or Irrigation.

12. Dedicate 50 feet of right-of-way adjacent to this site for Grand Teton Drive, 40 feet for Tee Pee Lane, and a 54 foot radius at the southwest corner of Tee Pee Lane and Grand Teton Drive as required by Rezoning application ZON-2849.

13. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

14. Label sewers as "public" and revise sewer service agency from "Water Reclamation District C.C." to "City of Las Vegas".

15. The City of Las Vegas does not accept Ingress/Egress areas as public easements/dedications. Show right-of-way continuous along Toy Island Avenue on the Final Map for this site.

16. Site development to comply with all applicable conditions of approval for ZON-2849, SDR-4147, and all other subsequent site-related actions.

17. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

City of Las Vegas

Agenda Item No.: 2

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER | X | CONSENT | | DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4488 - LONE MOUNTAIN/KRAFT - APPLICANT/OWNER: JOSEPH W. AND LONNIE NOBLE - Request for a Tentative Map FOR A FOUR-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 2.19 acres adjacent to the south side of Lone Mountain Road, approximately 1020 feet east of Torrey Pines Drive (APN: 138-02-501-008), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre), Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Consent Item 1 [TMP-4146], Item 2 [TMP-4488], Item 3 [TMP-4513] and Item 4 [TMP-4522] subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 1 [TMP-4146] as her firm is bidding work for D.R. Horton and on Item 3 [TMP-4513] as her firm is involved in litigations with a sister company of Pulte Homes, and TRUESDELL abstaining on Item 1 [TMP-4146] as an individual in his office is working on projects with D.R. Horton

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO stated this is a Consent item.

(6:10 – 6:12)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 2 – TMP-4488

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Site Development Plan Review [SDR-3999].

3. Street names must be provided in accord with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. 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.

Public Works

6. Site development to comply with all applicable conditions of approval for ZON-3998, SDR-3999, WVR-4002, and all other subsequent site-related actions.

7. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

City of Las Vegas

Agenda Item No.: 3

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER | X | CONSENT | | DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4513 - SKY POINTE CONDOMINIUMS - APPLICANT: PULTE HOMES - OWNER: LAURA SOMMER - Request for a Tentative Map FOR A 310-UNIT CONDOMINIUM SUBDIVISION on 20.73 acres adjacent to the east side of Sky Pointe Drive, approximately 1,100 feet north of Cimarron Road (APN: 125-21-202-002 & 003), T-C (Town Center) Zone [M-TC (Medium Density Residential – Town Center) land use designation], Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Consent Item 1 [TMP-4146], Item 2 [TMP-4488], Item 3 [TMP-4513] and Item 4 [TMP-4522] subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 1 [TMP-4146] as her firm is bidding work for D.R. Horton and on Item 3 [TMP-4513] as her firm is involved in litigations with a sister company of Pulte Homes, and TRUESDELL abstaining on Item 1 [TMP-4146] as an individual in his office is working on projects with D.R. Horton

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO stated this is a Consent item.

(6:10 – 6:12)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 3 – TMP-4513

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area included in the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. The development shall conform to the Conditions of Approval for the Site Development Review (SDR-4064). The Tentative Map shall be revised to indicate the correct zoning, land use, density, common open area requirement, and total parking spaces.

3. The fence along the north property line shall be constructed of wrought iron and so indicated on the Tentative Map.

4. The Tentative Map shall be revised to show multi-use transportation trails along the east, north and west sides of the development that comply with the Master Plan Transportation Trails Element and the Town Center Development Standards. In particular, centrally located pedestrian access to the trail along the north property line and the trail along the east property line shall be shown; and path lighting shall be shown along the north property line. No utilities shall be located within the paved surface.

5. Street names must be provided in accordance with the City's Street Naming Regulations.

6. 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.

7. Except as otherwise provided, the development shall comply with all the Town Center Development Standards. In particular, the center median on Sky Pointe Drive shall be landscaped with palm trees 35 feet on center with crushed granite in between.

8. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map reflecting the Conditions of Approval in this report shall be approved by staffs of the Planning and Development Department and Public Works Department. The Tentative Map shall be revised to reflect accurate data as noted above.

9. The development shall comply with all City Codes and State Subdivision Statutes.

CONDITIONS – Continued:

Public Works

10. Site development to comply with all applicable conditions of approval for ZON-2123, SDR-4064, and all other subsequent site-related actions.

11. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

City of Las Vegas

Agenda Item No.: 4

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [X] CONSENT [ ] DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4522 - TOWN CENTER R-PD5 55 NO. 3 - APPLICANT/OWNER : PARDEE HOMES OF NEVADA - Request for a Tentative Map FOR AN 82-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 15.18 acres adjacent to the northwest corner of Deer Springs Way and Tee Pee Lane (APN:125-19-601-004, 009 thru 012), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units per Acre), Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Consent Item 1 [TMP-4146], Item 2 [TMP-4488], Item 3 [TMP-4513] and Item 4 [TMP-4522] subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 1 [TMP-4146] as her firm is bidding work for D.R. Horton and on Item 3 [TMP-4513] as her firm is involved in litigations with a sister company of Pulte Homes, and TRUESDELL abstaining on Item 1 [TMP-4146] as an individual in his office is working on projects with D.R. Horton

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO stated this is a Consent item.

(6:10 – 6:12)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 4 – TMP-4522

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Site Development Plan Review [SDR-4227] and the Town Center Plan Development Standards where applicable.

3. Street names must be provided in accord with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Petition of Vacation VAC-4221 shall record prior to the recordation of a Final Map for this site.

6. A Master Streetlight Plan for public street lights must be submitted and approved prior to the submittal of any construction drawings for this site.

7. Site development to comply with all applicable conditions of approval for ZON-4226, SDR-4227, the Town Center Master Development agreement and all other subsequent site-related actions.

8. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

City of Las Vegas

Agenda Item No.: 5

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4519 - APPLICANT: THOMAS AND MACK DEVELOPMENT GROUP, LIMITED LIABILITY COMPANY - OWNER: CROSSROADS AT SUNSET, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of perimeter, parking lot, and foundation buffer landscaping standards, location of the parking lot, and for the use of reflective glass FOR A PROPOSED SINGLE-STORY, 44,924 SQUARE-FOOT OFFICE BUILDING on 3.97 acres adjacent to the southeast corner of Peak Drive and Fire Mesa Street (APN: 138-15-310-026), C-PB (Planned Business Park) Zone, Ward 4 (Brown).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

NOTE: Commissioner Truesdell disclosed that his company manages the common areas of the Tech Park but has no financial interest in the park. He will vote on this item.

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated this proposed application would be located within the Tech Park. The applicant is not varying from the landscaping standards in the CC&R's for the Tech Park.

MINUTES – Continued:

YIHONG LIU, Howard F. Thompson Associates**,** 400 N. Stephanie, Ste. 245, Henderson, NV 89014, stated a design review was completed and the applicant agreed to the standards. There is a Waiver for landscaping, as staff accepted the waiver since the applicant addressed the deficiencies by providing 17 additional trees in the perimeter buffer areas.

MARGO WHEELER, Planning and Development Department, indicated to VICE CHAIRMAN NIGRO if this item was approved, it would be Final Action. However, ROBERT GENZER, Planning and Development Department, clarified for MS. WHEELER and VICE CHAIRMAN NIGRO that items within the Tech Park must go before the City Council as well.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(6:14 – 6:16)

1-328

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. All development shall be in conformance with the site plan and building elevations, date stamped July 8, 2004, except as amended by conditions herein.

3. Waivers from the parking lot location requirements, perimeter buffer requirements, parking lot landscaping requirements, and foundation buffer landscaping standards are hereby approved, based on the alternate provisions shown on the submitted site plans and landscape plans. In addition, the waiver for the use of reflective glazing is hereby approved.

4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

5. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

CONDITIONS – Continued:

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Trash enclosures shall be walled and roofed in accordance with Title 19.08.

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Construct all incomplete half-street improvements on Peak Drive and Fire Mesa Street adjacent to this site concurrent with development of this site.

14. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

CONDITIONS – Continued:

15. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

16. An update to the 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. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

17. Site development to comply with all applicable conditions of approval for Z-68-85 and all other subsequent site-related actions.

City of Las Vegas

Agenda Item No.: 6

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4487 - APPLICANT: NEVADA HOMES GROUP - OWNER: DAY STAR VENTURES, LIMITED LIABILITY COMPANY - Petition to Vacate U. S. Government Patent Easements generally located between Deer Springs Way and Bath Drive, west of Fort Apache Road, Ward 6 (Mack).

SET DATE: 07/21/04 C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that the representative from Integrity Engineering was present and requested Item 7 [VAC-4491] be pulled from One Motion One Vote so a discussion could take place.

MINUTES – Continued:

Regarding Item 5 [SDR-4519], staff spoke with the applicant but did not receive a letter. At the applicant's request, this item was pulled from One Motion One Vote so a discussion could take place.

MR. CLAPSADDLE stated that a letter is on file for Item 6 [VAC-4487], and the applicant agreed to all conditions.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(6:12 – 6:14)

1-260

CONDITIONS:

Planning and Development

1. The Order of Relinquishment of Interest shall not be recorded until all of the following conditions have been satisfied.

2. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director has not granted an Extension of Time, then approval will terminate and a new petition must be submitted.

3. Easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided, if required.

Public Works

4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for ZON-3481 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

5. Development of these sites shall comply with all applicable conditions of approval for Rezoning Application ZON-3481 and all other applicable site-related actions.

6. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.

CONDITIONS – Continued:

7. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

City of Las Vegas

Agenda Item No.: 7

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4491 - APPLICANT/OWNER: CORNERSTONE COMPANY - Petition to Vacate a portion of a public alley generally located between Las Vegas Boulevard and Sixth Street, south of Carson Avenue, Ward 1 (Moncrief).

SET DATE: 07/21/04 C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as an act of caution. Even though his firm, the Cornerstone Company, personally has no interest ownership in the property, he is the representative of the property owner.

To be heard by the City Council on 8/04/2004

NOTE: Commissioner Truesdell disclosed that he owns Cornerstone Company. He is the applicant on behalf of the property owner; however, the property owner Roy Mormoto is an individual who resides outside of Las Vegas. Commissioner Truesdell indicated he does not have an interest in this property but was cautious and abstained on this item.

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that the applicant would like to discuss Condition 2.

MINUTES – Continued:

RON JACKSON, Integrity Engineering, 2480 E. Tompkins, Las Vegas, 89121, stated, for the record, that the applicant objects to Condition 2, specifically the requirement to relocate or abandon the sanitary sewer. The length of the loading doc has decreased and is no longer over the sewer. So, the applicant would like the opportunity to meet with Public Works to come up with acceptable wording on this condition prior to the City Council meeting on August 4th. GINA VENGLASS, Public Works, concurred.

VICE CHAIRMAN NIGRO and COMMISSIONER GOYNES clarified for COMMISSIONER EVANS that there was not a revision on Condition 2, but that Public Works would work with the applicant on acceptable wording on the condition prior to the aforementioned City Council meeting.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(6:16 – 6:19)

1-400

CONDITIONS:

1. Prior to or concurrent with the recordation of the Order of Vacation, dedicate sufficient right-of-way on the east side of the alley to maintain a contiguous 20-foot alley width acceptable to the City Engineer.

2. A sanitary sewer relocation/abandonment plan must be submitted to and approved by the Department of Public Works and the relocation and/or abandonment must take place prior to the recordation of the Order of Vacation. Additional right-of-way or easements may be required if shown in the approved plan. Coordinate with other public utilities to determine if other utility relocations will be required and provide documentation acceptable to the City Engineer.

3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

5. All development shall be in conformance with code requirements and design standards of all City departments.

CONDITIONS – Continued:

6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

City of Las Vegas

Agenda Item No.: 8

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER | [ ] CONSENT | [X] DISCUSSION

SUBJECT:

ABEYANCE - REZONING - PUBLIC HEARING - ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD2 (Residential Planned Development - 2 Units per Acre) on 20.0 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), Ward 6 (Mack).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – APPROVED subject to conditions – Motion carried with NIGRO abstaining as he is currently in litigation with Sterling S Development, McSWAIN abstaining as her firm is currently doing work for Sterling S Development and GOYNES voting NO

To be heard by the City Council on 8/04/2004

MINUTES:

COMMISSIONER GOYNES declared the Public Hearing open on Item 8 [ZON-4200] and Item 9 [SDR-4198].

DAVID CLAPSADDLE, Planning and Development, stated that the application was held in abeyance to allow the applicant sufficient time to review the design of the project. He then gave a brief overview of the application and pointed out no changes have been made to the Site Plan and it conforms to the Code.

MINUTES – Continued:

BRIAN PSIODA and LAURA DREJA, VTN Consultants, 2727 S. Rainbow Boulevard, thanked staff and the Commission for their patience, as this application was held in abeyance twice. A meeting was held on May 18th with the neighbors residing near the subject property was held to review the proposed plans for the development. Their concerns were lots would not be less than 20,000 square feet so that horses can be maintained on their property; no entrance to the development off Brent Lane; the rural street standards on Brent Lane; a decorative perimeter wall; a well landscaped premises; and one story buildings on the property to be located to the west of the subject development.

MR. PSIODA referenced the newly adopted ordinance pertaining to the allowance of horsekeeping, as he would like to review the new Ordinance prior to it going before City Council. In addition, the applicant would like to see a condition stipulating the allowance of up to two horses on 18,000 square-foot lots. He used the overhead to show how the plan reflects a proposed split neighborhood, as a means to avoid Jones Boulevard from becoming an intersection hazard. Half of the development was taken up to Iron Mountain Road and the other half down to Brent Lane. Brent Lane would be a rural street with no sidewalks or streetlights and a reduced pavement section. The landscaping would be enhanced as well. There would be a decorative perimeter wall, and the applicant would also look into increasing the wall heights to what is permitted in the City of Las Vegas. In closing, MR. PSIODA concurred with staff's conditions.

FRANK ALEXANDER, 8820 Maverick Street, stated that a meeting was held as MR. PSIODA indicated earlier. However, he does not agree with his other comments as to what was conceded to the residents. MR. ALEXANDER referenced a copy of an email he received from MR. PSIODA stating that the developer could possible do a lot of things but did not agree to anything. The residents are aware that the developer's intentions would be to incorporate all 35 acres together. Most of what the residents are requesting are in the second portion of the project, which is 15 acres. However, their concern is that if this application is approved for the 30 acres, then they would have no recourse, as the remaining 15 acres would have to be contiguous to this property In addition, he stated that MR. ALEXANDER advised the residents that another meeting would take place once the residents expressed their concerns, as this meeting has not taken place to date. He stated that there are nearby developments with lots that have lots up to 20,000 square feet. The residents would also like to see 11 single story lots. MR. ALEXANDER stated he even contacted some of the Commissioners prior to the hearing requesting that this item be held in abeyance because the developer would not agree to meet with the neighbors again. He felt that the developer has not been cooperative and evasive as to what would or would not be done. The residents are willing to meet with the developer and come to a compromise on these issues. He added that they live in a rural area and oppose to this particular development next to their neighborhood.

MINUTES – Continued:

TERRY GAMBOA, 6325 Iron Mountain Road, Las Vegas, 89131 also appeared with Terry Ryan, 6385 Iron Mountain Road. MS. GAMBOA agreed with MR. ALEXANDER'S comments and added her concern about the existing equestrian park. Should this application be approved, there would be issues with the new residents regarding complaints about horses, odors and the equestrian park. She also referenced a similar development south of the proposed project, which was horse zoned. She stressed the desire to see this site be zoned for horses, especially since it is located directly across the street from a future equestrian park and next to the prime horse riding area in Las Vegas. In addition, she felt that the CC&R's should reflect these stipulations so new residents are aware of their surroundings and to avoid conflict between existing residents and new ones. The residents would like to see the area remain rural.

DIANE ALLEN, 6291 Meisenheimer Avenue, Las Vegas, 89131 also spoke on behalf of BOB and DARLENE MIDDACK, who could not appear due to the late notice of the meeting and HENRY and MARY ANN SPENCE, who are out of town. MS. ALLEN used the overhead to point out horse ranches and a training facility that operates with an average of 12 to 30 horses in and out from this area, as she stressed this area is extremely rural. She agreed with the previous speakers regarding the developer not cooperating with the residents. They have met with numerous developers, but this one is the only one they have had a problem with. She reiterated, for the record, that the residents are good neighbors and would like for the developer be required to meet with the residents again.

MARVIN LEONARD, 9041 Wynn Warrior Avenue, stated he was unaware of this meeting or what was happening with the surrounding area. MR. ALEXANDER informed him of this meeting. He used the overhead to indicate a lot that he purchased in 1997. The lot is bare, but their goal is to build a home on 2-1/2 acres and preserve a dozen of horses. They would like to preserve their rural environment. He questioned why the developer did not ever notify him. He also agreed with the residents concern with the possibility of new residents complaining about the horses and the odor. It is his understanding that the developer would like to vacate the street (Maggie Avenue) that goes alongside his property. He opposed this, as he intended to use this street to access the rear of his property and for loading horses.

MR. PSIODA rebutted that the residents made demands on the developer. Several different layouts were examined. The developer agreed to place disclosures about adjacent properties, even though the proposed lots could also have up to two horses. He confirmed that he did send an email to MR. ALEXANDER regarding the newly adopted ordinance. He also noted that when the second portion is developed, any remaining lots would be placed adjacent to the proposed property and MR. ALEXANDER'S property. MR. PSIODA then stated they have tried to give the residents information as to what they intend to do; however, the residents would

like to place conditions on the adjacent 15 acres which he felt they could not legally do. He stressed that the

MINUTES – Continued:

applicant would like to go forward with this application. They are willing to have more discussion; however, an agreement cannot be made for the 15-acre portion on the current proposed 20-acre project.

MR. CLAPSADDLE stated that if the Commission allowed horses on the proposed project/lots, then staff recommended that the applicant agree to a condition that does not preclude the keeping of two horses on the lots. Reason being, the ordinance refers to RD zoning. On all of the conditional zones and special uses, RPD is not included because the standards are set for each RPD development on an individual basis. Once the applicant returns with an application for the adjacent 15 acres, this would be addressed also. DEPUTY CITY ATTORNEY BRYAN SCOTT emphasized the only discussion/action taking place at this meeting is for the current 20 acres. No consideration can be made on the 15 acres, as it is not on the agenda. COMMISSIONER DAVENPORT questioned if the other 15 acres are in the County or in the City but understood that even if the 15 acres were in the City, no action could take place on them at this meeting. MR. PSIODA replied that they are in the County and the applicant has already applied for annexation on the 15 acres.

COMMISSIONER TRUESDELL questioned if the Commission could extend the same conditions on the zoning portion of the annexation when it comes before the Commission. MR. CLAPSADDLE responded that the only zoning on the annexation is RE. Any other rezoning would have to come before the Commission as a Public Hearing. DEPUTY CITY ATTORNEY SCOTT reiterated that the discussion needs to be relative to the 20 acres only and not the 15 acres, as the 15 acres are not on the agenda. MR. PSIODA confirmed with COMMISSIONER TRUESDELL that the applicant agrees with adding a condition stipulating that two horses per acre would be allowed, which would allow for any of the proposed lots to have up to two horses. MR. PSIODA explained to COMMISSIONER TRUESDELL that typically fences are permitted at six feet. In Councilman Mack's ward, the maximum is eight feet. If the City agreed to the applicant doing a curtain wall, meaning no retaining, then the applicant would do so. MR. CLAPSADDLE then replied that the applicant is allowed to have an eight-foot perimeter wall with 20% decorative material, as noted in Condition 11.

