City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

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

ATTENDANCE:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS STEVEN EVANS, BYRON GOYNES AND DAVID STEINMAN

MEMBERS EXCUSED: DAVENPORT AND McSWAIN

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

MINUTES:
No briefing was held.

MEETING ADJOURNED AT N/A

City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: DECEMBER 16, 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 CHAIRMAN TRUESDELL

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS STEVEN EVANS, BYRON GOYNES AND DAVID STEINMAN

MEMBERS EXCUSED: DAVENPORT AND McSWAIN

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

MINUTES:

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Development Department, referenced the following items that were requested to be held in abeyance, stricken, tabled or withdrawn without prejudice.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

Item 27 [VAC-5030]	Abeyance to 1/27/2005 Planning Commission meeting
Item 32 [VAR-5548]	Abeyance to 1/13/2005 Planning Commission meeting
Item 44 [VAC-5569]	Abeyance to 2/10/2005 Planning Commission meeting
Item 45 [VAR-5567]	Abeyance to 2/10/2005 Planning Commission meeting
Item 46 [SDR-5565]	Abeyance to 2/10/2005 Planning Commission meeting
Item 51 [SUP-5502]	Stricken
Item 52 [SUP-5558]	Withdrawn Without Prejudice
Item 58 [SDR-5503]	Abeyance to 1/27/2005 Planning Commission meeting
Item 59 [SDR-5517]	Abeyance to 1/27/2005 Planning Commission meeting
Item 61 [SDR-5519]	Abeyance to 1/27/2005 Planning Commission meeting

Item 63 [TXT-5037] Tabled
Item 64 [DIR-5620] Abeyance to 1/13/2005 Planning Commission meeting

NIGRO motioned to bring forward and HOLD IN ABEYANCE Item 32 [VAR-5548] and Item 64 [VAR-5548] to 1/13/2005 Planning Commission meeting; Item 58 [SDR-5503], Item 59 [SDR-5517] and Item 61 [SDR-5519] to 1/27/2005 Planning Commission meeting; Item 44 [VAC-5569], Item 45 [VAR-5567] and Item 46 [SDR-5565] to 2/10/2005 Planning Commission meeting; STRIKE Item 51 [SUP-5502]; TABLE Item 63 [TXT-5037] and WITHDRAW WITHOUT PREJUDICE Item 52 [SUP-5558] – UNANIMOUS with DAVENPORT and McSWAIN excused

NOTE: At the commencement of the meeting, the initial motion for all abeyance items made by NIGRO, which carried UNANIMOUSLY with DAVENPORT and McSWAIN excused, was rescinded as to Item 27 [VAC-5030] upon motion by NIGRO, which also carried UNANIMOUSLY with DAVENPORT and McSWAIN excused.

CHAIRMAN TRUESDELL requested to rescind the motion relative to Item 27 [VAC-5030], as he realized he needed to abstain on this item as he has an interest in the property adjacent to the proposed site.

VICE CHAIRMAN NIGRO asked staff when the billboard ordinance would come back. MARGO WHEELER, Planning and Development, responded that staff is working with the billboard industry, as was specifically requested by Council, and the anticipated date is in February 2005.

(6:03 – 6:05))

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

SUBJECT:
Approval of the minutes of the November 18, 2004, Planning Commission Meeting

MOTION:
NIGRO – HOLD IN ABEYANCE to the 01/13/2005 Planning Commission Meeting – UNANIMOUS with DAVENPORT and McSWAIN excused

MINUTES:
There was no discussion.

(6:02 – 6:02)

1-50

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

CHAIRMAN TRUESDELL 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.

CHAIRMAN TRUESDELL 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: DECEMBER 16, 2004

CHAIRMAN TRUESDELL 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: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - TMP-5447 - TENTATIVE MAP - CHEYENNE AND HUALAPAI BUSINESS CENTER - APPLICANT/OWNER: LONE MOUNTAIN PLAZA, LLC - Request for a Tentative Map FOR A ONE-LOT COMMERCIAL SUBDIVISION on 4.00 acres adjacent to the northeast corner of Cheyenne Avenue and Hualapai Way (APN 138-07-401-016),U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown).

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:

STEINMAN – APPROVED subject to conditions – UNANIMOUS with DAVENPORT and McSWAIN excused

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

JENNIFER ROBERTS appeared on behalf of the developer, Great American Capital. MS. ROBERTS stated that she was unclear as to why the application continued to be held in abeyance. She pointed out that the proposed project included some shrubbery that was unacceptable in the Master Plan, but she was under the impression that this landscaping issue was resolved.

MINUTES – Continued:

COMMISSIONER STEINMAN responded that the reason he pulled the item from One Motion One Vote was because he wanted an explanation as to how the landscaping issue was resolved, particularly on the corner of the site. He could not determine this from the back up documentation. GARY LEOBOLD, Planning and Development, then stated that the applicant provided staff their landscape drawings reflecting how the site would be landscaped, which included cross sections of the west edge of the site. The drawings provided a greater level of illustrations in terms of meeting the requirements for landscaping. MR. LEOBOLD then confirmed for COMMISSIONER STEINMAN that staff is satisfied with the landscaped drawings. He also informed CHAIRMAN TRUESDELL that the date stamp on the landscaped drawings is not in the conditions because it is a landscaped plan, which focused more so on the landscaping aspect. CHAIRMAN TRUESDELL added that the landscape issue referred to the landscaping drawings, dated 12/15/2004.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:09 – 6:13)

1-309

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two years. If a Final Map is not recorded on all or a portion of the area covered by the Map in that time, a new Tentative Map must be filed.

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

3. All development is subject to the conditions of City Departments, State Subdivision Statutes, Title 19 and the Lone Mountain Master Development Plan.

Public Works

4. 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.

CONDITIONS – Continued:

5. All pad sites must always allow for the perpetual common access between the various parcels/owners within the overall commercial subdivision area.

6. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:

   I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.

   II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.

   III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision. 7. All appropriate Notes per Las Vegas Municipal Code Title 18 Subdivisions section 18.10.230 shall appear on the recorded Final Map. All Notes per sections (A), (B), and (C) as required shall appear on the Final Map.

7. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-2612 and all other applicable 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.: 2

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TMP-5463 - TENTATIVE MAP - VALLEY CREST II CENTRAL - APPLICANT: MERITAGE HOMES - OWNER: SCC-CANYON II, LLC - Request for a Tentative Map FOR A 50-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 10.32 acres adjacent to the south side of Gilcrease Avenue, approximately 660 feet east of Hualapai Way (a portion of APN 125-18-201-010), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), 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:

NIGRO – APPROVED subject to conditions Consent Item 2 [TMP-5463], Item 3 [TMP-5533], Item 4 [TMP-5552], Item 5 [TMP-5574], Item 6 [TMP-5577], Item 7 [TMP-5585], Item 8 [ANX-5100], Item 9 [ANX-5514] and Item 10 [ANX-5586] – UNANIMOUS with DAVENPORT and McSWAIN excused

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

COMMISSIONER STEINMAN requested that Item 1 [TMP-5447] be pulled from One Motion One Vote so a discussion could take place.

(6:09)

1- 280

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 2– TMP-5463

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-5126), Waiver (WVR-5127) and the Revised Grand Teton Village 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.

6. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to either common interest community, individual property owner, or city of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the city of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the city of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

Public Works

7. Site development to comply with all applicable conditions of approval for SDR-5126 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

CONDITIONS – Continued:

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: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TMP-5533 - TENTATIVE MAP - CHARLESTON BLM 10 ACRE - FULTON PARK - APPLICANT: PULTE HOMES - OWNER: BUREAU OF LAND MANAGEMENT - Request for a Tentative Map FOR A 140-UNIT RESIDENTIAL CONDOMINIUM SUBDIVISION on 10.15 acres at 8324 West Charleston Boulevard (APN 138-33-401-015), U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation] under Resolution of Intent to R-PD14 (Residential Planned Development - 14 Units Per Acre), Ward 2 (Wolfson).

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:

NIGRO – APPROVED subject to conditions Consent Item 2 [TMP-5463], Item 3 [TMP-5533], Item 4 [TMP-5552], Item 5 [TMP-5574], Item 6 [TMP-5577], Item 7 [TMP-5585], Item 8 [ANX-5100], Item 9 [ANX-5514] and Item 10 [ANX-5586] – UNANIMOUS with DAVENPORT and McSWAIN excused

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

COMMISSIONER STEINMAN requested that Item 1 [TMP-5447] be pulled from One Motion One Vote so a discussion could take place.

(6:09)

1- 280

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 3– TMP-5533

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-5077].

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.

6. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

CONDITIONS – Continued:

Public Works

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. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Final 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.

9. Site development to comply with all applicable conditions of approval for ZON-5076, SDR-5077 and all other applicable site-related actions.

10. 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: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TMP-5552 - TENTATIVE MAP - MADISON GROVE AT PROVIDENCE - APPLICANT/OWNER: COLEMAN TOLL, LIMITED PARTNERSHIP - Request for a Tentative Map FOR A 124-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 31.34 acres adjacent to the west side of Hualapai Way, approximately 660 feet north of Elkhorn Road (APN 126-13-701-005 and portions of 126-13-801-020 and 021), PD (Planned Development) Zone [L (Low Density Residential) Cliff's Edge Special 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:

NIGRO – APPROVED subject to conditions Consent Item 2 [TMP-5463], Item 3 [TMP-5533], Item 4 [TMP-5552], Item 5 [TMP-5574], Item 6 [TMP-5577], Item 7 [TMP-5585], Item 8 [ANX-5100], Item 9 [ANX-5514] and Item 10 [ANX-5586] – UNANIMOUS with DAVENPORT and McSWAIN excused

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

COMMISSIONER STEINMAN requested that Item 1 [TMP-5447] be pulled from One Motion One Vote so a discussion could take place.

(6:09)

1- 280

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 4– TMP-5552

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. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting correct street names, as well as pedestrian access points in association with utility easements and emergency access areas shall be approved by the Planning and Development Department and Public Works Department staff.

3. A lot fit analysis shall be submitted to the Department of Planning and Development prior to recordation of a Final Map.

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

5. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

6. All development is subject to the conditions of the Cliff's Edge Master Development Plan and Design Guidelines, City Departments and State Subdivision Statutes.

CONDITIONS – Continued:

7. 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

8. If not already constructed by the Master Developer, construct half street improvements on Hualapai Way and Egan Crest Way, including appropriate overpaving, adjacent to this site concurrent with development. In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

9. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way on Hualapai Way and Egan Crest Way adjacent to this site concurrent with development of this site.

10. If not obtained at the time of development by the Master Developer, submit an Encroachment Agreement for all landscaping and private improvements in the Hualapai Way and Egan Crest Way public rights-of-way adjacent to this site.

11. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

12. 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.

13. Public drainage easements must be common lots or within private streets or private drives that are to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.

14. Private streets and private drives must be 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. 15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Final 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.

CONDITIONS – Continued:

16. 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.

17. Site development to comply with all applicable conditions of approval for previous zoning actions, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement, and all other applicable site-related actions.

18. 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: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TMP-5574 - TENTATIVE MAP - ALLURE CONDOMINIUMS - APPLICANT: JHR ASSOCIATES - OWNER: SP SAHARA DEVELOPMENT, LLC - Request for a Tentative Map FOR AN 810-UNIT MIXED-USE CONDOMINIUM SUBDIVISION on 3.90 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue (APN 162-04-812-001 and 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), Ward 1 (Moncrief).

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:

NIGRO – APPROVED subject to conditions Consent Item 2 [TMP-5463], Item 3 [TMP-5533], Item 4 [TMP-5552], Item 5 [TMP-5574], Item 6 [TMP-5577], Item 7 [TMP-5585], Item 8 [ANX-5100], Item 9 [ANX-5514] and Item 10 [ANX-5586] – UNANIMOUS with DAVENPORT and McSWAIN excused

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

COMMISSIONER STEINMAN requested that Item 1 [TMP-5447] be pulled from One Motion One Vote so a discussion could take place.