Although the lots are smaller, they are allowed to be horse properties with the added condition. Furthermore, this is what the residents desire. MR. PSIODA then requested to add another condition stating that Brent Lane would be a rural street. GINA VENGLASS, Public Works, replied that Public Work recommends the condition remaining as is, which requires the full half-street improvements.

MINUTES – Continued:

COMMISSIONER STEINMAN questioned why the proposed project does not have an access on Jones Boulevard. MR. PSIODA stated that with the design features, there is a certain distance between Brent Lane and Iron Mountain Road to make the lots larger and fit together. In addition, the drainage would go west to east, so a drainage corridor had to be provided through the site. The applicant felt that having an entrance on Brent Lane would be safer than having the sewage spill out onto Jones Boulevard, which could possibly cause the removal of a traffic light. COMMISSIONER STEINMAN then stated that two cul-de-sacs in the middle coming up to Jones Boulevard could come out onto the side streets, if the residents do not oppose. MR. PSIODA then stated that the lots are oriented north/south. This is a gated community, and with the amount of traffic entering and exiting the community, there would have to be a cueing so the gates would have to be located towards the rear. The applicant is only allowed to have 225 street intersection offset. So the goal was to choose the best position for the gated entry and keep it as far as possible from the existing intersections. Although stacking would occur on the side streets, the lots are deeper in depth than width.

In response to COMMISSIONER STEINMAN'S question regarding the annexation on the other 15 acres, MR. PSIODA replied that if the annexation does not happen, the lots on the 15 acres would be usurped into the adjacent lots or become additional open space. COMMISSIONER STEINMAN then stated that he does not agree with not having an access from Jones Boulevard, as it would relieve some of the burden. MR. PSIODA then replied that the City would not allow Brent Lane to be gated because it is a public street.

COMMISSIONER EVANS referenced the adage "a gated community is an oxy moron". He does not oppose to the density; however, he is not comfortable with the Site Plan and the access concerns. He felt that the problems with Jones Boulevard are self-imposed by the applicant.

COMMISSIONER GOYNES declared the Public Hearing closed on Item 8 [ZON-4200] and Item 9 [SDR-4198].

(6:19 – 6:56)

1-490

CONDITIONS:

Planning and Development

1. A Site Development Plan (SDR-4198) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

2. A Resolution of Intent with a two-year time limit.

CONDITIONS – Continued:

Public Works

3. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southwest corner of Iron Mountain Road and Jones Boulevard prior to the issuance of any permits.

4. Construct half-street improvements including appropriate overpaving (if legally able, or able to obtain easements) on Jones Boulevard, Iron Mountain Road and Brent Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern and western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

5. The west half of Jones shall be constructed to a half width of 40 feet within the 50-foot half right-of-way. Landscape and maintain all unimproved right-of-way on Jones adjacent to this site. Obtain an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.

6. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the application submittal requirements for a Bureau of Land Management (BLM) application for Iron Mountain Road. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to approval of construction drawings for this site or the issuance of any permits, whichever may occur first.

7. Extend oversized public sewer in Jones Boulevard to the northern edge of this site and extend public sewer in Brent Lane to the western edge of this site in Brent Lane to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

CONDITIONS – Continued:

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

City of Las Vegas

Agenda Item No.: 9

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4200 - PUBLIC HEARING - SDR-4198 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 29-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 20.00 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – Motion for APPROVAL failed – Subsequent motion by STEINMAN for DENIAL carried with NIGRO abstaining as he is currently in litigation with Sterling S Development, McSWAIN abstaining as her firm is currently doing work for Sterling S Development and DAVENPORT and TRUESDELL voting NO

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 8 [ZON-4200] for all related discussion on Item 8 [ZON-4200] and Item 9 [SDR-4198].

City of Las Vegas

Agenda Item No.: 10

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

ABEYANCE - REZONING - PUBLIC HEARING - ZON-4208 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Rezoning FROM: U(Undeveloped) Zone [TC (Town Center) General Plan Designation] and U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under a Resolution of Intent to T-C (Town Center) TO: T-C (Town Center) on 25.35 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN: 125-18-801-006, 008, 014 and 016), Ward 6 (Mack).

TABLE

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends TABLE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-4528], Item 24 [GPA-4535], Item 30 [GPA-4548], Item 31 [ZON-4554], Item 32 [VAR-4677] and Item 33 [SDR-4555] to 8/12/2004 Planning Commission meeting; TABLE Item 10 [ZON-4208], Item 11 [VAR-4209], Item 12 [SUP-4210], Item 13 [VAC-4212], and Item 14 [SDR-4214] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

City of Las Vegas

Agenda Item No.: 11

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

ABEYANCE - VARIANCE RELATED TO ZON-4208 - PUBLIC HEARING - VAR-4209 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Variance TO ALLOW 1.07 ACRES OF OPEN SPACE WHERE 2.34 ACRES IS THE MINIMUM REQUIREMENT FOR A 142-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 35.49 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN: 125-18-801-006, 007, 008, 013, 014 and 016), T-C (Town Center) Zone, U(Undeveloped) Zone [TC (Town Center) General Plan Designation] and U(Undeveloped) Zone [TC (Town Center) General Plan Designation] under a Resolution of Intent to T-C (Town Center) [PROPOSED: T-C (Town Center)], Ward 6 (Mack).

TABLE

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends TABLE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-4528], Item 24 [GPA-4535], Item 30 [GPA-4548], Item 31 [ZON-4554], Item 32 [VAR-4677] and Item 33 [SDR-4555] to 8/12/2004 Planning Commission meeting; TABLE Item 10 [ZON-4208], Item 11 [VAR-4209], Item 12 [SUP-4210], Item 13 [VAC-4212], and Item 14 [SDR-4214] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

City of Las Vegas

Agenda Item No.: 12

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

ABEYANCE - SPECIAL USE PERMIT RELATED TO ZON-4208 AND VAR-4209 - PUBLIC HEARING - SUP-4210 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Special Use Permit TO ALLOW A GATED COMMUNITY WITH PRIVATE STREETS on 35.49 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN: 125-18-801-006, 007, 008, 013, 014 AND 016), T-C (Town Center) Zone, U(Undeveloped) Zone [TC (Town Center) General Plan Designation] and U(Undeveloped) Zone [TC (Town Center) General Plan Designation] under a Resolution of Intent to T-C (Town Center) Zone [PROPOSED: T-C (Town Center)], Ward 6 (Mack).

TABLE

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends TABLE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-4528], Item 24 [GPA-4535], Item 30 [GPA-4548], Item 31 [ZON-4554], Item 32 [VAR-4677] and Item 33 [SDR-4555] to 8/12/2004 Planning Commission meeting; TABLE Item 10 [ZON-4208], Item 11 [VAR-4209], Item 12 [SUP-4210], Item 13 [VAC-4212], and Item 14 [SDR-4214] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

City of Las Vegas

Agenda Item No.: 13

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

ABEYANCE - VACATION RELATED TO ZON-4208, VAR-4209, SUP-4210 AND SDR-4212 - VAC-4212 - PUBLIC HEARING - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Petition to vacate U.S. Government Patent Easements generally located south of Severance Lane, west of Tee Pee Lane, Ward 6 (Mack).

TABLE

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends TABLE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-4528], Item 24 [GPA-4535], Item 30 [GPA-4548], Item 31 [ZON-4554], Item 32 [VAR-4677] and Item 33 [SDR-4555] to 8/12/2004 Planning Commission meeting; TABLE Item 10 [ZON-4208], Item 11 [VAR-4209], Item 12 [SUP-4210], Item 13 [VAC-4212], and Item 14 [SDR-4214] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

City of Las Vegas

Agenda Item No.: 14

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4208, VAR-4209 AND SUP-4210 - PUBLIC HEARING - SDR-4214 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Site Development Plan Review FOR A 142-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 35.49 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN: 125-18-801-006, 007, 008, 013, 014 and 016), T-C (Town Center) Zone, U(Undeveloped) Zone [TC (Town Center) General Plan Designation] and U(Undeveloped) Zone [TC (Town Center) General Plan Designation] under a Resolution of Intent to T-C (Town Center) Zone [PROPOSED: T-C (Town Center)], Ward 6 (Mack).

TABLE

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends TABLE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-4528], Item 24 [GPA-4535], Item 30 [GPA-4548], Item 31 [ZON-4554], Item 32 [VAR-4677] and Item 33 [SDR-4555] to 8/12/2004 Planning Commission meeting; TABLE Item 10 [ZON-4208], Item 11 [VAR-4209], Item 12 [SUP-4210], Item 13 [VAC-4212], and Item 14 [SDR-4214] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

City of Las Vegas

Agenda Item No.: 15

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER | [ ] CONSENT | [X] DISCUSSION

SUBJECT:

ABEYANCE - VARIANCE - PUBLIC HEARING - VAR-4384 - APPLICANT/OWNER: BRUCE AND LORI WERNER - Request for a Variance TO ALLOW A ZERO CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED IN CONJUNCTION WITH AN EXISTING CARPORT on 0.16 acres located at 4613 Del Monte Avenue (APN: 162-06-213-010), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that this item was held in abeyance to the July 8th Planning Commission meeting to allow the applicant to meet with staff from Planning and Development, Public Works and Building and Safety. The meeting was held on June 18th to discuss the options and preferred strategy for the retention, reconstruction and/or removal of the carport, wall and fence on the subject site.

The Public Works Department continued to have concern with any portion of the structure that projected into the right-of-way. It was suggested that the applicant get a professional surveyor determine the exact location of the property line and the extent, if any, to which the building and gate actually project into the right-of-way, as the applicant will be either required to remove this

MINUTES – Continued:

portion of the structure/gate, or enter into an encroachment agreement with the city and post any applicable bonds and appropriately indemnify the city.

The Building and Safety Department did not have significant concerns as the structure projects into an exterior side yard, and other structures are therefore not potentially affected. It was suggested that, if the applicant wishes to retain and complete the structure, and is approved to do so by Planning Commission and City Council, he contact the Department to have an inspector evaluate the work now and at completion. An inspector visited the site on June 24th and determined that what has been built to date is structurally sound. If the Variance is approved, the applicant will then have to apply for a Building Permit and have the completed structure subsequently inspected.

The Planning and Development Department will continue to recommend denial of the request as there is no basis under the Nevada Revised Statutes for a recommendation of approval, as the hardship is self-imposed. If the request is approved, the conditions as stated need to be addressed by the applicant, including removal of the portion of the perimeter wall that is blocking access to the streetlight adjacent to the property.

BRUCE WARNER, 4613 Del Monte, stated that the plan is to have the property lines surveyed and then conform to what changes need to be done, including the fence. VICE CHAIRMAN NIGRO confirmed with MR. WARNER that he concurred with staff's conditions.

COMMISSIONER STEINMAN was pleased to see the progress on this application since the first meeting. He commended MR. WARNER on cooperating with staff in complying with any appropriate changes. He was proud to support the application.

LORI WARNER replied to COMMISSIONER EVANS and stated that their neighbors informed them that they did not oppose to their property or the changes. The neighbors also commended them because they have upgraded their property and assisted in beautifying the neighborhood.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(6:56 – 7:01)

1-1850

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 15 – VAR-4384

CONDITIONS:

Planning and Development

1. This Variance shall expire in two years unless it is exercised or an extension of time is granted by the City Council.

2. Acquire all necessary permits from the Department of Building and Safety.

Public Works

3. Remove those portions of the roof enclosure that overhang the public right-of-way and remove the gates with appurtenant hardware that encroach or overhang into the public right-of-way. Remove within 30 days of approval of this action.

4. Remove the fence blocking access to the street light pole within 30 days of approval of this action. A fence/wall may be installed around the lighting standard if the fence/wall is designed and constructed geometrically per Clark County Area Uniform Standard Drawings, Drawing #320A.

5. Resolve within 30 days of approval of this action concerns expressed in the comments below:

   A three-foot wide utility easement was granted with the Plat Map filed October 7, 1963 (Book 9 Page 66 of Plats) along the western perimeter of this site. A public streetlight standard with the power service for the circuit and the electrical feeder exist within the easement. The streetlight standard and the electrical service point for the circuit has been fenced off and access is blocked at this time. The concern within the three-foot utility easement is the street lighting standard and the power service. We also note that utility agencies within the valley may have objections to enclosing or roofing portions of the utility easement and should be consulted. We also note that the roof enclosure and gates with appurtenant hardware have been installed within the limits of the existing rights-of-way.

City of Las Vegas

Agenda Item No.: 16

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

RESCIND - TENTATIVE MAP - PUBLIC HEARING - TMP-3692 - CONCORDIA @ LONE MOUNTAIN WEST UNIT 6 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA, INC. - Request for a Tentative Map FOR A 23 LOT SINGLE FAMILY SUBDIVISION on 5.50 acres adjacent to the south side of Stange Avenue, approximately 660 feet west of Cliff Shadows Parkway (APN: 137-01-201-013), PD (Planned Development) Zone, Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff has NO RECOMMENDATION

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – APPROVED – UNANIMOUS

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated the original Tentative Map [TMP-3692] was approved by the Planning Commission on February 26th. Should the Commission decide to rescind this map, the revised Tentative Map would be considered at a Public Hearing.

The Tentative Map and cross-sections as submitted for the Technical Drainage Study and review exceeded the maximum retaining wall heights of Title 18. There would be an approximately 12 feet retaining wall with a perimeter wall on top of that, directly adjacent to nearly eight existing homes in an earlier phase of Concordia's Lone Mountain project. As a result, private owners in existing homes would now have a wall potentially nearly 18 feet in height on the rear lot line. This is an excessive burden to introduce into an existing development. The developer should be

MINUTES – Continued:

able to come up with a method of innovatively spreading the additional six feet of elevation east-west through the project.

MR. LEOBOLD informed the Commission that the applicant provided a letter today indicating they have consulted with the homeowners and they do not object to this project.

DEPUTY CITY ATTORNEY BRYAN SCOTT verified for VICE CHAIRMAN NIGRO that the Commission has to rescind the previous action prior to taking any action on the new Tentative Map. As a result, VICE CHAIRMAN NIGRO stated that the Commission would hear comments on specifically Item 16, as there would only be a vote on whether to rescind Item 16 so a discussion could take place on Item 17.

MR. LEOBOLD clarified for VICE CHAIRMAN NIGRO and ROBIN HOGAN, Concordia Homes, 980 American Pacific, Suite 100, that if the Commission voted to rescind the Tentative Map and rehear it, then deny it, the applicant would then be able to appeal the denial to City Council. Should the City Council deny the application, there would not be a Tentative Map, but the applicant would re-apply with a condition that complies with the Code relative to the retaining wall height.

SARAH DEBRU, 4441 Rockaway Beach Street, stated her opposition to the project. VICE CHAIRMAN NIGRO then advised MS. DEBRU she needed to wait until the next item, Item 17. He reiterated to MS. DEBRU that the Commission would only be voting on whether to rescind the first Tentative Map. Should the Commission rescind the first Tentative Map, then they will open the public comments for the revised Tentative Map. At that time, she could make her comments.

(7:01 – 7:07)

1-2054

City of Las Vegas

Agenda Item No.: 17

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

REHEAR - TENTATIVE MAP - PUBLIC HEARING - TMP-3692 - CONCORDIA @ LONE MOUNTAIN WEST UNIT 6 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA, INC. - Request for a Tentative Map FOR A 23 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AND TO ALLOW AN 11.5-FOOT RETAINING WALL WHERE SIX FEET IS THE MAXIMUM HEIGHT ALLOWED on 5.50 acres adjacent to the south side of Stange Avenue, approximately 660 feet west of Cliff Shadows Parkway (APN: 137-01-201-013), PD (Planned Development) Zone [Low Density Residential Lone Mountain West Special Land Use Designation], Ward 4 (Brown).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – Motion to HOLD IN ABEYANCE – APPROVED – UNANIMOUS

To be held in abeyance until 8/12/2004 PC Meeting

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

ROBIN HOGAN, Concordia Homes, 980 American Pacific, Suite 10, stated that this five acres originally ran concurrently with Concordia at Lone Mountain West Unit 5, which is 20 acres to the south. During the process, the applicant decided to pull the five acres and go back to the drawing board. The decision was to have the entrance from the North to minimize the grade as much as possible. Stange Avenue has a set grade because it ends at the western boundary of Unit 4, as well as, a drainage easement that is being utilized to service Unit 6. This drainage easement is approximately five feet above the finished floor elevations of the two adjacent lots. In

MINUTES – Continued:

addition, a few weeks ago, Concordia Homes sent out certified letters to the eight property owners but has not heard from any of them. SARAH DEBRU, 4441 Rockaway Beach Street, stated she lives right next to the drainage easement, so there is a natural wash behind their house. She noticed on the map that there is no space behind their fence and the proposed 12 feet retaining wall, which she felt that would create a prison affect. When they purchased their home, they were informed that it was zoned for Rural. However, she strongly opposed to having paid an extra amount of monies for a premium lot just to live in jail. She then suggested the project be reduced in height, be moved further back and not so close to their property, or reduce the number of lots.

COMMISSIONER McSWAIN stated she understood the challenges on this project; however, she could not support the height of the wall. She suggested eliminating open space for a graduated step back with landscaping. She felt that the original project places too much of an imposition on the residents.

COMMISSIONER STIENMAN stated he viewed the proposed site and realized this is a difficult site to work with. He questioned as to how the hydrologist would channel the water through this particular site, as there is a massive intake at the northeast corner of the property. In addition, he clarified that the proposed retaining wall is not 12 feet. It would be located 15 feet from MS. DEBRU'S home, and the retaining wall would be 20 feet high. To conclude, he stated that he could not place MS. DEBRU in prison either. He could understand the developer's challenges on this site but felt that it would be wrong to do this to residents, regardless if they paid more for lot premium size.

COMMISSIONER EVANS asked about using innovative design with landscaping instead of the proposed 18-20 feet retaining wall. Even though the site is challenging, COMMISSIONER EVANS objected to having the retaining wall. More important, he felt that it was up to the applicant to find out how to mitigate those challenges with something that the residents could live with, as well as, enhance the project.

In response to COMMISSIONER STEINMAN'S comments, MS. HOGAN responded that the flow that currently traverses across the property would all be routed through Stange Avenue. She then requested holding the item for two weeks to come up with a resolution of having a greater separation between the existing homeowners' lots and the proposed lots.

COMMISSIONER EVANS reiterated his questions regarding innovative landscaping. MS. HOGAN then informed COMMISSIONER EVANS that the applicant has completed over four

MINUTES – Continued:

various Site Plans. Due to the small size of the parcel, the design constraints are tremendous. She would discuss with the engineer regarding terracing the wall by increasing the lot sizes. MR. LEOBOLD then advised VICE CHAIRMAN NIGRO should the final outcome involve reducing the open space, there may be a need for a Variance, which would further delay the Tentative Map. He also added that Title 18 requires that the Council approve any other actions 14 days prior to the consideration of the Tentative Map. COMMISSIONER TRUESDELL asked if the item was held for 30 days, and within a few days the applicant had a plan with a Variance, that was agreeable to staff, could the Commission hear the Variance within those 30 days. This would allow both the application and the Variance to be heard at the same meeting. MR. LEOBOLD replied that the 30-day abeyance would probably be sufficient time. COMMISSIONER TRUESDELL stated he understood the resident's concern with the height of the retaining wall; however, he felt that children would still play around and try to climb the wall. MR. LEOBOLD then stated there is 11-1/2 feet of retaining wall, so the perimeter top wall could be wrought iron or something that would be less intrusive. COMMISSIONER TRUESDELL suggested holding the item for 30 days, as this would give the applicant time to submit a plan to staff. In addition, if there is a Variance requirement, it could be fast tracked.

VICE CHAIRMAN NIGRO emphatically stated that issues like this needs to be clarified, as the Commission is not setting precedence even when the open space requirement is waived. In a situation like this, it is technically a perimeter condition, but it is being used on an interior condition because you have residents backing up to each other. He added that the Commission would not use open space as a condition to mitigate not meeting the retaining wall height conditions. COMMISSIONER EVANS commented on how other cities, such as Henderson, and other states, such as California, where homes are being built on hillsides for some time now. This is something new to our Valley, but the opportunity is there to look at how they have solved situations like these.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(7:07 – 7:22)

1-2320

City of Las Vegas

Agenda Item No.: 18

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

TENTATIVE MAP - PUBLIC HEARING - TMP-4501 - LONE MOUNTAIN/CLIFF SHADOWS - APPLICANT: GREYSTONE NEVADA, LIMITED LIABILITY COMPANY - OWNER: GMAC MODEL HOME FINANCE, INC. - Request for a Tentative Map FOR A 136-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 18.83 acres adjacent to the west side of Cliff Shadows Parkway, approximately 300 feet south of Lone Mountain Road (APN: 137-01-101-002, 003, 004, and 025), PD (Planned Development) Zone [Medium-Low Density Residential Lone Mountain West Land Use Designation], Ward 4 (Brown).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with McSWAIN abstaining as her firm is doing work for the applicant, Greystone Homes

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that the site drops approximately 100 feet in elevation across approximately 1,330 feet. The total wall retaining height adjacent to Lone Mountain Road, Cliff Shadows Parkway and Peaceful Dawn Avenue exceeds six feet in height and the total vertical wall height is greater than eight feet in height in areas; however, the walls have been stepped and include landscape buffers in accordance with the Lone Mountain West Master Development Plan and Design Standards.

MINUTES – Continued:

CHRIS ARMSTRONG, Carter and Burgess, appeared on behalf of the applicant, and concurred with staff's conditions.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(7:22 – 7:25)

1-3065

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-4192) and the Lone Mountain Master Development Plan and Design Standards.

3. Street names must be provided in accordance with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. 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.

Public Works

6. Site development to comply with all applicable conditions of approval for ZON-1936, SDR-4192, and all other subsequent site-related actions.

7. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City.

CONDITIONS – Continued:

No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

City of Las Vegas

Agenda Item No.: 19

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER | [ ] CONSENT | [X] DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4332 - APPLICANT: CITY OF LAS VEGAS - OWNER: SAHARA PARK, LIMITED - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (Service Commercial) TO: M (Medium Density Residential) on 3.16 acres adjacent to the east side of Sixth Street, approximately 360 feet north of Sahara Avenue (APN: 162-03-811-000), Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated this is a stand-alone General Plan Amendment, which provides an opportunity for in fill development. Previously, a Site Plan was approved for 84 condominium units, so the plan designation would now be consistent with what was approved for this parcel.

JACK FRENCH, Faith Communications Corporation, stated he is the property owner surrounded by this proposed project. He understood that the ownership of this property is in California, and pointed out that there has not been any communications between the owner and himself for many years. He requested clarification on the zoning and what it entailed. MR. CLAPSADDLE

MINUTES – Continued:

replied that the Medium density would allow up to 25 units per acre. Service Commercial zoning to the northwest and south of the project surrounds this particular property.

There is some low density single-family designated property to the northeast. VICE CHAIRMAN NIGRO added that it is multi use zoning, which could include a relative dense multi-family project. MR. FRENCH questioned how many stories the building would have. ROBERT GENZER confirmed with MR. CLAPSADDLE and informed MR. FRENCH that this site is already zoned RPD-25, so the General Plan is being amended to reflect the existing zoning. MR. FRENCH reiterated his request to know the number of stories on this project, as this would be an important factor because the height could obstruct their satellite dishes.

MR. GENZER stated that the original request was for 40 units per acre but the approval was for 25 units per acre, which then reduced the height on the project. Unless there was a condition on the Site Development Plan Review that stated the applicant had to develop the project within a certain amount of time or the Site Plan would be removed, the Site Plan would still be in effect. However, the applicant could return with a new Site Development Plan Review, which would most likely be a Public Hearing. MR. CLAPSADDLE also informed MR. FRENCH that if there were any changes to the Site Plan and/or conditions, then the application would be treated as a Public Hearing. If there were no changes, then the applicant could proceed with the project.

MARGO WHEELER, Planning and Development Department, stated that the applicant has had one community meeting and others will be done. At this time, there is no change to the Site Plan. If a new Site Plan were proposed, there would be a Notification and a Public Hearing.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(7:25– 7:30)

1-3191

City of Las Vegas

Agenda Item No.: 20

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4523 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (Service Commercial) TO: PF (Public Facilities) on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 20 [GPA-4523], Item 21 [ZON-4524] and Item 22 [SDR-4525].

DAVID CLAPSADDLE, Planning and Development Department, stated that the zoning districts allowed under the PF (Public Facility) land use designation allow a range of uses that are compatible with surrounding properties. This proposed facility is compatible with the surrounding area because it would be situated among other public facilities and medium density residential.

SAM TOLMAN, 400 E. Stewart, Project Manager, agreed to staff's recommendations. ANTHONY YOUNG, Indigo Architecture, Inc., 8930 S. Maryland Parkway, Ste. 400, clarified for COMMISSIONER TRUESDELL that this project would give new businesses an opportunity to develop and if successful, these businesses would then be able to lease a space and have a tenant improvement design and built forum, and it would be beneficial to the community as well.

MINUTES – Continued:

A similar project is located in North Las Vegas, but that facility has warehouse space. This proposed facility does not have warehouse space, but there is an incubator section where the new business can develop without having substantial upfront costs. In addition, there is a section that could be leased out now to assist in funding the project.

MR. TOLMAN stated to VICE CHAIRMAN NIGRO that the project is part of a federal program, whereby the City is funding the design and construction of this project. However, it is not determined at this time which entity would lease the spaces. VICE CHAIRMAN NIGRO commented on situations where government competes with private industries in trying to bring businesses downtown and how it takes on a different approach. MR. TOLMAN replied that this was something Neighborhood Services was looking into, as he felt that VICE CHAIRMAN NIGRO'S comments were valid. In the meantime, the task at hand is to construct the building. VICE CHAIRMAN NIGRO complimented the applicant on a wonderful project.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 20 [GPA-4523], Item 21 [ZON-4524] and Item 22 [SDR-4525].

(7:30 – 7:38)

1-3504

City of Las Vegas

Agenda Item No.: 21

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4523 - PUBLIC HEARING - ZON-4524 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: C-1 (Limited Commercial) TO: C-V (Civic) on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 20 [GPA-4523] for all related discussion on Item 20 [GPA-4523], Item 21 [ZON-4524] and Item 22 [SDR-4525].

(7:30 – 7:38)

1-3504

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4523) to a PF (Public Facilities) land use designation approved by the City Council.

CONDITIONS – Continued:

2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review application (SDR-4525) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate all additional rights-of-way required by Standard Drawing #234.1 or #234.3 for a bus turn-out on Stewart Avenue prior to the issuance of any permits, unless otherwise allowed by the City Traffic Engineer. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

5. Construct all incomplete half-street improvements on Stewart Avenue adjacent to this site concurrent with development of this site.

6. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

7. A Drainage Plan and Technical Drainage Study or other acceptable information must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.

City of Las Vegas

Agenda Item No.: 22

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4523 AND ZON-4524 - PUBLIC HEARING - SDR-4525 - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED GOVERNMENT FACILITY (EAST LAS VEGAS BUSINESS INCUBATOR), on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue (APN: 139-36-603-001), C-1 (Limited Commercial) Zone, [Proposed: C-V (Civic) Zone], Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 20 [GPA-4523] for all related discussion on Item 20 [GPA-4523], Item 21 [ZON-4524] and Item 22 [SDR-4525].

(7:30 – 7:38)

1-3504

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4523) to PF (Public Facilities), and Rezoning (ZON-4524) to a C-V (Civic) Zoning District approved by the City Council.

CONDITIONS – Continued:

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened from the view of abutting streets.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CONDITIONS – Continued:

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4524 and all other subsequent site-related actions.

City of Las Vegas

Agenda Item No.: 23

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4528 - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP - OWNER: CITY OF LAS VEGAS - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: MLA (Medium-Low Attached Density Residential) TO: M (Medium Density Residential) on 10.00 acres adjacent to the northeast corner of Roland Wiley Road and Silver Sky Drive (APN: 138-28-401-014), Ward 2 (Vacant).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-4528], Item 24 [GPA-4535], Item 30 [GPA-4548], Item 31 [ZON-4554], Item 32 [VAR-4677] and Item 33 [SDR-4555] to 8/12/2004 Planning Commission meeting; TABLE Item 10 [ZON-4208], Item 11 [VAR-4209], Item 12 [SUP-4210], Item 13 [VAC-4212], and Item 14 [SDR-4214] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:06 – 6:10)

City of Las Vegas

Agenda Item No.: 24

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4535 - APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential) TO: L (Low Density Residential) on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN: 163-03-201-001 & 002), Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-4528], Item 24 [GPA-4535], Item 30 [GPA-4548], Item 31 [ZON-4554], Item 32 [VAR-4677] and Item 33 [SDR-4555] to 8/12/2004 Planning Commission meeting; TABLE Item 10 [ZON-4208], Item 11 [VAR-4209], Item 12 [SUP-4210], Item 13 [VAC-4212], and Item 14 [SDR-4214] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:06 – 6:10)

City of Las Vegas

Agenda Item No.: 25

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4542 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (Medium-Low Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 25 [GPA-4542], Item 26 [VAR-4547], Item 27 [ZON-4543], Item 28 [VAR-4572] and Item 29 [SDR-4545].

DAVID CLAPSADDLE, Planning and Development Department, stated that all of the other properties surrounding this site are designated ML, which allows up to eight units per acre. This site would be the first property on this block to be zoned MLA, which allows up to twelve units per acre. Many of the lots to the north of this site are zoned R1 and do not meet the 6,500 square foot size. The applicant is requesting lot sizes of approximately 2,000 square feet.

MINUTES – Continued:

Staff was concerned with the land use designation and the small lot sizes of the proposed site. The lot sizes do not allow for flexibility and innovation for this particular area of the City. Given the location and the size of the site, staff also felt that open space should be provided.

Staff suggested the applicant doing RPD8 instead of RPD9, it would conform to the current General Plan, so a General Plan Amendment or a Variance for open space would not be required.

TABITHA FIDDYMENT, KKBR, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and stated the applicant felt that this project is consistent with and will enhance the surrounding area. She stated that these proposed lots are not like the traditional R1 lots. The lots are 25 x 100 square feet and are similar to duplex properties. To the north of the proposed site are 40 units, to the east of the proposed site are 39 units, and the applicant is proposing 35 units on 3.58 acres. MS. FIDDYMENT felt that it would be unrealistic to change to RPD8, which would reduce the number of lots from 35 to 30 on 3.5 acres. The proposed site is immediately adjacent to a Walgreen's and the 40 units to the north, as well as, the 39 units to the east. A neighborhood meeting was held, and some residents (not in attendance today) were ecstatic about the proposed project because they felt it would enhance the area and increase their property values. In addition, precedence would not be set because the surrounding properties have already been developed.

MS. FIDDYMENT explained for COMMISSIONER McSWAIN that if the open space requirement included the landscaping to the east and west of the property, it would include an additional 7,263 square feet of open space. The applicant would then have 19,000 square feet but would still be short of the Code requirement, which is 25,000 square feet. MR. CLAPSADDLE and MS. FIDDYMENT then explained for COMMISSIONER McSWAIN the advertised Notice was from ML to MLA. The original request was for RPD15 and then the applicant revised the request to RPD9. The MLA allows up to twelve units per acre. COMMISSIONER McSWAIN expressed her approval of the project, as it allows for increased property value. MS. FIDDYMENT also stated that there is 10 feet on the two-car garage units for aesthetic reasons; however, she would be willing to discuss with the developer reducing it to five feet as staff suggested. COMMISSIONER McSWAIN stated that for technical reasons, this project does have merit.

COMMISSIONER STEINMAN complimented the way the project buffers the commercial from the residential. The applicant has taken a somewhat unsightly lot and developed a project that has character and nature to it, so he would support the project.

MINUTES – Continued:

COMMISSIONER TRUESDELL stated that these lots are smaller than the typical lots and questioned what would be seen with the open space. MS. FIDDYMENT replied that due to the narrowness of the street, the open space was split, which limited the ability to use the open space. The applicant is proposing a trail with park benches, as it is not conducive to barbeque pits or any type of recreational open space. COMMISSIONER TRUESDELL wanted to ensure that what would be used for open space would truly benefit the residents, even if it meant adjusting a lot or two. MR. CLAPSADDLE confirmed with MS. FIDDYMENT that the applicant would be willing to meet with staff prior to the City Council meeting to discuss redesigning options to make the open space more programmable. MR. CLAPSADDLE also stated that as long as there are no drastic changes, such as less open space, then a Notification would not be required.

COMMISSIONER EVANS reminded MS. FIDDYMENT that the RPD concept is to create innovative design that is pedestrian friendly and fosters a sense of community, then he expressed to MS. FIDDYMENT that he hoped the applicant would work with staff and allow the density, as it would create a more innovative design.

GINA VENGLASS clarified, for the record, that there is a condition on the Site Plan Review, Item 29 [SDR-4545], which covers the required driveway length, which is 18 feet or five feet or less. VICE CHAIRMAN NIGRO stressed to MS. FIDDYMENT that the applicant needs to be aware that this condition is a stringent one and needs to be adhered to.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 25 [GPA-4542], Item 26 [VAR-4547], Item 27 [ZON-4543], Item 28 [VAR-4572] and Item 29 [SDR-4545].

(7:38 – 7:55)

City of Las Vegas

Agenda Item No.: 26

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-4542 - PUBLIC HEARING - VAR-4547 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 3.58 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 25 [GPA-4542] for all related discussion on Item 25 [GPA-4542], Item 26 [VAR-4547], Item 27 [ZON-4543], Item 28 [VAR-4572] and Item 29 [SDR-4545].

(7:38 – 7:55)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 26 – VAR-4547

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Rezoning (ZON-4543) and Site Development Plan Review (SDR-4545) approved by the City Council.

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

City of Las Vegas

Agenda Item No.: 27

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4542 AND VAR-4547 - PUBLIC HEARING - ZON-4543 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: R-PD9 (Residential Planned Development - 9 Units Per Acre) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and adding the following condition:

- ***The number of units shall be limited to what is shown on the current Site Plan.***

– UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 25 [GPA-4542] for all related discussion on Item 25 [GPA-4542], Item 26 [VAR-4547], Item 27 [ZON-4543], Item 28 [VAR-4572] and Item 29 [SDR-4545].

(7:38 – 7:55)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 27 – ZON-4543

CONDITIONS:

Planning and Development

1. (For R-PD9) Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4542), Variance (VAR-4547), Variance (VAR-4572), and Site Development Plan Review (SDR-4545) approved by the City Council.

2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review (SDR-4545) approved by the Planning Commission or City Council prior to issuance of any permits, site grading, and development activity for the site

4. The number of units shall be limited to what is shown on the current Site Plan.

Public Works

5. Construct all incomplete half-street improvements on Lamb Boulevard, Bingham Avenue and Hubbard Street adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

7. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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

City of Las Vegas

Agenda Item No.: 28

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-4542, ZON-4543 AND VAR-4547 - PUBLIC HEARING - VAR-4572 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Variance TO ALLOW 12,000 SQUARE FEET OF OPEN SPACE WHERE 25,870 SQUARE FEET IS THE MINIMUM REQUIRED on 3.80 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone, [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 25 [GPA-4542] for all related discussion on Item 25 [GPA-4542], Item 26 [VAR-4547], Item 27 [ZON-4543], Item 28 [VAR-4572] and Item 29 [SDR-4545].

(7:38 – 7:55)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 28 – VAR-4572

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4542), Variance (VAR-4547), Rezoning (ZON-4543), and Site Development Plan Review (SDR-4545) by the City Council.

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. A contribution shall be made to the City Parks CIP Fund in the amount of $45,352.00 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 will still be required to comply with the Open Space requirements in accordance with Title 19 of the Las Vegas Municipal Code.

City of Las Vegas

Agenda Item No.: 29

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4542, ZON-4543, VAR-4547 AND VAR-4572 - PUBLIC HEARING - SDR-4545 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Site Development Plan Review FOR A PROPOSED 35-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN: 140-29-401-005 & 006), R-1 (Single-Family Residential) Zone [Proposed: RPD-9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and adding the following condition:

- ***The applicant shall work with staff prior to City Council to finalize programmable open space.***

– UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 25 [GPA-4542] for all related discussion on Item 25 [GPA-4542], Item 26 [VAR-4547], Item 27 [ZON-4543], Item 28 [VAR-4572] and Item 29 [SDR-4545].

(7:38 – 7:55)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 29 – SDR-4545

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4542), Variance (VAR-4547), Variance (VAR-4572), and Rezoning (ZON-4543) approved by the City Council.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. The standards for this development shall include the following:

4. The site plan shall be revised to illustrate the details and conditions of approval listed herein and shall be approved by Planning and Development Department staff prior to or at the time application is made for a tentative map.

5. A landscape plan shall be submitted and approved by Planning and Development Department staff prior to or at the time application is made for a tentative map. The landscape plan shall comply with the standards of Title 19.

6. Air conditioning units shall not be mounted on rooftops.

7. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

9. All City Code requirements and design standards of all City departments must be satisfied.

10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

11. All development shall be in conformance with the site plan and building elevations, date stamped 04/22/04, except as amended by conditions herein.

12. The applicant shall work with staff prior to City Council to finalize programmable open space.

CONDITIONS – Continued:

Public Works

13. Provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5 feet in length to prevent a vehicle from parking in the driveway.

14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

16. Site development to comply with all applicable conditions of approval for ZON-4543 and all other subsequent site-related actions.

17. 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.