(6:09)

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 5– TMP-5574

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-4534).

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

4. 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.

5. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to either common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

Public Works

6. The Final Map for this site shall be labeled as a "Commercial/Condominium Subdivision" and the retail portions of the subdivision shall be labeled as “Commercial Unit "XX"”.

7. The Final Map for this site shall 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 as required by Site Development Plan Review SDR-4534.

8. Site development to comply with all applicable conditions of approval for Z-2-99, SDR-4534 and all other applicable site-related actions.

CONDITIONS – Continued:

9. 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.: 6

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TMP-5577 - TENTATIVE MAP - OXFORD COMMONS - APPLICANT: KB HOME NEVADA, INC. - OWNER: CLIFF'S EDGE DEVELOPMENT, LLC - Request for a Tentative Map FOR A 224-UNIT RESIDENTIAL CONDOMINIUM SUBDIVISION on 20.96 acres adjacent to the southeast corner of Grand Teton Drive and Egan Crest Drive (APN 126-13-501-001 and a portion of 126-13-601-018), PD (Planned Development) Zone [M (Medium Residential) Cliff's Edge Special 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:

NIGRO – APPROVED subject to conditions Consent Item 2 [TMP-5463], Item 3 [TMP-5533], Item 4 [TMP-5552], Item 5 [TMP-5574], Item 6 [TMP-5577], Item 7 [TMP-5585], Item 8 [ANX-5100], Item 9 [ANX-5514] and Item 10 [ANX-5586] – UNANIMOUS with DAVENPORT and McSWAIN excused

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

COMMISSIONER STEINMAN requested that Item 1 [TMP-5447] be pulled from One Motion One Vote so a discussion could take place.

(6:09)

1- 280

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 6 – TMP-5577

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-5309] and the Cliff's Edge Master Development Plan and Design Guidelines.

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. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

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.

CONDITIONS – Continued:

Public Works

7. The proposed site plan is acceptable for a multi-family condominium development, however does not comply with private street code requirements for a townhome development; if townhomes are proposed, the site must be re-designed to comply with Title 18 requirements unless a waiver of such is approved by City Council.

8. Site development to comply with all applicable conditions of approval for previous zoning actions, Site Development Plan Review SDR-5309, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement, and all other applicable site-related actions.

9. 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.: 7

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TMP-5585 - TENTATIVE MAP - ZERLINA - APPLICANT/OWNER: BENITO ARMAND AQUINO, AUGUSTO G. GABORRO AND TRINIDAD A. CASTILLO - Request for a Tentative Map FOR A 14-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 2.45 acres adjacent to the northwest corner of Smoke Ranch Road and Michael Way (APN 138-13-403-001), R-E (Residence Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units Per Acre), Ward 5 (Weekly).

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:

NIGRO – APPROVED subject to conditions Consent Item 2 [TMP-5463], Item 3 [TMP-5533], Item 4 [TMP-5552], Item 5 [TMP-5574], Item 6 [TMP-5577], Item 7 [TMP-5585], Item 8 [ANX-5100], Item 9 [ANX-5514] and Item 10 [ANX-5586] – UNANIMOUS with DAVENPORT and McSWAIN excused

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

COMMISSIONER STEINMAN requested that Item 1 [TMP-5447] be pulled from One Motion One Vote so a discussion could take place.

(6:09)

1- 280

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 7 – TMP-5585

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-4647).

3. Approval by the City Council of an application for Review of Condition Number 4 of the Site Development Plan Review (SDR-4647) to amend the minimum setbacks to zero feet prior to the approval of a Final Map Technical Review or Civil Improvement plans.

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

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

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. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

CONDITIONS – Continued:

Public Works

8. 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.

9. Site development to comply with all applicable conditions of approval for ZON-4646, SDR-4647 and all other applicable site-related actions.

10. 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.: 8

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ANX-5100 - ANNEXATION - APPLICANT/OWNER: R. PARAMAHAMSA TRUST & NICHOLAS LAMONTE - Petition to Annex property generally located on the east side of U.S. 95, south of Lone Mountain Road (APN 138-03-510-001, 002 and 031), containing approximately 7.02 acres Ward 6 (Mack).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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 – Not Applicable
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 2 [TMP-5463], Item 3 [TMP-5533], Item 4 [TMP-5552], Item 5 [TMP-5574], Item 6 [TMP-5577], Item 7 [TMP-5585], Item 8 [ANX-5100], Item 9 [ANX-5514] and Item 10 [ANX-5586] – UNANIMOUS with DAVENPORT and McSWAIN excused

To be forwarded to City Council in Ordinance form

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

COMMISSIONER STEINMAN requested that Item 1 [TMP-5447] be pulled from One Motion One Vote so a discussion could take place.

(6:09)

City of Las Vegas

Agenda Item No.: 9

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ANX-5514 – ANNEXATION - APPLICANT/OWNER: MAPLE DEVELOPMENT, LLC - Petition to Annex property generally located on the northeast corner of Alexander Road and Grand Canyon Drive (APN 138-06-802-001 and 003), containing approximately 3.85 acres, Ward 4 (Brown).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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 – Not Applicable
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 2 [TMP-5463], Item 3 [TMP-5533], Item 4 [TMP-5552], Item 5 [TMP-5574], Item 6 [TMP-5577], Item 7 [TMP-5585], Item 8 [ANX-5100], Item 9 [ANX-5514] and Item 10 [ANX-5586] – UNANIMOUS with DAVENPORT and McSWAIN excused

To be forwarded to City Council in Ordinance form

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

COMMISSIONER STEINMAN requested that Item 1 [TMP-5447] be pulled from One Motion One Vote so a discussion could take place.