18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

City of Las Vegas

Agenda Item No.: 30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4548 - APPLICANT: RICHARD EHRLICH - OWNER: RICHARD EHRLICH, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (Medium-Low Density Residential) TO: M (Medium Density Residential) on 12.88 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard (APN: 140-30-503-002 and 140-30-520-017 through 033), Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-4528], Item 24 [GPA-4535], Item 30 [GPA-4548], Item 31 [ZON-4554], Item 32 [VAR-4677] and Item 33 [SDR-4555] to 8/12/2004 Planning Commission meeting; TABLE Item 10 [ZON-4208], Item 11 [VAR-4209], Item 12 [SUP-4210], Item 13 [VAC-4212], and Item 14 [SDR-4214] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:06 – 6:10)

City of Las Vegas

Agenda Item No.: 31

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4548 - PUBLIC HEARING - ZON-4554 - APPLICANT: RICHARD EHRLICH - OWNER: RICHARD EHRLICH, ET AL - Request for a Rezoning FROM: R-E (Residence Estates) and R-PD9 (Residential Planned Development - 9 Units per Acre) TO: R-PD12 (Residential Planned Development - 12 Units per Acre) on 18.24 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard (APN: 140-30-503-001 and 002; 140-30-520-017 through 033), Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-4528], Item 24 [GPA-4535], Item 30 [GPA-4548], Item 31 [ZON-4554], Item 32 [VAR-4677] and Item 33 [SDR-4555] to 8/12/2004 Planning Commission meeting; TABLE Item 10 [ZON-4208], Item 11 [VAR-4209], Item 12 [SUP-4210], Item 13 [VAC-4212], and Item 14 [SDR-4214] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:06 – 6:10)

City of Las Vegas

Agenda Item No.: 32

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-4548 AND ZON-4554 - PUBLIC HEARING - VAR-4677 - APPLICANT: RICHARD EHRLICH - OWNER: RICHARD EHRLICH, ET AL - Request for a Variance TO ALLOW 0.78 ACRES OF OPEN SPACE WHERE 3.67 ACRES IS THE MINIMUM REQUIRED in conjunction with a proposed 223-unit single-family residential development on 18.24 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard (APN: 140-30-503-001 and 002; 140-30-520-017 through 033), R-E (Residence Estates) and R-PD9 (Residential Planned Development - 9 Units per Acre) Zones [PROPOSED: R-PD12 (Residential Planned Development - 12 Units per Acre)], Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-4528], Item 24 [GPA-4535], Item 30 [GPA-4548], Item 31 [ZON-4554], Item 32 [VAR-4677] and Item 33 [SDR-4555] to 8/12/2004 Planning Commission meeting; TABLE Item 10 [ZON-4208], Item 11 [VAR-4209], Item 12 [SUP-4210], Item 13 [VAC-4212], and Item 14 [SDR-4214] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:06 – 6:10)

City of Las Vegas

Agenda Item No.: 33

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4548, ZON-4554 AND VAR-4677 - PUBLIC HEARING - SDR-4555 - APPLICANT: RICHARD EHRLICH - OWNER: RICHARD EHRLICH, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 223-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 18.24 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard (APN: 140-30-503-001 and 002; 140-30-520-017 through 033), R-E (Residence Estates) and R-PD9 (Residential Planned Development - 9 Units per Acre) Zones [PROPOSED: R-PD12 (Residential Planned Development - 12 Units per Acre)], Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-4528], Item 24 [GPA-4535], Item 30 [GPA-4548], Item 31 [ZON-4554], Item 32 [VAR-4677] and Item 33 [SDR-4555] to 8/12/2004 Planning Commission meeting; TABLE Item 10 [ZON-4208], Item 11 [VAR-4209], Item 12 [SUP-4210], Item 13 [VAC-4212], and Item 14 [SDR-4214] – UNANIMOUS

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

(6:06 – 6:10)

City of Las Vegas

Agenda Item No.: 34

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4549 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: O (Office) and DR (Desert Rural Density Residential) TO: GC (General Commercial) on 1.11 acres adjacent to the west side of Lindell Road, approximately 450 feet north of Sahara Avenue (APN: 163-01-404-006 & 007), Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED – Motion carried with EVANS and STEINMAN voting NO

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 34 [GPA-4549], Item 35 [ZON-4550], Item 36 [VAR-4553], and Item 37 [SDR-4551].

DAVID CLAPSADDLE, Planning and Development, stated that the established development pattern along Sahara Avenue is a series of car dealerships and commercial uses. The property directly to the south is currently zoned C2. What would actually happen is that the current dealership would be torn down to accommodate a new dealership. Pertaining to the residential adjacency variance, that is to the RE lot to the northwest of this site. This building would not

MINUTES – Continued:

have any windows or any visual access to the west. Given the commercial nature of the area and the fact that the elevation would not have any visual interest, staff approves of the Variance.

The Site Plan meets parking, the waivers to the parking lot and foundation buffering is something that has been done for other car dealerships as well. So, staff felt the Site Plan is compatible with the surrounding area.

BILL CURRAN, Curran and Perry, 300 S. 4th Street, appeared on behalf of the applicant. He reiterated MR. CLAPSADDLE'S comments. This is a new dealership that will take the place of an old Falconi's Acura dealership, and Towbin Infiniti, currently located on the south side of Sahara, will be relocated on the north side of Sahara into the old Falconi's Acura location. Then the existing building would be torn down and build the proposed project as a Hummer dealership. Using the overhead, ATTORNEY CURRAN pointed out the location of the existing dealership, the new dealership, and plans to incorporate the beauty shop located in the rear. There are two residences and another auto dealership immediately adjacent to the proposed project and a LDS church parking immediately to the north of the proposed project. There have been several neighborhood meetings to try to work with the neighbors on their concerns. The applicant has agreed that to offer as conditions of approval some of these issues, in addition to those that are recommended by staff.

The applicant has agreed that they would not place any speaker systems behind the building to the north of the building. The paging system would be on a timer, so it would not be subject to human error. The timer would shut it off at 10:00 p.m. There has been past concerns with dealerships along Sahara Avenue with customers test-driving vehicles in the neighborhood immediately to the north along Obannon Drive and other streets. The applicant has agreed to do everything in his power to prohibit this, and the test-driving would be limited to Sahara Avenue. In addition, the transport company would transport the vehicles by way of Sahara Avenue only. The height of the west property line fencing along the neighborhood where the two single-family residences are would be the height allowed by the City. The landscaping requirements along the west and north of the property lines would increase beyond what is required to create a landscaping buffer. The applicant suggested planting 24" box trees on 20-foot diameters. One of the residents suggested having 15-foot diameters. ATTORNEY CURRAN stated that trees need both water and air to survive. In addition, it is better to put a $5 tree in a $10 hole than it is to put a $10 tree in a $5 hole, and it also depends on how well the plant and trees are maintained. The applicant's goal is to have a healthy landscape barrier that is acceptable to everyone. On the northwest corner, landscaping will not be planted. Reason being is that there is a power company pole on the citizen's property. It is difficult for Nevada Power to access that power line without driving onto the citizen's property, which the residents do not like. The applicant has agreed to

MINUTES – Continued:

take out the existing home tree blocking Nevada Power, and we would not landscape that very northeast corner to allow Nevada Power easy access to their power line.

There would be a concrete masonry site wall on the east property line along Lindell Road to screen the employee parking lot area from residents who live on the other side of Lindell Road. The parking lot would be used for employee parking and the effort would be made to take every appropriate measure to ensure that lighting does not bleed off site to the adjacent residential uses. There would be quick door openers that open and close the service bays as rapid as possible so that the service bays are not left unduly open, as it would be air conditioned and climate controlled.

Regarding Item 37 [SDR-4551], ATTORNEY CURRAN requested clarification on Condition 14 regarding property line walls. The applicant agreed with this condition for the new walls but preferred not to tear down existing walls and rebuild them according to Code. ROBERT GENZER, Planning and Development, confirmed that the condition related only to new walls. Regarding Condition 18 on the same item, regarding the radius on the northwest corner of Lindell Road and Sahara Avenue. The applicant requested deletion of Condition 18, as this is already an established neighborhood with an established intersection. A traffic signal already exists there and the street improvements are fully in place. Doing this would make it inconsistent with the other three corners. Regarding Condition 19 on the same item, relating to public street improvements and driveway cuts, the applicant agreed to take out any unused cuts; however, there is an existing driveway on the west end of the site on Sahara Avenue. The applicant felt that making changes to the driveway would be problematic. There is a bus stop in front of the property, and it is pushed as far back towards Lindell Road as it can go without being a problem.

VICE CHAIRMAN NIGRO requested comments from Public Works regarding their position on the requested changes for Conditions 18 and 19 on Item 37 [SDR-4551]. GINA VENGLASS, Public Works, stated that both of these conditions are standard. Condition 18 requires the additional dedication for the proper radius corner for the intersection of the 100-foot street. This allows Public Works the ability to enter and have access to the equipment used for the traffic signal, as well as, have the space to place any additional equipment on the traffic signal if and when required. The curb line would remain where it is and would not be reconstructed back to the 54-foot radius. Regarding Condition 19, she stated that when a Site Plan Review is submitted, it is a standard requirement to remove and replace any substandard improvements adjacent to the applicant's site. In addition, any unused driveway cuts need to be removed. Public Works is not requiring the driveway on Sahara Avenue be moved; however, it belongs to Nevada Department of Transportation (NDOT), so the final word would be from NDOT. Public Works have been in contact with NDOT and have been informed that they do not oppose to the

MINUTES – Continued:

driveway remaining, but MS. VENGLASS confirmed with the City traffic engineers that NDOT would like the driveway upgraded to meet Standard 222A.

CONITA JONES, 5645 Obannon, stated she faxed a letter of opposition to Planning and Development on July 2nd. She, as well as several other residents including those noted below, opposed the proposed project for reasons noted below and stated some suggestions:

Their neighborhood is overrun with car dealerships and Obannon Drive is a nightmare for them. Individuals test-driving vehicles come out onto Sahara, race across O'Bannon and back down around to Lindell Lane. These individuals are driving at speeds of 60-70 mph non-stop. The residents would like assistance from the City in getting the property owner to go before the County regarding Obannon and Jones and request the Vacation for the south side of the road. In addition, they would like Obannon to be closed off, just like Duneville and Westwind Road. They would like to have a barrier on Lindell Road where the employees of the dealership cannot come out and take a left onto Lindell Road. They would be forced to make a right turn but have a left hand turn lane coming back into their dealership on Lindell Road off of Sahara Avenue. They would like for the applicant to look into getting pagers from Nextel. They would like to see a two-hour parking limit on Lindell Road to stop the employees of the dealership from coming out of the parking lot and parking on the street. They would like for the transport trucks to stop driving down Obannon, as they continue to speed and run stop signs.

VICE CHAIRMAN NIGRO then confirmed for MS. JONES that this application goes before City Council on August 4th.

JOSEPH PIRACCI, 2330 Westwind Road, stated that this proposed project is not simply replacing an existing dealership. It is being moved further back into a residential area. His concern is with the sound and what the visual impact would be, as he lives in a two-story home. Instead of having the applicant place a block wall to shelter his view of the dealership, MR. PIRACCI suggested the applicant be required to place a completely new decorative block wall up with extensive landscaping on their side above the wall to block the view into the dealership. To avoid the trees being too close together, he also suggested having the trees situated at 15 feet apart and behind those trees triangulated 15 feet apart away from the wall, which would create a sufficient barrier.

Seeing that one of the main concerns with the residents was the noise from the paging system, ROBERT GENZER, Planning and Development Department, confirmed with MR. CLAPSADDLE that the City Code now prohibits any form of speaker systems other than individual pagers, so no outside paging system would exist.

MINUTES – Continued:

PAUL O'BANNON, 5710 W. Obannon Drive, stated that the residents have fought dealerships for years just to maintain the respect of their community. He felt that these dealerships are attempting to continue to flow with these types of businesses in their direction and move closer to their homes. He used the overhead to point out an adjacent area that are residential custom homes ranging from $400,000 to $3,000,000. These residents purchased these lots years ago for the sake of privacy. Should the rezoning be approved, the applicant could do what they choose to do.

MARIANNE JORGENSEN, 5625 Obannon Drive, is concerned with the traffic on Obannon Drive and hoped that assistance would be granted to the residents in controlling traffic in their neighborhood.

DUSTY BUCKEL, 2051 Red Rock, used the overhead to point out the proposed project on Sahara Avenue, Jones Boulevard and Lindell Road. The secondary property, which is currently zoned Professional with Parking, is a house that was a beauty shop. The applicant advised the residents that they would like to tear down the beauty shop and use the site for staff parking. Current zoning allows this to be staff parking. If it is rezoned to C2, there is no telling what the applicant would do with that. She requested that the Commission consider keeping the current zoning. She also pointed out that Towbin Infiniti owns the Jeep dealership across the street, the new dealership with high-end vehicles, a 2-1/2 acre parcel where Hummers are currently being stored. She would like to see Obannon Drive blocked off to protect their neighborhood and to keep the children safe.

GARY SWANSIER stated he attended a previous Planning meeting because of a similar situation with a Lincoln Mercury dealership on Sahara Avenue. He felt that the fight is a continuous one, and the main issue is the traffic on Obannon Drive. He stated that Mr. Towbin had a feeder lot on Jones Boulevard that is currently being used, but they use Obannon Drive as a surface street to get to their dealerships. Another concern he had was giving Nevada Power access to the power line, as he was happy that the applicant resolved this problem. He was also concerned with the wall height, as his property adjoins the proposed project and the LDS church, and he did not want a backyard view of Hummers. He preferred the current zoning to remain.

ATTORNEY CURRAN stated that the applicant, Mr. Towbin, would like to be a good neighbor in the neighborhood and wish to remain on positive relations with all the neighbors, as some of the neighbors are his customers. He reiterated Mr. Towbin's willingness to do all that he can to assist in resolving these concers. The neighbors have his personal telephone number for his secretary; should they become aware of any problems or have vehicle/drive information, they could call her immediately, and he would take appropriate action.

MINUTES – Continued:

He pointed out that Mr. Towbin is not the one who decides whether or not Obannon Drive would be a closed street. He would not oppose any efforts that the neighbors make with the City and the County to try to solve the traffic problems on Obannon Drive. He would also make sure his employees adhere to the policies. He stated that Mr. Towbin felt he could not make promises with the people he cannot control. There was also a question about limiting the parking on Lindell Road. ATTORNEY CURRAN suggested the time limit be three hours and not two hours but would cooperate with whatever decision made.

COMMISSIONER McSWAIN asked where would the trucks offload the vehicles. ATTORNEY CURRAN replied that the trucks would come in from Sahara Avenue, come through the driveway and off load. MR. CLAPSADDLE responded to COMMISSIONER McSWAIN'S question by stating there are no restrictions on delivery times, but the Commission could choose to make this a condition. She then asked about limited parking times and "No Parking" signs. RICK SCHROEDER, Public Works, replied that Lindell Road is a master planned street, so it would be a standard condition of the Traffic Study approval for Lindell Road to be posted "No Parking", and this could be added as an additional condition. COMMISSIONER McSWAIN then asked about the zoning change. MR. CLAPSADDLE replied that the current zoning on the proposed site is PR, which does allow professional office and parking. Should the zoning remain PR, the building would not meet the setbacks of the Code. The Commission could choose to revise Condition 4 of the Site Plan to add the dated Site Plan, July 1, 2004, which is what would be built on this site. If there were any deviations from this Site Plan, such as the portion being allocated for employee parking, it would come back to the Commission as a Public Hearing. MR. GENZER added that staff has previously taken the position that if any portion, such as parking, is part of the dealership, then it needs to carry the same zoning as the dealership. COMMISSIONER McSWAIN requested adding a condition that no paging system would be allowed. ATTORNEY CURRAN verified that at some point the applicant would be submitting a Master Sign Plan. She then asked if the applicant would be willing to restrict the signage only on Sahara Avenue, as her concern is not to have signage carry over onto the neighborhood on Lindell Road. ATTORNEY CURRAN replied that he felt this was a reasonable request but would have to first confer with the applicant. He then stated that the only signage on Lindell Road would be a monument sign that indicates "Turn here for the Service Department". COMMISSIONER McSWAIN requested a double row of trees on the back wall, not necessarily all around the site. MR. CLAPSADDLE replied that this would be more for the foundation landscaping around the building. The Commission could add this as a condition as well.

MINUTES – Continued:

ATTORNEY CURRAN clarified with COMMISSIONER McSWAIN that her request is for a double row, off setting like a tripod alongside the rear wall, the area next to the homes. MR. CLAPSADDLE added that it would be for any property line where it abuts a single-family residence. In this case, it would be the property line along the north end. ATTORNEY CURRAN commented on the request to have no parking along Lindell Road. He stated that generally customers like the convenience of being able to get in and out of dealerships rapidly when browsing around for vehicles. He referenced the amount of curbside parking at the Valley Auto Mall in Henderson; however, COMMISSIONER McSWAIN rebutted that the Valley Auto Mall is not adjacent to residential. She also added that there is no interior landscaping on the parking lot in front of the site. VICE CHAIRMAN NIGRO reiterated that the Traffic Study requires no parking on Lindell Road.

COMMISSIONER EVANS then stated that there is clearly a problem with the traffic on Obannon Drive and the test-driving issues. This is not a new problem, as this has been ongoing since he's been a member of the Commission. His concern is with ATTORNEY CURRAN stating his client could not guarantee times of delivery and possibly where the employees are having customers test-drive. However, he felt that it is incumbent on the applicant to do everything possible to ensure that the integrity of this neighborhood is intact. There is a problem with the dealership and the customers who test-drive, so there has to be a resolution. ATTORNEY CURRAN responded that Mr. Towbin has pledged that he would do everything in his power to ensure that the test-driving problems are ceased. However, when the vehicles are test driven, the perspective buyers drive them. The salesman is in the car with them indicating which direction to go; however, the driver may not choose to do so. COMMISSIONER EVANS then replied the site is in a residential area, so there has to be a resolution. He felt that the applicant could and should control the delivery times, so ATTORNEY CURRAN concurred that the applicant would do so. Lastly, COMMISSIONER EVANS stated that Mr. Towbin needs to guarantee that he would control the test-driving issue, or maybe this site would not be the best location for Mr. Towbin. There has to be a guarantee that this neighborhood would not be destroyed by individuals racing down these streets while test-driving vehicles.

COMMISSIONER DAVENPORT stated that in one of the applicant's drawings, it appeared that one of the Hummers was parked in a buffer zone. ATTORNEY CURRAN agreed and replied that this is a design issue that would have to be addressed. MR. CLAPSADDLE verified for COMMISSIONER DAVENPORT that vehicles in car dealerships cannot be parked in the landscape planters. He added that a condition could be added indicating this restriction. ATTORNEY CURRAN replied that one of the problems with this site is that it is a very long and narrow piece of property that has a bus stop in front of it. A dealership lives by its visibility to a certain degree. He then requested if the applicant could work with staff prior to City Council.

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated that the initial application showed the Site Plan as proposed at this meeting. Subsequently, the applicant submitted a revised Site Plan and then decided to go back to the original Site Plan. Staff wanted to ensure that the Commission had the correct Site Plan, should they approve it, since staff had already distributed the documents. The correct Site Plan was what was presented on the overhead.

COMMISSIONER TRUESDELL was concerned about how they could go further north along Sahara Avenue. He felt that rebuilding the dealership is good, as this portion of Sahara Avenue consists of many dealerships. He asked if the applicant would agree to a deed restriction that there would not be a building on the north section of the property. ATTORNEY CURRAN replied that they could agree with a zoning condition. As an attorney, he is not comfortable with deed restrictions because they impede financing and property issues. COMMISSIONER TRUESDELL stated that these problems have to cease; otherwise, a valuable neighborhood north of Sahara Avenue would be destroyed. The dealerships, not the City, should be the leaders in educating their salesmen and ensure that these problems do not exist. When you have service lots away from the property, their routes of getting back to the dealership is one of the secondary streets. These secondary streets are residential streets and were never meant to be commercial thoroughfares. He stated he would prefer a deed restriction, but with the conditions, he could support the project.

COMMISSIONER STEINMAN asked if any portion of the piece of property to be rezoned was planned for construction, and if not, then why rezone it. ATTORNEY CURRAN replied no. MR. CLAPSADDLE then stated that if the parking lot would be a part of the dealership, then it needs to be zoned C2, to have a unified zoning on the site. He could not recall any other dealership where portions of the dealership had a different zoning. If the Commission desired a condition requiring that any building proposed within the area designated for employee parking to come back to the Commission as a Public Hearing, then this could be done. COMMISSIONER STEINMAN agreed with ATTORNEY CURRAN regarding deed restrictions. He felt that the best means of control is not to rezone that portion of the property. He, too, has test driven a vehicle from Lincoln Mercury and is aware that the street Desert Lincoln Mercury is located on is closed. However, he felt that the residents should approach the County or Traffic Engineering to work on getting Obannon Drive closed, even though it may move the test-driving issue over to Oakey Boulevard on down to Lindell Road. He felt that there is not a need for the rezoning, and the concern is more so the control factor.

VICE CHAIRMAN NIGRO asked if there was any status regarding closing Obannon Drive and what direction the residents should take. MR. SCHROEDER replied that the residents worked with the City of Las Vegas and Clark County Traffic Engineering and succeeded in closing

MINUTES – Continued:

Westwind and Duneville. COMMISSIONER EVANS noted that there were some individuals in attendance that worked with other dealerships in finding resolutions to their problems. DEPUTY CITY ATTORNEY BRYAN SCOTT commented that in these kinds of situations, the citizens have petitioned the traffic engineers and the traffic engineer then put it on the Traffic and Parking agenda for them to consider the street closure. A Public Hearing would take place and then the recommendation from Traffic and Parking is then sent to City Council for final approval. Because the County would be involved, a dual application would be done for both City and County. This is probably what would occur with this situation. VICE CHAIRMAN NIGRO then recommended that the residents go forward with this action, since the applicant has stated publicly that they would support this cause in trying to close off these streets to mitigate the traffic issues. He also felt that not allowing employees to make a left turn onto Lindell Road was a good suggestion by the residents because from the rear access, it does not appear to be a reason why the employees would go left from the employee parking lot. This way, the employees would be forced to use one of the other access points. ATTORNEY CURRAN replied that he is concerned about making decisions on the design aspect, as it may be subject to the Traffic Study. In addition, there may be some unintended consequences. DEPUTY CITY ATTORNEY SCOTT commented that a condition could be added stating that the applicant could work with staff prior to City Council. VICE CHAIRMAN NIGRO added that they would also need to work on the Site Plan. COMMISSIONER McSWAIN suggested having the time restrictions on the deliveries from 7 a.m. to 10 p.m.

VICE CHAIRMAN NIGRO then reiterated the following important points: a) The residents could go forward with the application regarding the closure of Obannon Drive; b) The Site Plan has a condition dealing with parking in the rear and it cannot be modified without coming back before the Commission as a Public Hearing; c) The Traffic Study deals with the no parking issue on Lindell Road; d) The Commission has suggested the landscaping offset adjacent to the residential property in the rear; e) There will be no vehicles in the buffer and f) The delivery timeframes has been recommended. Although ATTORNEY CURRAN could not commit to all of these requirements, the Commission has suggested them and felt that they are a good compromise for this application.

MR. CLAPSADDLE confirmed for COMMISSIONER DAVENPORT that in order for the front of the building to meet the setback requirements, provided the zoning was not changed on the rear lot, it would have to be rezoned or have a variance, which is not included in this application. COMMISSIONER DAVENPORT clarified for COMMISSIONER STEINMAN that it would be the building setback on the rear property line because the professional zoning would then set the residential setback requirements and the applicant would not be able to meet those requirements. It would be two separate properties but the same ownership. He added by changing the zoning to commercial, the setback requirement would not be there, so the applicant would have to apply for a waiver.

MINUTES – Continued:

COMMISSIONER McSWAIN requested clarification on how a Traffic Study ultimately translates to a no parking situation on Lindell Road. MR. SCHROEDER stated that a standard condition of a Traffic Study approval is that all master planned streets adjacent to the site be posted "No Parking" if appropriate, meaning if the outside lane is wide enough, an individual can conceivably park in it. COMMISSIONER McSWAIN commented that if individuals are allowed to park along Lindell Road, then the customers coming to the dealership would have a tendency to park in the neighborhood along the west side of Lindell Road. MR. CLAPSADDLE stated that if the Commission desired to have any condition applied to the entire site, then it needed to be placed on the Site Plan Review. The only portion that dealt with the rezoning is the northern section of the Site Plan.

ATTORNEY CURRAN reiterated that the applicant would like to work with staff prior to City Council regarding some of these concerns and conditions. He pointed out that even though he has not spoken with the applicant yet regarding these revised and/or new conditions, he believed the applicant would probably not have a problem with them. However, he is most concerned with the radius. MS. VENGLASS responded that in some cases, a traffic cord easement was done in lieu of the dedication, and the applicable departments could work with the applicant prior to City Council to see if this could be done for this application as well. He is also concerned with the suggested condition regarding no left turn onto Lindell Road, as the impact is unknown at this time and is something a traffic engineer would want to address. VICE CHAIRMAN NIGRO then reiterated that these are issues that could be addressed with staff prior to City Council. DEPUTY CITY ATTORNEY SCOTT stated the item could also be held, until the applicant determined whether or not they could agree with these conditions. VICE CHAIRMAN NIGRO then stated he felt that none of these changes would significantly impact the Site Plan. COMMISSIONER McSWAIN stressed that a commitment needs to be made by the applicant. This site is in a residential neighborhood, with existing issues relative to the traffic, and several corners are already being occupied with Mr. Towbin's businesses. These existing problems should have been resolved by now, as it is not going to get better unless some of the streets are closed. The Commission would like to see some form of protection for the neighbors. In addition, she felt that what the Commission was asking for was reasonable, as they are already allowing the business to go further north. ATTORNEY CURRAN responded that a few conditions were suggested that he preferred speaking with his client prior to commitment.

MINUTES – Continued:

VICE CHAIRMAN NIGRO felt that the Commission has made their position clear and should move the application forward. He added that the residents need to be diligent in following through with making sure the application discussed today is what is approved at City Council. COMMISSIONER McSWAIN concurred.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 34 [GPA-4549], Item 35 [ZON-4550], Item 36 [VAR-4553], and Item 37 [SDR-4551].

(7:55 – 9:13)

City of Las Vegas

Agenda Item No.: 35

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4549 - PUBLIC HEARING - ZON-4550 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: P-R (Professional Office and Parking) and R-E (Residence Estates) TO: C-2 (General Commercial) on 1.11 acres adjacent to the west side of Lindell Road, approximately 450 feet north of Sahara Avenue (APN: 163-01-404-006 & 007), Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with EVANS and STEINMAN voting No

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 34 [GPA-4549] for all related discussion on Item 34 [GPA-4549], Item 35 [ZON-4550], Item 36 [VAR-4553] and Item 37 [SDR-4551].

(7:55 – 9:13)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 35 – ZON-4550

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A General Plan Amendment (GPA-4549), Site Development Plan Review application (SDR-4551), and Variance (VAR-4553) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

City of Las Vegas

Agenda Item No.: 36

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-4549 AND ZON-4550 - PUBLIC HEARING - VAR-4553 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A PROPOSED 83-FOOT SIDE YARD SET BACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 100 FEET on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road (APN: 163-01-404-006, 007 & 008), C-2 (General Commercial), P-R (Professional Office and Parking), and R-E (Residence Estates) Zones, [Proposed: C-2 (General Commercial) Zone], Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with EVANS voting No

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 34 [GPA-4549] for all related discussion on Item 34 [GPA-4549], Item 35 [ZON-4550], Item 36 [VAR-4553] and Item 37 [SDR-4551].

(7:55 – 9:13)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 36 – VAR-4553

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4549), Rezoning (ZON-4550), and Site Development Plan Review application (SDR-4551) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

City of Las Vegas

Agenda Item No.: 37

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4549, ZON-4550 ANDVAR-4553 - PUBLIC HEARING - SDR-4551 - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - OWNER: CARDAN LINDELL NORTH, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers to allow a reduction of perimeter, parking lot and foundation landscaping and to allow palm trees along Sahara Avenue where pine or deciduous trees are required FOR A PROPOSED 37,950 SQUARE-FOOT MOTOR VEHICLE SALES (NEW) FACILITY on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Road (APN: 163-01-404-006, 007 & 008), C-2 (General Commercial), P-R (Professional Office and Parking), and R-E (Residence Estates) Zones [Proposed: C-2 (General Commercial) Zone], Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and adding the following conditions:

- ***There will be no parking along Lindell Road.***
- ***There will be no parking in the buffer area.***
- ***The delivery times will be during 7 a.m. to 10 p.m.***
- ***All vehicles shall be offloaded on the west side of the building.***
- ***Left turns will be restricted in a manner acceptable to City Traffic Engineer.***
- ***Landscape and maintain all unimproved right-of-way on Sahara Avenue and Lindell Road adjacent to this site.***

MOTION – Continued:

- ***Submit an Encroachment Agreement for all landscaping and private improvements located in the Lindell Road public right-of-way adjacent to this site prior to occupancy of this site.***
- ***Obtain an occupancy permit from the Nevada Department of Transportation for all landscaping and improvements within the Sahara Avenue public right-of-way adjacent to this site prior to the issuance of any permits.***

And amending the following conditions:

4. All development shall be in conformance with the Site Plan and building elevations, except as amended by conditions herein. ***Any building proposed in the area designated as employee parking shall require a Public Hearing.***

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. ***The landscaping plan shall depict a double row of landscape planters along the northwest property line where abutting single family residential.***

12. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site. ***Signage along Lindell Road shall be limited to one monument sign.***

– Motion carried with EVANS voting No

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 34 [GPA-4549] for all related discussion on Item 34 [GPA-4549], Item 35 [ZON-4550], Item 36 [VAR-4553] and Item 37 [SDR-4551].

(7:55 – 9:13)

2-724

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4549), Rezoning (ZON-4550), and Variance (VAR-4553) approved by the City Council.

2. Conformance to all Minimum Requirements under Title 19.04.050 for Motor Vehicle Sales (New) use.

3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

CONDITIONS – Continued:

4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein. Any building proposed in the area designated as employee parking shall require a Public Hearing.

5. The site shall be remapped to consolidate all three parcels into one lot prior to the time application is made for a building permit.

6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit to reflect an eight-foot wall along the perimeter of the site.

7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. The landscaping plan shall depict a double row of landscape planters along the northwest property line where abutting single family residential exist.

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

12. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site. Signage along Lindell Road shall be limited to one monument sign.

13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

CONDITIONS – Continued:

14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.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. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. [Residential or commercial subdivisions] The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

17. All City Code requirements and design standards of all City departments must be satisfied.

18. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Lindell Road and Sahara Avenue. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

19. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

20. Provide a copy of a recorded Joint Access Agreement between all parcels comprising this site prior to the issuance of any permits.

21. A plan shall be submitted to and approved by the City Traffic Engineer to specifically address on-site circulation and delivery of vehicles to this site, including appropriate turning radii; no parking or deliveries to this site shall be permitted in the public right-of-way.

22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not

CONDITIONS – Continued:

required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

City of Las Vegas

Agenda Item No.: 38

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4564 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: O (Office) TO: SC (Service Commercial) and to exempt the subject site from the full Multi-use Transportation Trails Standard of the Transportation Trails Element, using instead the proposed "Connector Trail" Standard on 0.79 acres adjacent to the southeast corner of Charleston Boulevard and Rancho Drive (APN: 162-04-101-001), Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submittals at Planning Commission – Letters of Opposition – Sharon Friend, Thomas and Agnes Pittman, Rose Carvelli

MOTION:

McSWAIN – APPROVED – Motion carried with EVANS voting No

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 38 [GPA-4564], Item 39 [VAR-4696], Item 40 [SUP-4565] and Item 41 [SDR-4563].

GARY LEOBOLD, Planning and Development Department, stated in 2002, the City of Las Vegas approved a land use study of properties located in the Rancho Drive/Charleston Boulevard area in an effort to resolve land use conflicts in this area. The Rancho/Charleston study redesignated all properties along the south side of Charleston Boulevard between Rancho Drive and Desert Lane for O (Office) land uses. This action provides a consistent land use buffer between the very intense uses of the Las Vegas Medical District and the Desert Rural Density

MINUTES – Continued:

neighborhoods south of the subject properties. The proposed amendment would result in the incompatibility of land uses that the Charleston/Rancho study sought to resolve.

The Code requires a 10-foot wide multi-use trail along Rancho Drive. Because the area is already developed and if the Commission approved the General Plan Amendment, staff would not object to the reduced 5-foot trail.

Currently, there is a convenient store/service station that is approximately 1,800 square feet, which required eight parking spaces. The existing development is to be replaced by a 3,325 square-foot convenience store, a 3,540 square-foot canopy with gas pumps, and a 1,200 square-foot automated car wash. Per Title 19, 14 parking spaces are required for the convenient store, and eight parking spaces are required for the car wash. The applicant is proposing 15 parking spaces on the site. Due to the restricted nature of the site, such as its corner location and access points, it is difficult to provide additional parking on this site. However, alternative design using a smaller convenience store or eliminating the proposed car wash use would allow conformance to Title 19 requirements. As a result, staff felt that this is a self-imposed hardship by proposing to overbuild a site that is relatively small for the uses envisioned.

The applicant has met with area residents twice in an attempt to address their concerns through modifications to the design. The expansion to the scope of the existing development on the site is substantial, as the need for parking variance and a number of waivers on the site plan have been requested.

The applicant has made significant improvements to the Site Plan. However, the proposed project is deficient in the amount of landscaped buffering provided around the site and the amount of parking lot landscaping and building foundation landscaping provided.

TABITHA FIDDYMENT, KKBR, 3800 Howard Hughes Parkway and DANIEL LOERA, Breslin Builders, both appeared on behalf of the applicant. MS. FIDDYMENT stated that the applicant purchased this property hoping to bring the existing Chevron up to standards with the existing properties. When the site was approved in 1965, there was residential property to the south of the site. As part of the original approval, a condition was imposed that required a 100 foot landscape buffer between the RE property to the south and the existing service station. Using the overhead, she also reiterated the overview of the proposed application, as MR. LEOBOLD previously stated. The applicant is willing to invest millions of dollars into this 40-year-old property to make it compatible with the existing area.

MINUTES – Continued:

BOB APPLE, 1405 Strong Drive, representative of the Charleston/McNeil Neighborhood Preservation Association, also appeared on behalf of Judge Mosley, John Thorndall, Kevin Efromso. SHARON FRIEND, 221 Baneese Lane**,** SHELLEY WALTERS, 2112 Kirkland Avenue, WILLIAM F. CURRAN, 2310 Sherman Place, strongly opposed the project. Although it is attractive, it is large. Their concern is with traffic, noise and pollution and would like to know where will the left-hand turn be. They also felt that some of the residents would lose some of their views, and the property value would decrease. A reference was made from a previous City Council meeting where the Mayor expressed his concern regarding waivers and making sure there is a valid reason for the requests. The residents utilize the existing gas station and felt that it is well maintained and fits the character of the neighborhood. They would like to see the existing gas station remain.

MS. FIDDYMENT apologized for implying that this 40-year old property needed replacement. It is a tribute to the neighborhood that an older neighborhood is well maintained and has a positive reputation. She also stated that an additional 100 feet would be added to the site so the driveway would be widened and moved south. The access off of Charleston Boulevard would also be moved down from the corner to assist in traffic concerns. Although the landscaped buffer would be 10 feet in length and 7 feet in width, it is an intense buffer. MR. LOERA added that there is an additional 10 feet of landscaping between the wall and the adjacent office building. He used the overhead to point out additional landscaped areas and added that there would also be a decorative wall. MS. FIDDYMENT pointed out to the Commission that the applicant no longer required a waiver for the perimeter landscaping, just the perimeter buffing.

COMMISSIONER McSWAIN commented that this is a nice project; however, having the car wash would create problems. It would create stacking, as you have two rows of traffic turning east onto Charleston Boulevard from Rancho Drive. By eliminating the car wash, the parking issue would be eliminated and some of the landscaping in the rear would increase and relieve some of the 100 foot setback. She questioned what issues arise when a gas station is converted to an office use so that it is practical and affordable. Although staff did not have the answer, MR. LEOBOLD agreed that COMMISSIONER McSWAIN had a valid question and added that it does vary from site to site. Generally, it is less of a problem converting to office use than converting to residential. VICE CHAIRMAN NIGRO then added that, in the past, some projects on Racho Drive have been approved. COMMISSIONER McSWAIN stated that if done properly and the car wash was eliminated, this project could actually be an enhancement to the area.

MINUTES – Continued:

MR. LOERA clarified for COMMISSIONER McSWAIN that the project includes a traditional convenient store and not a diner/restaurant. In addition, he responded to COMMISSIONER GOYNES by stating there would be an increase of approximately 25 trips during peak hours daily, based upon estimates given by the traffic engineers. So, additional traffic would be generated but not much. He also pointed out that this location is not a destination, it is a convenient store that draws its traffic from existing traffic in the area for other reasons. COMMISSIONER GOYNES agreed and added that he felt the increase in traffic stems from the growth in the Valley. MR. LOERA responded to COMMISSIONER GOYNES and stated that the proposed driveway would face directly across the street from the childcare facility on Rancho Drive. MS. FIDDYMENT stated that the car wash would be located in the rear adjacent to UMC Quick Care. COMMISSIONER GOYNES felt that the car wash is appropriate, as it abuts a parking garage. With economics and market changes in the area, he would support this application. MR. LOERA added that the residents views would still be pleasing, even with the replaced landscaping and would still have the same ambience for years to come. In addition, he used the overhead to show photos of the area in the rear of the property to show how this are could be enhanced and maintained.

COMMISSIONER EVANS commented on the history of the landscaping requirements, particularly the area with vegetation. He pointed out that the Commission could not solve issues with vagrancy, as it is still an ongoing problem within the community. He is concerned for the loss of the vegetation area being replaced with programmable landscaping, especially when concessions were made to create these spaces for vegetation.

COMMISSIONER STEINMAN felt that requiring eight parking spaces for a car wash is somewhat unfair, as this project is not the standard Terrible Hurst type of car wash. He did not see a need for parking for this type of car wash because it would create stacking. He added that he viewed the park, and the area was totally unacceptable. This project, with landscaping and the decorative wall, would be a definite improvement to this property. In addition, it would decrease or eliminate vagrancy in this area. He would support this project.