(6:09)

City of Las Vegas

Agenda Item No.: 10

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ANX-5586 - ANNEXATION - APPLICANT/OWNER: REGAL VILLAGE, LLC - Petition to Annex property generally located on the northeast corner of Ann Road and Balsam Street (APN 125-27-803-008), containing approximately 5.73 acres, Ward 6 (Mack).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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 – Not Applicable
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions Consent Item 2 [TMP-5463], Item 3 [TMP-5533], Item 4 [TMP-5552], Item 5 [TMP-5574], Item 6 [TMP-5577], Item 7 [TMP-5585], Item 8 [ANX-5100], Item 9 [ANX-5514] and Item 10 [ANX-5586] – UNANIMOUS with DAVENPORT and McSWAIN excused

To be forwarded to City Council in Ordinance form

MINUTES:

CHAIRMAN TRUESDELL stated this is a consent item.

COMMISSIONER STEINMAN requested that Item 1 [TMP-5447] be pulled from One Motion One Vote so a discussion could take place.

(6:09)

City of Las Vegas

Agenda Item No.: 11

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ANX-5528 – ANNEXATION - PUBLIC HEARING - APPLICANT/OWNER: FOCUS COMMERCIAL GROUP, ET AL - Petition to Annex property generally located north of Iron Mountain Road and west of Hualapai Way (APN Multiple), containing approximately 529 acres of land, Ward 6 (Mack).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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 – Not Applicable
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576] – UNANIMOUS with DAVENPORT and McSWAIN excused

To be forwarded to City Council in Ordinance form

MINUTES:

CHAIRMAN TRUESDELL 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.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576].

GARY LEOBOLD, Planning and Development, stated that staff requested Item 14 [RQR-5513] be pulled from One Motion One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576].

(6:13 – 6:17)

City of Las Vegas

Agenda Item No.: 12

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

RQR-5443 - REQUIRED FOUR YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: BELL REAL ESTATE, LLC - Request for a Required Four Year Review of an approved Special Use Permit (U-0103-95), WHICH ALLOWED A 12-FOOT BY 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1910 Industrial Road (APN 162-04-704-006), M (Industrial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 01/19/05
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. City Council Approval Letter for U-0103-95(1)

MOTION:

NIGRO – APPROVED subject to conditions on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576] – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:

CHAIRMAN TRUESDELL 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.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576].

GARY LEOBOLD, Planning and Development, stated that staff requested Item 14 [RQR-5513] be pulled from One Motion One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576].

(6:13 – 6:17)
1-425

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in four years at which time the City Council may require the off-premise sign to 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. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising 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 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.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. All City Code requirements and design standards of all City Departments shall be satisfied.

City of Las Vegas

Agenda Item No.: 13

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

RQR-5498 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT/OWNER: JERALD LANDWEHR AND KAY C. LANDWEHR - Required One Year Review of an Approved Special Use Permit (SUP-2960) WHICH ALLOWED FOR ANIMAL KEEPING AND HUSBANDRY (GOATS) at 4809 Ricky Road (APN 138-12-710-090), R-E (Residence Estates) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05
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. City Council Approval Letter for SUP-2960

MOTION:

NIGRO – APPROVED subject to conditions on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576] – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:

CHAIRMAN TRUESDELL 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.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576].

GARY LEOBOLD, Planning and Development, stated that staff requested Item 14 [RQR-5513] be pulled from One Motion One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576].

(6:13 – 6:17)

1-425

CONDITIONS:

Planning and Development

1. Conformance to all Conditions of approval for Special Use Permit SUP-2960, with no further reviews required.

2. All City Code requirements and design standards of all City Departments shall be satisfied.

City of Las Vegas

Agenda Item No.: 14

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

RQR-5513 – REQUIRED FOUR YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: FLETCHER JONES SR TRUST & JR TRUST, ET AL - Required Four-Year Review of an approved Special Use Permit (U-0101-95) WHICH ALLOWED ONE 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN ORIENTED TOWARD Interstate-15 AT A HEIGHT OF 30 FEET ABOVE THE ELEVATED FREEWAY; AND A SECOND 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN ORIENTED TOWARD THE DESERT INN ROAD "SUPER ARTERIAL" AT A HEIGHT OF 55 FEET ABOVE GRADE at 3200 South Rancho Drive (APN 162-08-401-004), M (Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (Moncrief).

IF APPROVED: C.C.: 01/19/05
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. City Council Approval Letter for U-0101-95(1)

MOTION:

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

- **The two off-premise advertising (billboard) signs shall be removed upon commencement of the mixed-use residential and commercial development approved for this site by Site Development Plan Review [SDR-3101].**

– UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 14 – RQR-5513

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that the Planning Commission approved a Site Development Plan Review [SDR-3101] in November 2003 for a mixed-use residential and commercial development on this site. Staff requested a condition be added, which was read into record by MR. LEOBOLD.

SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, Las Vegas, NV 89119, stated that he was not aware of staff's requested added condition until MR. LEOBOLD read it into record. He asked for clarification of the condition relative to removing the signs. CHAIRMAN TRUESDELL responded that when the Site Development Plan Review [SDR-3101] was approved for the proposed development, one of the representations made by the property owner and the developer was that as a condition, the two billboards would be removed upon development of the project. Staff would like to be consistent as the application goes forward to avoid any confusion. MR. NAFTZGER could not agree to the condition, as a new lease had been signed, but he had not spoken with the landowner.

MR. LEOBOLD then referenced an agenda item, Item 51 [SUP-5502], which involved a mixed-use site that can include residential. The item had to be stricken because under the current Code, billboard signs are not allowed on residential properties. So, the condition is more of an advisement of what is already in the Code. MR. NAFTZGER confirmed that he understood the condition but could not concur.

DEPUTY CITY ATTORNEY BRYAN SCOTT recommended holding the item in abeyance until the applicant could speak with his client and confirm if the condition was acceptable. VICE CHAIRMAN NIGRO commented that it would not be necessary for the applicant to accept the condition in order for the Commission to vote on the item. DEPUTY CITY ATTORNEY SCOTT concurred and added that the Commission could vote for approval or denial on the application. VICE CHAIRMAN NIGRO felt the condition was clear.