COMMISSIONER TRUESDELL stated he was present at a meeting in 1986 when this application was reheard. At that time, the park was replanted. A resident who lived next door to the project was outstanding in her speech and views regarding the project. She assisted in succeeding with having Chevron be required to upgrade the park and replant it. He noted, for the record, it is the responsibility of the current operator of the park to keep it maintained because it deserves the attention. This gas station was rebuilt less than 20 years ago. Some significant landscaping requirements were made on the office park located south of this site to ensure the

MINUTES – Continued:

enhancement of the buffer area. He felt that the car wash with the driveway going around to the rear is unacceptable. In addition, the parking requirement allows individuals to park and vacuum their cars and one parking spot would not accommodate the car wash. MS. FIDDYMENT apologized for an error on the application and clarified that the applicant would not be offering parking areas for individuals to vacuum their cars. COMMISSIONER TRUESDELL then stated that these types of facilities typically require vacuum areas. He could support the application if the landscape is not reduced to 7 feet, so some of the original landscaped buffer would exist to soften the edges and then there would not be a need for the parking variance.

VICE CHAIRMAN NIGRO stated he could understand requiring the property owner to maintain valuable property in the past, regardless if it is for residential or commercial use as open space, because residential existed immediately adjacent to the car wash. However, to have this requirement now, in some ways, creates a property rights issue. He felt that the environment has changed, relative to requiring the property owner to still maintain a "park". Charleston Boulevard is a major street. Once Rancho Drive intersects at Charleston Boulevard, it becomes more of a major street at Oakey Boulevard. A commercial project was not approved at the corner of Oakey Boulevard and Rancho Drive. He felt that the proposed convenient store/gas station would not increase the traffic sufficiently, if any, as the existing traffic already exists. In his opinion, the only issue is whether or not the car wash is acceptable. He also felt that the existing gas station has not changed much in the last 20 years and could be upgraded. Should the application be approved, he believed that the homes would not decrease in value nor would it have a major impact on increased traffic. VICE CHAIRMAN concluded that he could not support having parking stalls as an area for individuals to vacuum their vehicles, given the current parking situation.

MR. LEOBOLD clarified for COMMISSIONER McSWAIN that the Variance would have to be approved first to allow the Special Use Permit. Then she noted, for the record, that although she supports the concept of the project, she would vote to deny the Variance because she would vote for denial on the proposed car wash. MR. LEOBOLD also verified for COMMISSIONER TRUESDELL that the applicant exceeds the landscaping requirements because they are providing more than enough landscaping in other areas of the property. Along the eastern edge of the property, there would not be any landscaping because there is no buffer.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 38 [GPA-4564], Item 39 [VAR-4696], Item 40 [SUP-4565] and Item 41 [SDR-4563].

(9:26 – 10:11)

City of Las Vegas

Agenda Item No.: 39

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-4564 - PUBLIC HEARING - VAR-4696 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRETT GROUP, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 15 PARKING SPACES WHERE 22 SPACES IS THE MINIMUM NUMBER REQUIRED on 0.79 acres at 2237 W. Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – Motion for DENIAL failed – Subsequent motion by GOYNES for APPROVAL subject to conditions carried with McSWAIN, EVANS and TRUESDELL voting NO

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 38 [GPA-4564] for all related discussion on Item 38 [GPA-4564], Item 39 [VAR-4696], Item 40 [SUP-4565] and Item 41 [SDR-4563].

(9:26 – 10:11)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 39 – GPA-4696

CONDITIONS:

Planning and Development

1. Approval of General Plan Amendment GPA-4564, and approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-4565) and Site Development Plan Review [SDR-4563].

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

City of Las Vegas

Agenda Item No.: 40

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO GPA-4564 AND VAR-4696 - PUBLIC HEARING - SUP-4565 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED CAR WASH/AUTO DETAIL at 2237 West Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with McSWAIN, TRUESDELL and EVANS voting NO

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 38 [GPA-4564] for all related discussion on Item 38 [GPA-4564], Item 39 [VAR-4696], Item 40 [SUP-4565] and Item 41 [SDR-4563].

(9:26 – 10:11)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 40 – SUP-4565

CONDITIONS:

Planning and Development

1. Approval of a General Plan Amendment (GPA-4564) by City Council and approval of and conformance to the Conditions of Approval for Variance (VAR-4696) and Site Development Plan Review [SDR-4563].

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. All City Code requirements and design standards of all City departments must be satisfied.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

City of Las Vegas

Agenda Item No.: 41

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4564, VAR-4696 AND SUP-4565 - PUBLIC HEARING - SDR-4563 - APPLICANT: RIDER'S CHEVRON - OWNER: GARRET GROUP, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of perimeter buffering landscaping, parking lot landscaping, building foundation landscaping, side yard setbacks, and building placement for a PROPOSED 1,200 SQUARE-FOOT CAR WASH/AUTO DETAIL AND A 3,325 SQUARE-FOOT CONVENIENCE STORE/SERVICE STATION TO REPLACE AN EXISTING 1,800 SQUARE FOOT CONVENIENCE STORE/SERVICE STATION on 0.79 acres at 2237 West Charleston Boulevard (APN: 162-04-101-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions and adding the following conditions:

- ***Staff will take a look at the landscaping on the section that is adjacent to the cueing lane for the car wash to ensure that there is significant screening and not just shrubbery.***
- ***The applicant shall not have, on site, a vacuum area for individuals to vacuum their vehicles.***

– Motion carried with McSWAIN, TRUESDELL and EVANS voting NO

To be heard by the City Council on 8/04/2004

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 41 – SDR-4563

MINUTES:

NOTE: See Item 38 [GPA-4564] for all related discussion on Item 38 [GPA-4564], Item 39 [VAR-4696], Item 40 [SUP-4565] and Item 41 [SDR-4563].

(9:26 – 10:11)

3-370

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4564) approved by City Council and approval of and conformance to the Conditions of Approval for a Special Use Permit (SUP-4565) and a Variance (VAR-4696) approved by the City Council.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All development shall be in conformance with the revised site plan and building elevations date stamped 06/25/04, except as amended by conditions herein. An indication of loading facilities shall be depicted on the site plan.

4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened from the view of abutting streets.

CONDITIONS – Continued:

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

11. Any interior property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

13. All City Code requirements and design standards of all City departments must be satisfied.

14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

15. All development shall be in conformance with the site plan and building elevations, date stamped 06/22/04, except as amended by conditions herein.

16. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

17. Dedicate an additional 39 feet of right-of-way for a total radius of 54 feet on the southeast corner of Charleston Boulevard and Rancho Drive prior to the issuance of any permits. Dedicate all additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes and all additional rights-of-way required by Standard Drawing #234.1 or 234.3 and #234.2 for bus turnouts prior to or concurrent with the commencement of on-site development activities unless specifically allowed otherwise by the City of Las Vegas Traffic Engineer in writing.

CONDITIONS – Continued:

18. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of grading permits. Provide and improve all drainageways as recommended.

City of Las Vegas

Agenda Item No.: 42

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4526 - APPLICANT/OWNER: CLARK COUNTY - Request for a Rezoning FROM: R-MHP (Residential Mobile/Manufactured Home Park), C-1 (Limited Commercial) and R-E (Residence Estates) TO: C-V (Civic) on 16.0 acres adjacent to Martin L. King Boulevard approximately 300 feet south of Carey Avenue (APN: 139-21-102-012 and a Portion of 139-21-102-011), Ward 5 (Weekly).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 42 [ZON-4526] and Item 43 [SDR-4527].

GARY LEOBOLD, Planning and Development Department, stated the overall site comprises of approximately 16.5 acres. The majority of the site is designated as Public Facilities, with an acre in the southwest corner being designated as Medium Low Density Residential, which is not a part of this application. An eastern portion of the site, facing Martin Luther King Boulevard, falls within the Redevelopment Plan boundary, and is designated as Mixed Use. The request for rezoning is appropriate.

MINUTES – Continued:

MR. LEOBOLD gave a brief description of the Site Plan. The project consists of a 10,000 square foot one-story structure, 25 feet in height, and would have two outdoor play and activity areas east side of Martin Luther King Boulevard. There is a two-way driveway onto Carey Avenue. The application meets the standards of the Code. Plans for signage have not been submitted, so they would have to be reviewed at a later date.

DR. ROBERT FIELDING, RAFI Planning, Architect and Urban Design, 2480 E. Tompkins Avenue, Suite 103, Las Vegas, NV 89121 appeared with LISA TSUKIYAMA, Project Director, on behalf of the applicant. VICE CHAIRMAN NIGRO confirmed that DR. FIELDING and MS. TSUKIYAMA agreed to staff's conditions.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 42 [ZON-4526] and Item 43 [SDR-4527].

(10:11 – 10:15)

3-2010

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application (SDR-4527) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate all additional rights-of-way required by Standard Drawing #234.1 or 234.3 and #234.2 for bus turnouts prior to or concurrent with the commencement of on-site development activities unless specifically allowed otherwise by the City of Las Vegas Traffic Engineer in writing.

4. Construct all incomplete half-street improvements on Carey Avenue and Comstock Drive adjacent to this site concurrent with development of this site. Improvements on Carey Avenue and Comstock Drive may be phased with development of this site; such phasing shall be addressed with related Site Development Plan Review actions.

CONDITIONS – Continued:

5. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site along Martin Luther King Boulevard and replace with new improvements meeting current City Standards concurrent with on-site development activities. Coordinate all improvements along Martin L. King Boulevard with the City Engineer to determine appropriate improvements required in conjunction with the Martin Luther King Boulevard widening project. Alternatively, if allowed by the City Engineer, this site may participate in the Martin Luther King Boulevard pubic improvement project.

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

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

City of Las Vegas

Agenda Item No.: 43

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4526 - PUBLIC HEARING – SDR-4527 - APPLICANT/OWNER: CLARK COUNTY - Request for a Site Development Plan Review for a PROPOSED EARLY CHILD DEVELOPMENT CENTER on 2.5 acres adjacent to Martin L. King Boulevard, approximately 300 feet south of Carey Avenue (APN: 139-21-102-012 and a portion of 139-21-102-011), R-MHP (Residential Mobile/Manufactured Home Park, C-1 (Limited Commercial) and R-E (Residence Estates) Zones [Proposed: C-V (Civic) Zone], Ward 5 (Weekly).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 42 [ZON-4526] for all related discussion on Item 42 [ZON-4526] and Item 43 [SDR-4527].

(10:11 – 10:15)

3-2010

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 43 – SDR-4527

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-4526] to a C-V (Civic) Zoning District approved by the City Council.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

4. The site plan shall be revised and approved by Planning and Development Department staff to reflect any desired wall or monument signage for the project.

5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

CONDITIONS – Continued:

11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

14. All City Code requirements and design standards of all City departments must be satisfied.

15. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

16. All development shall be in conformance with the site plan and building elevations, date stamped 06/22/04, except as amended by conditions herein.

17. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

18. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary. If a map is required it should record prior to the issuance of any permits for this site.

19. Construct all incomplete half-street improvements on Carey Avenue from the western edge of the proposed driveway eastward to tie into existing improvements along Martin Luther King Boulevard adjacent to this site concurrent with development of this site. Required improvements west of the proposed driveway on Carey Avenue and along Comstock Drive adjacent to this site shall be deferred until further development of the remainder of this site.

20. Provide a copy of a recorded Joint Access Agreement between this site and the parcel to the south prior to the issuance of any permits.

CONDITIONS – Continued:

21. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

22. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4526 and all other subsequent site-related actions.

City of Las Vegas

Agenda Item No.: 44

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4516 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Variance TO ALLOW 18 PARKING SPACES WHERE A MINIMUM OF 23 SPACES IS REQUIRED on 0.79 acres at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as Sky Top Vending has some equipment on one of his properties

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 44 [VAR-4516], Item 45 [VAR-4517] and Item 46 [SDR-4514].

GARY LEOBOLD, Planning and Development Department, stated that this application relates to a warehouse that was destroyed by fire in November of 2003. The applicant would like to rebuild the structure and include a central courtyard, which would increase the square footage 22,400. This proposed warehouse would store inventory for a vending machine business, so the amount of parking proposed is adequate for this particular type of use. In addition, the general public would not use the parking area, and the applicant is looking into installing rolling gates along the street

MINUTES – Continued:

frontage. Staff does not feel that the reduction of five required parking spaces would be a detriment to the accessibility of the site and approved of the Variance.

MR. LEOBOLD continued by stating that the proposed warehouse would have zero side-yard setbacks along the north and south property lines. However, staff felt that this additional Variance would not be a detriment to the site or the area, as the adjacent uses are industrial in nature.

Due to the structure being built close to the property lines, there is a Waiver for perimeter buffering and landscaping The applicant is willing provide several trees in the parking area and limited landscaping in the front of the warehouse.

STEVE LIPKIN, 3825 Waynesville Street, Las Vegas, NV 89122, confirmed for VICE CHAIRMAN NIGRO that he concurred with staff's conditions. In addition, MR. LIPKIN thanked the Commission and staff for their approval.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 44 [VAR-4516], Item 45 [VAR-4517] and Item 46 [SDR-4514]

(10:15 – 10:21)

3-2197

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-4517) and Site Development Plan Review (SDR-4514).

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

City of Las Vegas

Agenda Item No.: 45

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4517 - APPLICANT: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Variance TO ALLOW ZERO-FOOT SIDE AND REAR YARD SETBACKS WHERE TEN FEET IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED WAREHOUSE FACILITY on 0.79 acres located at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as Sky Top Vending has some equipment on one of his properties

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 44 [VAR-4516] for all related discussion on Item 44 [VAR-4516], Item 45 [VAR-4517] and Item 46 [SDR-4514].

(10:15 – 10:21)

3-2197

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 45 – VAR-4517

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-4516) and Site Development Plan Review (SDR-4514).

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

City of Las Vegas

Agenda Item No.: 46

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4516 AND VAR-4517 - PUBLIC HEARING - SDR-4514 - APPLICANTS: LIPKIN 1992 TRUST AND SKY TOP VENDING, INC. - OWNER: LIPKIN 1992 TRUST - Request for a Site Development Plan Review and Waivers of perimeter buffering, perimeter landscaping and parking lot landscaping standards FOR A PROPOSED WAREHOUSE FACILITY on 0.79 acres at 1501 Western Avenue (APN: 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as Sky Top Vending has some equipment on one of his properties

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 44 [VAR-4516] for all related discussion on Item 44 [VAR-4516], Item 45 [VAR-4517] and Item 46 [SDR-4514].

(10:15 – 10:21)

3-2197

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 46 – SDR-4514

CONDITIONS:

Planning and Development

1. Approval of Variances VAR-4516 and VAR-4517 by the City Council.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All development shall be in conformance with the site plan presented at the 07/08/04 Planning Commission meeting.

4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect an eight-foot screening wall along the perimeter of the site where the building is not located on the lot line.

6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

CONDITIONS – Continued:

11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing off-site improvements damaged or removed by this development shall be restored to their original condition concurrent with development of this site.

16. The proposed automatic rolling access gates shall remain fully open during normal business hours. No part of the proposed gates shall encroach into the public right-of-way, either in the closed or open position.

17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

City of Las Vegas

Agenda Item No.: 47

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER | [ ] CONSENT | [X] DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4520 - APPLICANT/OWNER: SUSAN SCHAFF WHITE - Request for a Variance TO ALLOW AN EXISTING SIX-FOOT SOLID WALL WHERE FOUR FEET IS THE MAXIMUM ALLOWED (TOP 50 PERCENT OPEN CONSTRUCTION) on 0.16 acres at 4601 Evergreen Place (APN: 139-31-410-010), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with EVANS voting NO

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated this is an existing wall that is in non-compliance with the zoning code. Due to receiving a citation, the applicant has submitted this application. The existing wall is within required sight visibility restriction zones that allow for safe vehicular movements through the driveway. The presence of the wall is potentially dangerous to pedestrians on the sidewalk or to drivers of vehicles in the street from cars backing out into the street from the property. Visibility is also reduced or blocked for those drivers who are exiting adjacent properties. Furthermore, the hardship is self-imposed, as the hardship resulted upon construction of the wall.

MINUTES – Continued:

SUSAN SCHAFF, 4601 Evergreen Place, stated that her family has lived in this residence for 18 years. Their home is approximately 50 years old, and they have made major upgrades/improvements, which has assisted in beautifying their neighborhood. MRS. SCHAFF continued by stating she obtained a permit in 1999 to build a wall. The wall was two feet high and solid block and then an additional two feet of wrought iron. Over the past eight months, they have experienced changes in their neighborhood, such as shootings, a drunk driver crashed into their front wall, home burglary, vagrants, and an increased population in their neighborhood. They own two dogs that are trained to protect their property, and their concern is that someone could get bitten. On occasions, individuals including children pass by and harass the dogs. As a result, MRS. SCHAFF placed mesh behind the wrought iron fence to avoid individuals from putting their fingers through the fence. Unfortunately, individuals reach over the fence and continue to probe the dogs. MRS. SCHAFF recently removed the wrought iron from the wall and replaced it with two rows of block wall then placed the old wrought iron back on. She used the overhead to show photos of the wall, which was done by a licensed professional. MRS. SCHAFF stated their intent was not to violate any Codes; she felt that there was a serious need to protect her home and her dogs. She continued by stating she obtained nine signed letters by adjacent neighbors that do not oppose this application and support what MRS. SCHAFF has been trying to accomplish. MRS. SCHAFF stated she is in law enforcement and both she and her husband are careful in their actions and how they drive. She appealed to the Commission to approve the application.

SHIELA CHANCE, 4600 Evergreen and MARGARET PRIVOL, original owner who resides across the street from MRS. SCHAFF, both testified to the aforementioned changes that have taken place in their neighborhood, and they both reiterated the problem with the increased foot traffic from the school and the park in which individuals passing by their homes tend to aggravate MRS. SCHAFF'S dogs. MS. CHANCE and MS. PRIVOL both supported MRS. SCHAFF'S application.

MRS. SCHAFF stated she is aware of the individual's name who had a complaint against MRS. SCHAFF. She added that she has not ever had any conversation with him, and the truth is, every house on her block violates the Code at times. She felt that she was being singled out, and this particular individual has issues with law enforcement.

COMMISSIONER GOYNES commended MRS. SCHAFF on presenting an excellent case. He felt that these homes do not obstruct views and is in close proximity of the park. He added that MRS. SCHAFF has a right to protect her property, due to the amount of foot traffic. He concluded by stating that he would support this application.

MINUTES – Continued:

COMMISSIONER EVANS asked MRS. SCHAFF if the issue is with her dogs, then why not place them in her backyard. MRS. SCHAFF replied that she has resided in her home for 18 years and has raised Sharpeis for the past 15 years. She has not had any problems with her dogs being in her front yard up until the elements started changing in her neighborhood. MRS. SCHAFF felt that her dogs should not have to be punished and restrained on her property; these dogs are their children and are treated as such. MRS. SCHAFF explained to COMMISSIONER EVANS that her existing retaining wall is 47 inches solid at the top and the tapered area is 16 to 25 inches circular with the same wrought iron, which now exceeds the City Code. COMMISSIONER EVANS stated that he does not have an issue with the wall heights between homes; however, when a fortress effect is appearing in the front, he is concerned that precedence would be set. MRS. SCHAFF stated that the view in front of her home is not obstructed. Even with the height of the wall, her neighbors can still see her. She presented photos that reflected views from her home. She stressed the fact that she is only trying to protect her family, as well as, those individuals that bother her dogs. She would hate to see someone get bit. The dogs are not vicious, but they are protective of their property.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed

(10:21 – 10:33)

3-2445

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of approval.

2. Acquire all necessary permits from the Department of Building and Safety.

Public Works

3. Meet with the Traffic Engineering Representative in Land Development to ensure the wall does not interfere with Site Visibility Restriction Zones. The applicant shall be responsible to modify the wall as recommended by the Traffic Engineering Representative.

City of Las Vegas

Agenda Item No.: 48

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4506 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit FOR A PROPOSED PAWN SHOP adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submittals at Planning Commission – Letters of Support – Randy Black, Jr.

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as one of the agents in his office owns a piece of property within the Notification area and EVANS not voting

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 48 [SUP-4506], Item 49 [SUP-4507] and Item 50 [SUP-4509].

DAVID CLAPSADDLE, Planning and Development Department, stated that this project is located within the Montecito Marketplace, and all three uses meet all standards of the Code. The applicant does not meet the recently adopted distance separation standards for financial institutions.

MINUTES – Continued:

CHRIS KEMPFER appeared on behalf of the applicant and accepted staff's conditions on Item 48 [SUP-4506] and Item 50 [SUP-4509]. MR. KEMPFER wanted to clarify, for the record, the limited hours of operation from 9:00 a.m. to 7:00 p.m. only pertain to the proposed Pawn Shop. There are other businesses within the Montecito Marketplace that have extended hours. Regarding Item 49 [SUP-4507], MR. KEMPFER used the overhead to show how the entire parcel is located within 200 feet of a residential neighborhood. In addition, he pointed out how the Pawn Shop itself is actually 600 feet away from the property to the south of the project. As a result, there is no impact to the multi-family residents residing south of Dorrell Lane. Yet, the limitation applies to a parcel, so the applicant would be in violation of the Code. He continued by stating immediately adjacent to their proposed property, a parcel was approved for 13 units per acre. To date, nothing has been built on this parcel, and MR. KEMPFER felt that there would still be no impact on these potential residents on this parcel.

COMMISSIONER McSWAIN commented that the reason why certain conditions are imposed is to alleviate a clustered look or saturation problems, but she felt that this project or its location would not impact the neighborhood in this manner, so she would support the project. MR. KEMPFER confirmed for COMMISSIONER McSWAIN that individuals also use these types of facilities for borrowing against their personal property.

MR. CLAPSADDLE clarified for VICE CHAIRMAN NIGRO that the new distance separation requirement is not measured by a location/address but per parcel, as a means for consistency. MARGO WHEELER, Planning and Development, added that this requirement is explicitly stated in the Ordinance.

MR. KEMPFER verified for COMMISSIONER GOYNES that the proposed financial institution is located within the Super Pawn.

COMMISSIONER STEINMAN agreed with MR. KEMPFER comments regarding the proposed project not having an impact on the residential community to the south of this proposed project, due to the fact that the distance would actually be 600 feet. MR. CLAPSADDLE informed COMMISSIONER STEINMAN that the residential property located west of this proposed property is zero feet from the west property line to this parcel, which is within 200 feet. COMMISSIONER STEINMAN then stated he was not sure if the intent of the Ordinance was for the Commission to judge how Super Pawn affects someone residing in a parking complex in the financial aspect. He would be more concerned with the property to the west and not the one to the south regarding the distance. He added that he would support this application. MR. KEMPFER added that even the existing residents to the west of the proposed property would already be aware of their surroundings because these projects would already be built.

MINUTES – Continued:

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 48 [SUP-4506], Item 49 [SUP-4507] and Item 50 [SUP-4509].

(11:03 – 11:17)

4-637

CONDITIONS:

Planning and Development

1. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.

2. Hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

4. All City Code requirements and design standards of all City departments must be satisfied.

City of Las Vegas

Agenda Item No.: 49

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-4506 - PUBLIC HEARING - SUP-4507 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit and a Waiver of the 200-foot distance separation requirement from a parcel used for residential purposes FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as one of the agents in his office owns a piece of property within the Notification area and EVANS not voting

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 48 [SUP-4506] for all related discussion on Item 48 [SUP-4506], Item 49 [SUP-4507] and Item 50 [SUP-4509].

(11:03 – 11:17)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 49 – SUP-4507

CONDITIONS:

Planning and Development

1. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.

2. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified use with the exception of the 200-foot minimum separation distance requirement from residential property, which is hereby waived.

3. The hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.

4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

5. All City Code requirements and design standards of all City departments must be satisfied.

City of Las Vegas

Agenda Item No.: 50

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-4506 AND SUP-4507 - PUBLIC HEARING - SUP-4509 - APPLICANT: CAMCO, INC. - OWNER: MTC 118, INC. - Request for a Special Use Permit FOR PROPOSED SECOND HAND SALES (jewelry, electronics, tools, musical instruments) adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as one of the agents in his office owns a piece of property within the Notification area and EVANS not voting

To be heard by the City Council on 8/04/2004

MINUTES:

NOTE: See Item 48 [SUP-4506] for all related discussion on Item 48 [SUP-4506], Item 49 [SUP-4507] and Item 50 [SUP-4509].

(11:03 – 11:17)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 50 – VAR-4520

CONDITIONS:

Planning and Development

1. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.

2. The hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

4. All City Code requirements and design standards of all City departments must be satisfied.

City of Las Vegas

Agenda Item No.: 51

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER | [ ] CONSENT | [X] DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4515 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC. - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 1801 Las Vegas Boulevard South (APN: 162-03-310-006), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submittal at Planning Commission – Letter of Opposition – Doris and James Willson

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

NOTE: Commissioner Truesdell disclosed that he owns land in the Downtown area north and south of the proposed site and is not located within the Notification Area so he will be voting on this item.

NOTE: Commissioner Davenport disclosed that his office is located at Santa Rita Drive and St. Louis Avenue but is not within the Notification Area so he will be voting on this item.

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 51 [SUP-4515] and Item 52 [SDR-4512].

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, stated that this project consists of 134 residential units (116 apartments and 18 condominiums) would be placed on the top 14 floors of a 210 story building. The first floor would be devoted to retail floor space and a café and the second through seventh floors would be used for five levels of parking and one amenity floor.

The waiver for the reduced sidewalk width on Las Vegas Boulevard should be approved, in order to allow a 10-foot wide sidewalk. The waiver from the Downtown Centennial Plan requirement for building step backs at the 4th, 11th and 18th stories should be approved also, given the design and nature of the proposed project. Staff also felt that palm tress should be provided according to the Plan.

Traffic Impact Analysis is required to meet with the Department of Public Works-Flood Control for assistance with establishing drainage patterns for this site prior to the issuance of grading permits.

GREG BORGEL, 300 South 4th Street, appeared on behalf of the developer and felt that a standard would be set in this area of Las Vegas with the proposed project. MR. BORGEL requested that staff reiterate the new conditions, as was agreed upon orally, for the record.

GINA VENGLASS, Public Works, stated the added conditions on Item 52 [SDR-4512] and COMMISSIONER McSWAIN confirmed with MR. BORGEL that the applicant concurred with the added conditions.

BEN CONTINE, President, Beverly Green Neighborhood Association, 553 Barber Way, stated that their neighborhood Circle Park has opened, and the first public concert will be held on Friday. The 89104 Community Crime Initiative has been launched and will meet on Monday to discuss the St. Louis Project, which should turn St. Louis Parkway into a classic parkway. MR. CONTINE felt that this project would be a great asset to this neighborhood and sufficiently utilizes the land. The project also provides access to the monorail and interacts with the neighborhood. MR. CONTINE questioned what type of glass would be used on the project. He is excited about this project, as well as, the residents. They appreciated working with the architects and everyone looks forward to having new neighbors and building a partnership with this community. MR. BORGEL replied that tinted non-reflective glass would be used on the project.

MINUTES – Continued:

COMMISSIONER EVANS enthusiastically thanked MR. BORGEL and the architects for having a dialogue with this neighborhood and for creating an excellent project. He believed that this project would have a positive impact on the area and the neighborhood itself. He referred back to when he wrote to the Mayor and COUNCILMAN REESE regarding the older parts in the alley, such as Downtown, that was in dire need of improvements. He felt that if individuals could live there again, it would make all the difference in the world. Then, Downtown would be vibrant and a place where people would want to reside. So, he was excited and proud to see quality projects with architectural integrity coming forward now.

COMMISSIONER TRUESDELL stated that this project is exactly what the Commission has been looking for and to see happen in the Downtown area. In response to COMMISSIONER TRUESDELL'S question, MR. BORGEL replied that the existing motel on this property located at 1801 Las Vegas Boulevard is derelict and fenced in. If the abandoned motel was the Rummell, COMMISSIONER TRUESDELL requested that the applicant consider donating the sign to the Neon Museum as part of the Las Vegas heritage. MR. BORGEL informed COMMISSIONER TRUESDELL that the abandoned motel on this property was the Casa Blanca. COMMISSIONER TRUESDELL complimented MR. BORGEL on a great project and he would support it.

COMMISSIONER STEINMAN stated that this project is the beginning of a renaissance. TOM SCHUMAN, JMA Architecture Studios, and MR. BORGEL confirmed for COMMISSIONER STEINMAN that the condominium project is not based on rentals but ownership. MR. SCHUMAN also stated that all access is from Las Vegas Boulevard. Access off the alley is strictly for service purposes, such as deliveries and trash collection. In addition, the alley could be paved in either direction of the alley, as long as there is continuous paving to connect to the nearest public street.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 51 [SUP-4515] and Item 52 [SDR-4512].

(10:33 – 10:48)

3-3068

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed-Use development.

CONDITIONS – Continued:

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-4512).

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

4. All City Code requirements and design standards of all City departments must be satisfied.

City of Las Vegas

Agenda Item No.: 52

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4515 - PUBLIC HEARING - SDR-4512 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: HARVARD SECURITIES, INC. - Request for a Site Development Plan Review and Waivers of the Downtown Centennial Plan Standards FOR A PROPOSED 21-STORY MIXED-USE DEVELOPMENT containing 116 apartment units, 18 condominium units, and 2,200 square feet of retail space on 0.68 acres at 1801 Las Vegas Boulevard South (APN: 162-03-310-006), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions and adding the following conditions:

- ***Coordinate with the City Engineer's Office of the Department of Public Works regarding plans for future alley improvements accessing this site. If alley improvements are not complete at the time of development, such alley improvements (acceptable to the City Engineer) shall be constructed adjacent to this site to tie into the nearest existing improvements.***
- ***Landscape or hardscape (if allowed by the Planning Department) and maintain all unimproved right-of-way on Las Vegas Boulevard adjacent to this site.***
- ***Submit an Encroachment Agreement for all landscaping and private improvements located in the Las Vegas Boulevard public right-of-way adjacent to this site prior to occupancy of this site.***
- ***The applicant shall use tinted non-reflective glass on the structure.***

UNANIMOUS

To be heard by the City Council on 8/04/2004

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 52 – SDR-4512

MINUTES:

NOTE: See Item 51 [SUP-4515] for all related discussion on Item 51 [SUP-4515] and Item 52 [SDR-4512].

(10:48 – 11:13)

3-3939

CONDITIONS:

Planning and Development

1. Approval of a Special Use Permit (SUP-4515) to allow a Mixed-Use development on the subject.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All development shall be in conformance with the site plan and building elevations, date stamped July 8, 2004, except as amended by conditions herein.

4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

5. The waiver for the reduced sidewalk width on Las Vegas Boulevard is approved, in order to allow a 10-foot wide sidewalk. The palm trees shall be located in a five-foot amenity zone with tree grates immediately behind the curb in accordance with the Downtown Centennial Plan.

6. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner for required landscaping. No turf shall be permitted in landscape areas or amenity zones in this development. Failure to properly maintain required landscaping and the underground sprinkler system shall be cause for revocation of a business license.

7. The waiver from the Downtown Centennial Plan requirement for building stepbacks at the 4th, 11th, and 18th stories is approved, based on the level of façade articulation detailed in the submitted elevations.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of Las Vegas Boulevard.

CONDITIONS – Continued:

9. Wall pack lighting on the building shall utilize 'shoe-box' fixtures and downward-directed lights. All lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent residential properties.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

12. All signage shall be in conformance with the requirements of Title 19.14 and the Las Vegas Boulevard Scenic Byway Overlay District.

13. All City Code requirements and design standards of all City departments must be satisfied.

14. Landscape or hardscape (if allowed by the Planning Department) and maintain all unimproved right-of-way on Las Vegas Boulevard adjacent to this site.

15. Submit an Encroachment Agreement for all landscaping and private improvements located in the Las Vegas Boulevard public right-of-way adjacent to this site prior to occupancy of this site.

16. The applicant shall use tinted non-reflective glass on the structure.

Public Works

14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Downtown Centennial Development Standards concurrent with development of this site.

15. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not

CONDITIONS – Continued:

required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

16. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives.

17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of grading permits. Provide and improve all drainageways as recommended.

18. Coordinate with the City Engineer's Office of the Department of Public Works regarding plans for future alley improvements accessing this site. If alley improvements are not complete at the time of development, such alley improvements (acceptable to the City Engineer) shall be constructed adjacent to this site to tie into the nearest existing improvements.

City of Las Vegas

Agenda Item No.: 53

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4540 - APPLICANT/OWNER: ABF, INC. - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 3.90 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue (APN: 162-04-812-001 & 162-04-811-027), R-3 (Medium Density Residential) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as he owns interest in a property located within the Notification area

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 53 [SUP-4540] and Item 54 [SDR-4534].

DAVID CLAPSADDLE, Planning and Development Department, gave a brief description of the proposed project. He pointed out that each tower would contain 404 residential units with 5,000 square feet of commercial space. The towers will face Sahara, and the parking structure will be on the north side of the site.

MINUTES – Continued:

Staff approved of the Waiver requests, which included the streetscape treatment along Fairfield Avenue would include 25 feet palm trees and a five foot amenity zone; an eight foot setback from the property line on Cincinnati Avenue instead of the required ten feet; the streetscape width along Sahara would be modified to five feet amenity zones behind the curb and allow the sidewalk to be eight feet in width.

GREG BORGEL, 300 South 4th Street, believed that it was important to the City to have something spectacular built on this site, as it would help create the high quality design character and image that the City seeks from redevelopment. Previous recommendation on this site was to increase the landscaping, and MR. BORGEL pointed out that the landscaping on Cincinnati Avenue would double, which would make it an attraction to the neighborhood.

Using the overhead, MR. BORGEL gave a presentation of the proposed site. He clarified for staff and the Commission that the East Towers would be the first phase of the project. Access would primarily be off of Sahara Avenue, service access off of Cincinnati Avenue and secondary access off of Fairfield Avenue.

MR. BORGEL appreciated staff's favorable recommendations and concurred with staff's conditions. He was also pleased to see various entities enthusiastically supporting these types of projects, such as iconic structures at the entrance to the City.

LARRY WRIGHT, 327 and 331 West Cincinnati, appeared on behalf of sixteen property owners within the neighborhood. MR. WRIGHT stated they do not oppose the project and felt that this was a terrific project. However, there were a few concerns regarding how the applicant would accommodate the new residents with additional parking; how utilities would be provided; where would the access point be to the alley way behind Texaco; how the residents' views would be affected; and how long would construction take place.

MR. BORGEL replied that the applicant is providing 1,157 parking spaces, which is well over the City's standard. Access would be off of Cincinnati, which is basically a service access with minimal traffic. Regarding the view, any project that is built on this site would affect the views of low-rise structures. MR. BORGEL felt that this project, including the enhanced landscaping, would not have a negative impact on the view for the residents residing along Cincinnati Avenue. The applicant would run their own utility lines to avoid an overload of the capacity of existing utility lines, such as the sewer line.

MINUTES – Continued:

GINA VENGLASS, Public Works, confirmed for COMMISSIONER DAVENPORT that a Traffic Study was submitted this week. The study indicated at Sahara Avenue and Las Vegas Boulevard, the level of service would change from Level E to Level F. RICK SCHROEDER, Public Works, clarified that the other intersections studied had a level of service D or better. MR. BORGEL replied that the applicant would be willing to make any improvements necessary to increase the level of service at the intersection of Sahara Avenue and Las Vegas Boulevard. MR. SCHROEDER informed COMMISSIONER DAVENPORT that the level of service deals with the average delays through intersections, so increasing the level of service from E to F would actually cause an increased delay of approximately one minute at Sahara Avenue and Las Vegas Boulevard. MR. BORGEL stated that although the applicant does not control this intersection, there will substantial contributions to tax increment to the Redevelopment Agency, which would enable any necessary improvements. In addition, if required, the applicant is willing to pay for these improvements. COMMISSIONER McSWAIN stated that she is not suggesting the project be held up due to the Traffic Study; however, she questioned what options are available to the City to mitigate traffic issues at this intersection resulting from this project.

MR. BORGEL mentioned that an upcoming proposed project is in the works, which would be located on one of the corners of this intersection. The project involves several participants, and what has been suggested is to create three right turns northbound from Sahara Avenue to Las Vegas Boulevard and dual left turns southbound from Sahara Avenue to Las Vegas Boulevard. This would relieve some of the traffic congestion between Paradise Boulevard and Las Vegas Boulevard. He also confirmed for COMMISSIONER McSWAIN that this would cause a widening of the streets. MR. SCHROEDER commented that MR. BORGEL was referring to an upcoming proposed project on the northeast corner of Sahara Avenue and Las Vegas Boulevard. COMMISSIONER DAVENPORT commended MR. BORGAL on a great project. Although he does not have the answer, COMMISSIONER EVANS has discussed with MR. BORGEL possible measures to improve the flow of traffic at the intersection of Sahara Avenue and Las Vegas Boulevard. In response to COMMISSIONER EVANS questions, MR. BORGEL replied that there would be tinted non-reflective glass on the structure and the lower level would be retail. COMMISSIONER EVANS commended MR. BORGEL on a wonderful project and wished them the best of luck. COMMISSIONER STEINMAN asked how the residents would enter into this structure and park their vehicles. MR. BORGEL and BRETT PURKINS, 3731 Briar Park Drive, Houston, Texas confirmed that the principal entrance would be off of Sahara Avenue, with valet parking or self-parking. This access point would also be used for commercial uses. The secondary entrance would be off of Fairfield Avenue, which would be restricted to residents only. The applicant would address any stacking concerns if the applicant goes with access control. The third entrance would be off of Cincinnati Avenue, which is for the residents, as well as, the area for trash collection to take place.

MINUTES – Continued:

MR. BORGEL confirmed for COMMISSIONER STEINMAN that all of the condominium units would be for sale. Once sold, the owner has the discretion to rent the unit.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 53 [SUP-4540] and Item 54 [SDR-4534].

(10:48 – 11:13)

3-3939

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-4517) and Site Development Plan Review (SDR-4514).

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

City of Las Vegas

Agenda Item No.: 54

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4540 - PUBLIC HEARING - SDR-4534 - APPLICANT/OWNER: ABF, INC. - Request for a Site Development Plan Review and Waivers from Downtown Centennial Plan Standards regarding landscaping, setbacks, stepbacks, and buffers FOR A PROPOSED 39-STORY MIXED-USE DEVELOPMENT consisting of 808 multi-family units and 35,500 square feet of retail space on 3.90 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue (APN: 162-04-812-001 & 162-04-811-027), R-3 (Medium Density Residential) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:
EVANS – APPROVED subject to conditions and adding the following condition:
- ***The applicant shall provide tinted non-reflective glass.***

– UNANIMOUS with TRUESDELL abstaining as he owns interest in a property located within the Notification area

To be heard by the City Council on 8/04/2004

MINUTES:
NOTE: See Item 53 [SUP-4540] for all related discussion on Item 53 [SUP-4540] and Item 54 [SDR-4534].