COMMISSIONER STEINMAN stated that there is a great need for clean up at the base of the billboard sign, including the existing graffiti and bird droppings. MR. NAFTZGER responded that, to his knowledge, the graffiti had been cleaned up last week. COMMISSIONER STEINMAN responded that he viewed the site this past Sunday, and the graffiti was still in existence. He continued by stating that the area looks horrible and MR. NAFTZGER agreed that the area needed cleaning.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576].

GARY LEOBOLD, Planning and Development, stated that staff requested Item 14 [RQR-5513] be pulled from One Motion One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:17 – 6:21)

1-540

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in four years at which time the City Council may require the off-premise sign to 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. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising 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 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.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. All City Code requirements and design standards of all City Departments shall be satisfied.

City of Las Vegas

Agenda Item No.: 15

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAC-5508 - VACATION - PUBLIC HEARING - APPLICANT: PULTE HOMES, INC. - OWNER: COKE MAGGIE, LLC - Petition to Vacate a portion of the west half of Buffalo Drive south of Iron Mountain Road, Ward 6 (Mack).

SET DATE: 01/05/05
C.C.: 01/19/05

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:

NIGRO – APPROVED subject to conditions on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576] – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:

CHAIRMAN TRUESDELL 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.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576].

GARY LEOBOLD, Planning and Development, stated that staff requested Item 14 [RQR-5513] be pulled from One Motion One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576].

(6:13 – 6:17)

1-425

CONDITIONS:

1. The limits of this vacation shall be the western 30 feet of Buffalo Drive between Maggie Avenue and Iron Mountain Road.

2. 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 Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

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

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

5. 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 Vacation.

6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met. 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 being vacated must be retained.

CONDITIONS – Continued:

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.: 16

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAC-5576 - VACATION - PUBLIC HEARING - APPLICANT: KB HOME NEVADA, INC. - OWNER: CLIFF'S EDGE DEVELOPMENT, LLC - Petition to Vacate U.S. Government Patent Easements generally located south of Grand Teton Drive, east of Egan Crest Drive, Ward 6 (Mack).

SET DATE: 01/05/05
C.C.: 01/19/05

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:

NIGRO – APPROVED subject to conditions on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576] – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:

CHAIRMAN TRUESDELL 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.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576].

GARY LEOBOLD, Planning and Development, stated that staff requested Item 14 [RQR-5513] be pulled from One Motion One Vote.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 11 [ANX-5528], Item 12 [RQR-5443], Item 13 [RQR-5498], Item 15 [VAC-5508] and Item 16 [VAC-5576].

(6:13 – 6:17)

1-425

CONDITIONS:

Planning and Development

1. The Order of Relinquishment of Interest shall be revised to exclude any portion of the existing right-of-way and/or Government Patent Easements on Grand Teton Drive, east of Egan Crest Way.

2. 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 with Site Development Plan Review SDR-5309 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

3. 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.

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 Relinquishment of Interest shall not be recorded until all of the above conditions 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.

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.: 17

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - RENOTIFICATION - GPA-4548 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: RICHARD EHRLICH - OWNER: RICHARD EHRLICH, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: M (MEDIUM DENSITY RESIDENTIAL) AND ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 18.54 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.: 01/19/05

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 – Not Applicable
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 17 [GPA-4548], Item 18 [ZON-4554], Item 19 [VAR-4677] and Item 20 [SDR-4555].

STEVE SWANTON, Planning and Development, stated that these items were tabled at the September 9th Planning Commission meeting so that the applicant could redesign the site. The Site Plan now reflects 166 lots, which decreased the density to approximately nine units per acre. The proposed MLA designation is generally compatible with the adjacent land uses. Therefore, staff recommended approval of the General Plan Amendment (GPA).

MINUTES – Continued:

A second neighborhood meeting was held for the GPA on November 30th. The residents voiced concerns regarding access, density, pricing of the proposed homes and the perimeter walls. The rezoning to RPD-9 would be compatible with the MLA designation and the surrounding area. Staff recommended denial on the rezoning, as it is linked to the Site Plan, which staff also recommended denial on due to the open space component. The applicant doubled the open space and has improved the access point. However, there is still a request for a deviation of 43% from the standard. The project does not contain sidewalks, which could link to various open space areas.

MR. LEOBOLD then read into record an added condition on Item 19 [VAR-4677], which was inadvertently left out. The condition read as follows: "In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer would be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of $205,436.00 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map. Otherwise, the developer is still required to comply with the open space requirements in accordance with Title 19 of the Las Vegas Municipal Code."

CHRIS DYKA, Larry Tindall Residential Designer, 3531 E. Russell Road, Las Vegas, NV 89120, appeared on behalf of the applicant. MR. DYKA stated that over a year ago, a meeting was held and discussion had taken place with MAYOR PRO TEM GARY REESE regarding this project, which was originally designed for a multi-family project. At that time, MAYOR PRO TEM REESE informed the applicant that he would not support a multi-family type project, as it was designed to be a for sale, single-family type of project. In addition, the original plan had approximately 200 lots without rear yards.

Thereafter, the project was redesigned to be somewhat of a combination of multi family and single-family product. They have setbacks of 15 feet in the rear, 18 feet in the front and 15 feet on the sides. In addition, the number of lots was reduced to 166 units. The proposed project consists of private streets and is a gated community. Because it would be a for sale type product, the required open space is not necessary. However, there is exclusive use space, which are the yards that would typically be in a single-family project. Even though 120,000 feet of open space is required, the applicant is providing 68,000 feet of open space, as well as, 210,000 feet of exclusive use space.

MR. DYKA continued by stating that approximately two days ago, the applicant was notified about the added condition pertaining to making a contribution. He then expressed opposition to the added condition because it would actually cause an increase in the purchase price of the homes, approximately $1,500 per unit. As a result, this would affect the targeted qualified

MINUTES – Continued:

buyers with annual incomes of at least $25,000 because the income requirement would increase to approximately $30,000. Although the proposed project does not fit into the guidelines of the open space requirements, the product still meets the criteria for a single-family project.

COMMISSIONER STEINMAN clarified with MR. DYKA that the applicant wanted the Commission to consider the idea of counting the yards as part of the open space requirement. MR. DYKA then stated that although the Code does not allow for yards to be counted as open space, the proposed lots have 15 foot rear yards. COMMISSIONER STEINMAN then pointed out that every project the Commission has considered have had front, side and back yards, and the yards are not included in the amount of open space. He would not support this idea and stressed that it would be inconsistent with the way the Commission has taken part in planning these particular kinds of developments. MR. DYKA felt that it was better to have the rear yards than to be in compliance with the open space requirement. The intent was to trade some of the open space for actual lots and give buyers the pride of ownership.

MR. SWANTON confirmed for COMMISSION STEINMAN that staff felt that the proposed project consisted of too many units for the size of the parcel. MARGO WHEELER, Planning and Development, added that staff recommended approval of the General Plan Amendment, which would allow for the appropriate density. The density on the proposed project would not be any higher than the adjoining properties. However, staff's concern was the design of the project, as open space is not adequately provided per the Code. As a result, staff recommended denial on the proposed project.

MR. DYKA responded that if the proposed project were to comply with the open space requirement, 17 lots would be deleted from the project. He then informed COMMISSIONER STEINMAN that research had been done on single-family type projects. Thereafter, the applicant decreased the number of lots and the density on this project but yards were included this time. In addition, the starting price for these two-story homes is in the lower $100,000's.

COMMISSIONER EVANS inquired about the pool/clubhouse on the Site Plan drawing. MR. DYKA pointed out the common area, which included a pool/clubhouse, barbeque area and tot lot on the drawing, which was located at the front of the proposed project. This common area is for this gated community and would be maintained by the homeowner's association.

MR. DYKA showed elevations of the proposed project, as requested by CHAIRMAN TRUESDELL. He then stated that the plans have not been finalized but range from 1,200 to 1,600 square feet.

MINUTES – Continued:

In his opinion, COMMISSIONER GOYNES felt that the applicant needed to give up the 18 lots to achieve the required amount of open space. Looking at the diagram, he pointed out that a potential homeowner living on the far end of the proposed development would have a long walk to utilize the open space or common area. He understood that there are surrounding compatible developments; however, the entire block is a congested area. He felt that the applicant should meet the open space requirement and increase the price of the homes to upgrade the area. In addition, it would be a disservice to the community bringing in too many homes priced at the lower $100,000's.

VICE CHAIRMAN NIGRO stated that it was his understanding that open space variances are allowed for reasons, such as mitigating factors or a design feature in the Site Plan. He felt that it was not the Commission's position to analyze zoning based upon what the homes could or could not be sold for. MR. DYKA responded that having the yards on the proposed homes give homeowners additional space for landscaping, entertaining, etc. VICE CHAIRMAN NIGRO then stated that the Code contemplates single family in association with open space. There is no credit for open space on a single-family development regardless of the number of units or size of the lots. The open space is needed because small homes on small lots do not have areas that can be used like that of larger lots. Looking at the Site Plan, VICE CHAIRMAN NIGRO felt that there was not a trade off for the open space variance. He, too, felt that pricing does not justify an open space variance. MR. DYKA felt that from a selling perspective, it would not be advantageous for a single-family product to have open space in lieu of the rear yards.

CHAIRMAN TRUESDELL stated that he would support the General Plan Amendment, as it is appropriate at this location with the adjacent properties. However, he would not support the Variance and the Site Development Plan Review. He felt that the project should have had more creativity to compensate for the requested variance.

MS. WHEELER pointed out that should Item 19 [VAR-4677] be denied, staff's request to add the condition previously read into record by MR. LEOBOLD would then be added as a note in staff's report.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 17 [GPA-4548], Item 18 [ZON-4554], Item 19 [VAR-4677] and Item 20 [SDR-4555].

(6:21 – 6:38)

City of Las Vegas

Agenda Item No.: 18

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - RENOTIFICATION - ZON-4554 RELATED TO GPA-4548 - REZONING - PUBLIC HEARING - APPLICANT: RICHARD EHRLICH - OWNER: RICHARD EHRLICH, ET AL - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE) on 15.89 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard (APN 140-30-503-001 and 002), Ward 3 (Reese).

C.C.: 01/19/05

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:

NIGRO – DENIED – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:

See Item 17 [GPA-4548] for all related discussion on Item 17 [GPA-4548], Item 18 [ZON-4554], Item 19 [VAR-4677] and Item 20 [SDR-4555].

(6:21 – 6:38)

City of Las Vegas

Agenda Item No.: 19

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - RENOTIFICATION - VAR-4677 RELATED TO GPA-4548, ZON-4554 AND SDR-4555 - VARIANCE - PUBLIC HEARING - APPLICANT: RICHARD EHRLICH - OWNER: RICHARD EHRLICH, ET AL - Request for a Variance TO ALLOW 1.57 ACRES OF OPEN SPACE WHERE 2.75 ACRES IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED 166-UNIT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 18.54 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-PD9 (Residential Planned Development - 9 Units Per Acre)], Ward 3 (Reese).

C.C.: 01/19/05

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:

NIGRO – DENIED – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:

See Item 17 [GPA-4548] for all related discussion on Item 17 [GPA-4548], Item 18 [ZON-4554], Item 19 [VAR-4677] and Item 20 [SDR-4555].

(6:21 – 6:38)

City of Las Vegas

Agenda Item No.: 20

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-4555 RELATED TO GPA-4548 AND ZON-4554 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: RICHARD EHRLICH - OWNER: RICHARD EHRLICH, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 166-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 18.54 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-PD9 (Residential Planned Development - 9 Units Per Acre)], Ward 3 (Reese).

C.C.: 01/19/05

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:

NIGRO – DENIED – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:

See Item 17 [GPA-4548] for all related discussion on Item 17 [GPA-4548], Item 18 [ZON-4554], Item 19 [VAR-4677] and Item 20 [SDR-4555].