(11:13 – 11:19)

CONDITIONS – Continued:

Planning and Development

1. Approval of a Special Use Permit (SUP-4540) in order to permit the Mixed-Use development.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All development shall be in conformance with the site plan and building elevations, date stamped July 8, 2004, except as amended by conditions herein.

4. The waiver from the Downtown Centennial Plan requirement for building stepbacks is hereby approved, based on the level of façade articulation detailed in the submitted elevations.

5. The waiver from the 70% frontage requirement for building placement is hereby approved, based on the pedestrian amenity areas provided at the base of each building.

6. The waiver from the 10-foot landscape buffer requirement is hereby approved in accordance with the Variance (V-0027-02) that was previously approved for the site.

7. The streetscape treatment along Fairfield Avenue shall be modified to include 25-foot tall palm trees located in a five-foot amenity zone immediately behind the curb, spaced no greater than 35 feet on center, in accordance with the requirements of the Downtown Centennial Plan. A waiver is hereby approved for the reduction in sidewalk width to five feet along Fairfield Avenue, due to the limited right-of-way area.

8. The streetscape treatment along Sahara Avenue shall be modified to include a five-foot deep amenity zone located immediately behind the curb, with deciduous trees planted in accordance with the requirements of the Downtown Centennial Plan. A waiver is hereby approved for the reduction in sidewalk width to eight feet.

9. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

CONDITIONS – Continued:

10. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

11. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Trash enclosures shall be walled and roofed in accordance with Title 19.08.

13. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

15. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

16. 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.

17. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council.

CONDITIONS – Continued:

18. All City Code requirements and design standards of all City departments must be satisfied.

19. The applicant shall provide tinted non-reflective glass.

Public Works

20. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Sahara Avenue and Fairfield Avenue prior to the issuance of any permits.

21. Submit a public sewer relocation plan for abandonment/relocation of the existing 8-inch public sewer conflicting with development of this site to the Department of Public Works prior to the submittal of any construction drawing for this site. Provide appropriate public sewer easements for the relocated public sewer, and submit appropriate vacation applications to eliminate the existing public sewer/utility easement; the Order of Vacation shall record prior to the issuance of building permits for any structures overlying the public sewer/utility easement. Additionally, this project will exceed the capacity of the neighborhood sewers to the north and is required to connect to the Sahara Avenue interceptor sewer.

22. Landscape and maintain all unimproved rights-of-way on Sahara Avenue and Fairfield Avenue adjacent to this site.

23. Submit an Encroachment Agreement for all landscaping and private improvements located in the Fairfield Avenue public right-of-way adjacent to this site prior to occupancy of this site.

24. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site prior to the issuance of any permits.

25. Site development to comply with all applicable conditions of approval for Rezoning application Z-0002-99 and all other subsequent site-related actions.

City of Las Vegas

Agenda Item No.: 55

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4510 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: HEINRICH J ABERLE TRUST - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN located at 911 North Lamb Boulevard (APN: 140-29-202-007), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated the application meets all the standards of the Code. The proposed off-premise advertising billboard sign is located in excess of 300 feet from any other billboard sign or residentially zoned property.

ANDY BILANZICH, 1464 E. Michigan Avenue, concurred with staff recommendations.

MINUTES – Continued:

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(11:13 – 11:19)

4-637

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. The off-premise advertising (billboard) sign support pole shall be designed to include finish materials to complement the existing on-site buildings.

5. Only one advertising sign is permitted per sign face.

6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

7. If the off-premise advertising (billboard) sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising (billboard) sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

8. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CONDITIONS – Continued:

9. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

10. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

City of Las Vegas

Agenda Item No.: 56

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4511 - APPLICANT: GUS MISHERFI – OWNER - SAMER NAKHLE - Request for a Special Use Permit FOR A PROPOSED PRIVATE STREET adjacent to the southeast corner of Belcastro Street and Holmby Avenue (APN: 163-03-501-032), R-E (Residence Estates) Zone, Ward 1 (Moncrief).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:
McSWAIN – APPROVED subject to conditions and amending the following condition:

4. **Submit a petition of vacation for Belcastro Street and Holmby Avenue adjacent to this site prior to *or concurrent with* submittal of a Tentative Map for this site. Such petition shall be acted upon by City Council prior to the submittal of a Final Map for technical review. Belcastro Street shall be terminated in a circular cul-de-sac meeting current City Standards, *unless otherwise allowed by the City Engineer.***

– UNANIMOUS

To be heard by the City Council on 8/04/2004

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that the application meets the standards for a private street. Only four lots would be served, so the impact should be minimal.

MINUTES – Continued:

JOHN VORNSAND, 2564 Wigwam Parkway, Henderson, appeared on behalf of the applicant, concurred with staff's recommendations and requested clarification on Condition 4, as he was informed there was a revision to this condition.

GINA VENGLASS, Public Works, stated that Public Works would like to add "*unless otherwise allowed by the City Engineer"* at the end of the last sentence on Condition 4. MR. VORNSAND also questioned if Public Works approved of changing the first sentence of Condition 4 to read "*Submit a petition of vacation for Belcastro Street and Holmby Avenue adjacent to this site prior to or concurrent with submittal of a Tentative Map for this site."* Both MR. VORNSAND and MS. VENGLASS concurred with the aforementioned changes on Condition 4.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(11:19 – 11:22)

4-1180

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements of Title 19.04.050 for the Private Streets use.

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Submit a petition of vacation for Belcastro Street and Holmby Avenue adjacent to this site prior to or concurrent with submittal of a Tentative Map for this site. Such petition shall be acted upon by City Council prior to the submittal of a Final Map for technical review. Belcastro Street shall be terminated in a circular cul-de-sac meeting current City Standards, unless otherwise allowed by the City Engineer.

5. Private streets shall be identified as "Public Utility Easements (P.U.E.), City of Las Vegas Sewer Easements and Public Drainage Easements to be Privately Maintained by the Homeowner's Association."

6. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.

CONDITIONS – Continued:

7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

8. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

9. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

City of Las Vegas

Agenda Item No.: 57

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4518 - APPLICANT: PARRISH WARD - OWNER: DAVID PHILLIPS - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 317 Garces Avenue (APN: 139-34-310-052), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:
McSWAIN – APPROVED subject to conditions and amending the following condition:
3. **A landscaped plan of the unpaved portions of the *private* property shall be prepared and approved by the Planning and Development Department staff prior to issuance of any permits.**
– UNANIMOUS

To be heard by the City Council on 8/04/2004

NOTE: Chairman Truesdell disclosed that he owns a piece of property south of this site, which is not within the Notification area, so he will be voting on this item.

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that there are numerous bail bond services within the surrounding area. The proposed bail bond service is to be located

MINUTES – Continued:

in an existing building that was once a small residence. Staff has confirmed with Metro that there has not been any conflicts or problems within the area.

PARRISH WARD, the applicant, 3350 Wardlaw Street, addressed Condition 3. He was informed by the owner, David Lee Phillips, that there was an agreement with the City when 4th Street was developed into a one-way street, that should Mr. Phillips relinquish his driveway on 4th Street, then the City would put in landscaping, which the City has done. In addition, should additional landscaping be required, Mr. Phillips felt that the City should be responsible for the additional landscaping.

DAVID CLAPSADDLE, Planning and Development, corrected MR. WARD by stating the information given to him was incorrect. In addition, the property is consumed by existing hard surfaced paving in front of the building that is used for substandard parking spaces. The Site Plan illustrates spaces for landscaping on both sides of the building, which if fully landscaped, would add important visual acuity to the streetscape in front of the building.

MARGO WHEELER, Planning and Development, informed MR. WARD that the City would not do landscaping on private property. MR. WARD confirmed again for COMMISSIONER TRUESDELL that he was informed that the previous landscaping, with the exception of a palm tree, was done by the City. COMMISSIONER TRUESDELL confirmed that the previous landscaping was done as part of the 4th Street Widening Program, which is in the public right-of-way. However, per Code, any additional landscaping requires that it is done on site, such as in this case, MR. WARD, would be the responsible party.

At DEPUTY CITY ATTORNEY BRYAN SCOTT'S request, MS. WHEELER clarified that Condition 3 could be revised to state "private property" and not "property", which would alleviate any confusion as to the public right-of-way. MR. CLAPSADDLE added that staff is willing to work with the applicant on an agreeable landscaping plan. MR. WARD concurred.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing open.

(11:19 – 11:22)

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 57 – SUP-4518

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Special Use Permit for a Bailbond Service use.

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. A landscaped plan of the unpaved portions of the private property shall be prepared and approved by the Planning and Development Department staff prior to issuance of any permits.

4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. Dedicate a 10-foot radius on the southwest corner of Garces Avenue and Fourth Street prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.

6. Landscape and maintain all unimproved right(s)-of-way on Garces Avenue and Fourth Street adjacent to this site.

7. Submit an Encroachment Agreement for all landscaping and private improvements located in the Garces Avenue and Fourth Street public right-of-way adjacent to this site prior to occupancy of this site.

City of Las Vegas

Agenda Item No.: 58

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4531 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: ERNEST BECKER, JR. - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 6370 West Lake Mead Boulevard (APN: 138-23-601-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her firm does work for the owner, Ernest Becker, Jr.

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that the application meets all the standards of the Code.

KAREN RICHARDSON, 815 Pilot Road, Suite B, Las Vegas, appeared on behalf of the applicant and concurred with staff's recommendations.

MINUTES – Continued:

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(11:26 – 11:28)

4-1452

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.

2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. The off-premise advertising (billboard) sign support pole shall be designed to include finish materials to complement the existing on-site buildings.

5. Only one advertising sign is permitted per sign face.

6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

7. If the off-premise advertising (billboard) sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising (billboard) sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

CONDITIONS – Continued:

8. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
9. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

10. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northeast corner of Torrey Pines Drive and Lake Mead Boulevard adjacent to this site prior to the issuance of any permits for this site. Contact the Right-of-Way section of The Department of Public Works for assistance in the preparation of the required documents.

11. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

City of Las Vegas

Agenda Item No.: 59

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4532 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 5320 West Sahara Avenue (APN: 163-01-804-005), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED – UNANIMOUS

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that there is a pending application before the City Council for an Off-Premise Billboard Sign that is within 300 feet of the location for this proposed sign. That application was first heard by the Planning Commission on November 20, 2003. The Planning Commission and staff recommended denial of that application, and it was appealed to the City Council and abeyed by the City Council on four separate occasions at the applicant's request. On July 7th, the City Council abeyed that application to the 07-21-04 City Council meeting. Should the City Council approve of that application, it would preempt approval of the subject application, because the two signs would be within 300 feet of each other.

MINUTES – Continued:

The proposed billboard sign would be adjacent to existing on-premises signs for commercial development that would substantially increase the amount of signage in the area. Additionally, there are no other billboard signs located along this segment of Sahara Avenue. As a result, this would increase the amount of visual clutter to this area of the community and would not be harmonious or compatible with the surrounding development.

KAREN RICHARDSON, 815 Pilot Road, Suite B, Las Vegas, appeared on behalf of the applicant and concurred with staff's conditions.

COMMISSIONER STEINMAN stated he viewed the site and was astounded that the applicant would like to place a 40-foot sign in front of the existing beautiful landscaping. He would never support this type of proposed sign at this particular location.

COMMISSIONER McSWAIN concurred with COMMISSIONER STEINMAN and added that she does not generally support billboard signage along West Sahara and would not do so for this particular application.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(11:28 – 11:31)

4-1500

City of Las Vegas

Agenda Item No.: 60

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4558 - APPLICANT: BUILDING THE AMERICAN DREAM CORPORATION - OWNER: C.C.M. TRUST - Request for a Special Use Permit FOR PROPOSED PRIVATE STREETS in conjunction with a proposed single-family residential development adjacent to the northeast corner of Coke Street and Maggie Avenue (APN: 125-09-501-003), U (Undeveloped) Zone [RE (Rural Estates) General Plan Designation], Ward 6 (Mack).

C.C.: 08/04/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her firm is currently doing work for American Dream Corporation and TRUESDELL abstaining as the application is represented by Andras Babero, who is a long-time friend of his and they have previously worked together

To be heard by the City Council on 8/04/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that this would be a gated private street, 37 feet wide, and would serve a 19 lot residential development. Under Title 19, it is a permitted use with the approval of a Special Use Permit and the RE zoning under the U category is appropriate.

MINUTES – Continued:

ANDRAS F. BABERO, Attorney, 6741 W. Alexander Road, appeared on behalf of the applicant, and stated this project is located on the corner of Coke Street and Maggie Avenue. ATTORNEY BABERO concurred with staff's recommendations.

RON THOMAS, 7745 Maggie Avenue, stated the residents are familiar with this developer due to their involvement in another existing project located directly across the street on the other side of this project. There have been some concerns with the entire process and the dissension within the neighborhood. His concern is with applications that do not require a Variance, so the applicant does not have to have a neighborhood meeting. As a result, sometimes residents do not find out about projects until construction is actually taking place within their neighborhoods. He referred back to the ongoing project he mentioned earlier and stated the residents found out, after the fact, that the developer was placing street lights and sidewalks on the site. The residents felt this would have been inappropriate for a rural area, which was situated next to Floyd Lamb State Park. Fortunately, changes were made that the residents could agree to. MR. THOMAS stated that he would like to see the application approved, subject to an added condition requiring the applicant presents a Tentative Plan to a neighborhood body, such as the nearby Lone Mountain Town Council, to avoid some of the dissension, as well as, repeated trips to the Planning Commission and City Council. This would allow the applicant to present the plan to the appointed council for their approval prior to Tentative Maps being approved.

ATTORNEY BABERO rebutted by stating that they do not desire to change the zoning. This site is part of the Rural Preservation Area, and the proposal is for two lots per acre pursuant to the Ordinance. He agreed with MR. THOMAS that many concerns have been worked out. He added that the previous process took place due to a setback issue.

VICE CHAIRMAN NIGRO felt that MR. THOMAS did not object to this application, but that he was making general comments. DEPUTY CITY ATTORNEY BRYAN SCOTT added that the applicant is not required, by Code, to appear before another body to obtain approval. The Commission does not have the authority to make this a requirement; it is only done as a courtesy if the involved parties agree to it. VICE CHAIRMAN NIGRO then stated that neighborhood meetings are sometimes required, but the Commission can only suggest that the developer meet with the residents regarding the proposed project. If an application is in conformance with the General Plan and zoning, then the applicant could proceed with the Tentative Map without appearing before the Commission. He stressed the importance of having a constant dialogue between the neighbors and the applicant on a voluntary basis to ensure all parties involved are informed. ATTORNEY BABERO added that all parties involved with this application have been repeatedly informed and know what is going on with this particular application.

MINUTES – Continued:

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(11:31 – 11:37)

4-1612

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements of Title 19.04.050 for the Private Streets use.

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Private streets shall be identified as "Public Utility Easements (P.U.E.), City of Las Vegas Sewer Easements and Public Drainage Easements to be Privately Maintained by the Homeowner's Association."

5. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.

6. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

7. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

8. Upon development appropriate right-of-way dedications, street improvements, drainage plan/studies and traffic mitigation commitments will be required.

City of Las Vegas

Agenda Item No.: 61

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JULY 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4504 - APPLICANT: TIM AYALA - OWNER: ANTONIO AND GRACIELA VILLEDA - Request for a Site Development Plan Review and a Waiver of the perimeter buffer landscaping standards FOR A 1,400 SQUARE-FOOT PROFESSIONAL OFFICE on 0.17 acres adjacent to the east side of Jones Boulevard, approximately 700 feet north of Alta Drive (APN:138-36-210-010), R-1 (Single-Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 1 (Moncrief).

C.C. 08/04/04

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that the project would allow for the conversion of an existing 1,400 square-foot residence to a professional office use. Due to the small size of the site, the applicant requested a Waiver for perimeter landscaping buffers.

TIM AYALA, 4600 Sunset Road, appeared on behalf of the applicant and concurred with staff's recommendations.

PLANNING COMMISSION MEETING OF JULY 8, 2004
Planning and Development Department
Item 61 – SDR-4504

MINUTES – Continued:

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(11:37 – 11:38)

4-1864

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. All development shall be in conformance with the site plan and building elevations, date stamped July 8, 2004, except as amended by conditions herein.

3. All development shall comply with the conditions of approval of the Rezoning (Z-0026-91) that was previously approved for the site.

4. A partial landscape buffer shall be provided along the south property line at the southeast corner of the site in accordance with Code requirements. The buffer shall only be provided in that area where it will not interfere with the driveway to the rear parking lot; no buffer shall be required where the driveway directly abuts the south property line. The buffers along the north and east property lines shall have a minimum depth of eight feet in accordance with Code requirements.

5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center along the south and east sides of the property, and at 30 feet on-center along the north and west sides of the property. A minimum of four five-gallon shrubs shall be required for each tree within provided planters. The use of turf in required buffers shall be limited to 12.5% of the overall buffer area.

6. The landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

CONDITIONS – Continued:

7. All existing and any new mechanical equipment and air conditioners and shall be fully screened in views from the abutting streets and properties. Any trash enclosure shall have walls and a roof in accordance with the requirements of Title 19.08.

8. Parking lot lighting standards, if provided, shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

9. Screen walls shall be provided in accordance with the requirements of Title 19.12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Any new or modifications to existing driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.

12. Hard Surface (if allowed by Planning and Development) and/or landscape all unimproved right-of-way, if any unimproved area exists, on Jones Boulevard adjacent to this site prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

13. Submit an application for an Occupancy Permit for all landscaping and private improvements in the public right-of-way adjacent to this site prior to the issuance of any permits.

14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

CONDITIONS – Continued:

15. Coordinate with the existing properties to the north and south to establish perpetual common access rights between these sites for shared driveways and provide a recorded copy of each agreement prior to the issuance of any permits. The driveway access for this site shall be located on the shared boundaries of said properties and shall be designed and constructed to meet the intent of Standard Drawing #222a unless otherwise allowed by the City Engineer.

16. Site development to comply with all applicable conditions of approval for Z-26-91, all other subsequent site-related actions, and the Conditions of Approval of the approved Traffic Impact Analysis for Jones Boulevard, Upland Boulevard to Evergreen Avenue.

City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: JULY 8, 2004

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

COMMISSIONER McSWAIN welcomed COMMISSIONER TRUESDELL back to the Commission.

MARGO WHEELER, Planning and Development Department, informed the Commission that the bi-annual PC Workshop would be held on Thursday, July 15th at Noon. COMMISSIONER TRUESDELL will be participating in the billboard presentation. Additional topics will include commercial development standards and detached accessory structures. She hoped the entire Commission would join them on this day.

DEPUTY CITY ATTORNEY SCOTT added that some of the Commissioners expressed interest to have a topic dealing with high-rise structures at the next PC Workshop. This is a project that is becoming more visible within the City, and the Commission would like to become better familiarized with it and obtain information on the possible pitfalls regarding these types of projects. MS. WHEELER wholeheartedly agreed.

MEETING ADJOURNED AT 11:40 P.M.

Respectfully submitted:

_____
ARLENE COLEMAN, DEPUTY CITY CLERK

_____
STACEY CAMPBELL, DEPUTY CITY CLERK