(6:21 – 6:38)

City of Las Vegas

Agenda Item No.: 21

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - RENOTIFICATION - ZON-4623 - REZONING - PUBLIC HEARING - APPLICANT: NEVADA HOMES GROUP - OWNER: HUALAPAI NEVADA, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane (APN 125-19-201-001 and 003), Ward 6 (Mack).

C.C.: 01/19/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	20	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:

NIGRO – APPROVED subject to conditions – Motion carried with GOYNES and EVANS voting NO and DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 21 [ZON-4623], Item 22 [VAR-5377] and Item 23 [SDR-4626].

GARY LEOBOLD, Planning and Development, stated that the original plan had 27 lots with open space. The application was held in abeyance until 8/26/2004. Thereafter, the revised plan changed from RPD-5 to RPD-3 with 19 lots and no open space. On 11/18/2004, the applicant submitted an alternate plan with 19 lots with open space. However, the plan that reflected 19 lots without open space was held in abeyance until this meeting to give the applicant time to provide a design that addressed the concerns of the residents and the Commission. The

residents' main concern was the height of the retaining walls along the eastern edge of the property.

MINUTES – Continued:

The applicant submitted a revised Site Plan and included cross sections to show how the elevations would work along the eastern edge. This Site Plan was revised for presentation at this meeting and had been discussed with the applicant; however, staff had not yet reviewed the revised plan. The applicant advised staff that the intent of the redesign was specifically to reduce perimeter retaining wall heights, so that any potential negative impact on the adjacent site to the east would be reduced. The retaining walls along the eastern edge vary from one foot at the south end to approximately six feet at the north end. In addition, there is a 15-foot drainage channel, which should assist in mitigating the issue with the slope. Also, approximately six lots would be single story. The Site Plan also incorporated the five-foot right turn lane as requested by staff. However, the proposed project still does not meet the test and state law for granting a variance, so staff continued to recommend denial.

MR. LEOBOLD pointed out that should the applications be approved, staff recommended adding a condition pertaining to the open space requirements. The applicant would be required to make a contribution to the City of Las Vegas Parks CIP Fund, if the open space requirements are not met.

JON FIELD, Attorney, 3800 Howard Hughes Parkway, Las Vegas, NV, stated that the request is for a conforming zone change on a five-acre parcel on the southeast corner of Dorrell Lane and Hualapai Way. He showed diagrams of the five-acre parcel and stated this parcel is planned to be a buffer between the undeveloped property and the rural estate properties northeast of the subject site from Cliff's Edge. The subject parcel would be situated adjacent to an area in the Cliff's Edge Master Plan located northwest of the proposed project, which is presently designated for 25 units per acre. He felt that the zoning request of 3.5 units per acre would serve as an adequate buffer to these 25 units per acre.

ATTORNEY FIELD commented on the two Site Plans submitted to staff, one with open space and the other without. After further conversations, the residents preferred the open space with the larger lots and elevations, as it would aide in buffering the estates east of the subject property. He pointed out that density was still an issue with the residents. He then stated that there would be a variation on the lots, as lots 1, 2, 4 and 8 would be single story and lots 3, 5 and 7 would be two stories. There would also be excessive rear yard set backs, which would provide a buffer to any future homes being developed on the aforementioned undeveloped area. The rear yard set backs exceeds the 15 feet requirement and range from 20 feet to 48.5 feet. In addressing the residents' main concern regarding the retaining walls, ATTORNEY FIELD stated that a drainage channel would be situated along the eastern property line. In addition, cross sections have been done across the property line, which vary from one foot to six feet of retaining wall.

MINUTES – Continued:

The applicant also proposed to have the interior wall along the drainage channel to have a wrought iron feature, which would enhance the rural feel within the community.

TREVOR DISHAN, 9690 Wittick Avenue, commented on the Interlocal Agreement for this area, which required the development of a property to be consistent with the surrounding properties. Some of the existing properties are a minimum of two units per acre, but most of them are ¾ or one-acre parcels. He encouraged the Commission to deny all applications.

CRAIG PLATT, 7025 Eula Street, stated that his property is very close to the proposed project. He expressed opposition to the proposed project by stating that the project is not compatible with the neighboring property. The density, design and setbacks are not consistent with what is already in existence. The residents purchased their homes in this area with expectations that the nature and the character of the environment would remain similar to what they have now. They would like to see homes built on ½ acre, one acre and larger lots. His home is on a 2-½ acre lot with the adjoining properties being on ½ acre lots. He, too, referenced the Interlocal Agreement, as well as the state legislature, and pointed out that these guidelines clearly specify that the wishes of the community need to be addressed as well. He then stated that the area is a Rural Preservation Area, which is important to the community as a whole and should be protected. He concluded by stating that their community does not support this type of project and felt that a "glorified track" was being placed within their rural community.

RANDY DOSSAT, 6845 Antler Court, does not live within the notification area of the proposed project. He commented that his home is on a ½ acre lot. In working with the residents in his community, Cliff's Edge has agreed to keep ½ acre lots around existing properties. He then requested the Commission to deny the applications.

KIM BUSH, Liaison to COMMISSIONER CHIP MAXFIELD, stated that some residents have contacted her and provided feedback to her from the neighborhood meeting. For the record, she stated the residents' main desires. The residents would like to see a reduction in the number of lots per acre, the homes on the east side to be approximately 8,500 – 9,000 square feet, as the west side would buffer Cliff's Edge and a 30 foot setback on the eastern lots.

CAROL SQUIRES, 9685 Elkhorn Road, recommended denial on all applications.

ATTORNEY FIELD responded that the proposed property is not within the Rural Neighborhood Preservation zone. The parcel is planned Rural with up to 3.59 units per acre, so the request would be a conforming one with the appropriate density. He added that Cliff's Edge is directly adjacent to the proposed property. It is his understanding that the forthcoming proposed

MINUTES – Continued:

developments would be requesting much higher densities for the 25 units per acre as well as the Village Commercial. He continued by stating neighborhood meetings have been held and has had conversation with the neighborhood liaison, MS. BRIDGETT SOLVIE. He stated that it had been somewhat difficult to go forward with a Site Plan, as when revisions are made to address the residents' concerns, the residents seem to change their desires thereafter. With the exception of the open space requirement, ATTORNEY FIELD stated that the project is in conformance with the standards. The open space variance is to create larger lots. The limited amount of open space is not necessarily usable; however, the applicant felt that having larger back yards in lieu of the required amount of open space would give families areas in which to play and/or entertain. In addition, having the 47-foot setbacks along the eastern property line would serve as a buffer to the undeveloped area.

VICE CHAIRMAN NIGRO reiterated his comments made at the previous Planning Commission meeting, as he could accept the number of units and the density on this proposed project. However, there was concern for the adjoining properties and the retaining walls. He noted that if the residents preferred the site plan with the larger lots and less open space, as it would create a more open feel, then he would support that site plan as well. He then asked staff if they have had sufficient time in reviewing the site plans and if the block wall and elevation issues had been adequately addressed.

GINA VENGLASS, Public Works, stated that she had just received the Site Plan package; however, the contours on the plan were not labeled so staff could not determine what the existing grade was. If the grade was between two to four percent, the applicant is allowed to have up to a six-foot retaining wall. However, on cross section 1 at the north end of the site, the site plan reflected a six-foot retaining wall topped by a six-foot screen wall. Per Title 18, once it exceeds six feet, the applicant is required to provide the landscape buffer (the four foot horizontal separation between two walls). CHAIRMAN TRUESDELL confirmed that MS. VENGLASS was referring to the north lot, which was Lot 1. She then confirmed for VICE CHAIRMAN NIGRO that the site plan was in compliance with the exception of Lot 1.

ATTORNEY FIELD stated that the goal was to create larger rear yard setbacks; however, if necessary, the landscaped buffer could be provided and still meet set back requirements. He then clarified for VICE CHAIRMAN NIGRO that the landscaped buffer would be on the eastern property line, which is the area not in compliance with the Code. MS. VENGLASS added that the applicant did not provide on the site plan a section of the wall that would be facing Dorrell Lane. MARGO WHEELER, Planning and Development, stated that the shorter side appeared to be on the interior street, which meant that the eastern portion would be the rear.

MINUTES – Continued:

VICE CHAIRMAN NIGRO commented that he felt the main issue for the adjacent property owners would be having the larger wall instead of a decreased setback, as it is more likely to notice a 12-foot vertical wall than decreased set backs. He reiterated that that he could support the application with staff's acceptance of the site plan with the adjustments on Lot 1 and the wall issue.

COMMISSIONER EVANS asked if staff's recommendation and back up material was based upon the submitted Site Plan, as he did not see any related condition pertaining to if the application was approved and what would be "in lieu of" the open space. If not, would the conditions need to be changed or revised. MR. LEOBOLD responded that Condition 4 on the Site Plan would need to be revised to reflect the correct date stamp on the Site Plan submitted. He added that staff's recommendation for denial was based on the lack of open space. He then informed COMMISSIONER EVANS the condition relating to "in lieu of" the open space would be the required contribution the applicant has to make in the amount of $54,000.

COMMISSIONER STEINMAN stated that when dealing with a parcel of this size (five acres), it is very difficult to meet the required open space. He felt that if the applicant were in agreement, then the added condition pertaining to the contribution would be acceptable. He commented that placing the proposed density away from the undeveloped 25 units per acre and commercial across the street made a lot of sense, and he would support the application.

ATTORNEY FIELD responded to COMMISSIONER EVANS by stating that the applicant was in agreement to making the retaining wall on Lot 1 a split wall with the six-foot landscaped buffer. COMMISSIONER EVANS then asked ATTORNEY FIELD if the added condition regarding a contribution was acceptable. ATTORNEY FIELD responded that if the contribution was subject to approval of the application, then he understood. COMMISSIONER EVANS stressed having a verbal confirmation, as he would not like to see the applicant or representative agree to the condition at this meeting and then at City Council disagree with the condition. CHAIRMAN TRUESDELL stated that this application has been a long process, and he felt that the applicant had done a fair job in addressing the residents' concerns. He did not want to see the application held or even go forward with pending issues. He pointed out that the added condition is straightforward. He then concluded by stating in all fairness to the residents and staff, the applicant or representative needed to confirm whether or not they are in agreement, so the application could go forward with some level of closure.

ATTORNEY FIELD then concurred with the conditions, including the added condition regarding the contribution.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 21 [ZON-4623], Item 22 [VAR-5377] and Item 23 [SDR-4626].

(6:38 – 7:06)

1-1283

CONDITIONS:

Planning and Development

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

2. The request shall be amended to R-PD3 (Residential Planned Development – 3 Units Per Acre).

3. A Site Development Plan Review (SDR-4626) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary. Comply with the recommendations of the City Surveyor.

5. Construct half-street improvements including appropriate overpaving on Dorrell Lane, Hualapai Way and Haley Avenue adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). 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. If not already constructed at the time of development provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.

7. Extend public sewer in Haley Avenue to the west edge of this site at a location and to a 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.: 22

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE – RENOTIFICATION - VAR-5377 - VARIANCE RELATED TO ZON-4623 - PUBLIC HEARING - APPLICANT: NEVADA HOMES GROUP - OWNER: HUALAPAI NEVADA, LLC - Request for a Variance TO ALLOW NO OPEN SPACE WHERE 13,633 SQUARE FEET IS THE MINIMUM REQUIRED FOR A PROPOSED 19 LOT SINGLE-FAMILY DEVELOPMENT on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane (APN 125-19-201-001 and 003), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack).

C.C.: 01/19/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	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:

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

- **In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of $54,532.00 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map. Otherwise, the developer is still required to comply with the open space requirement in accordance of Title 19 of the Las Vegas Municipal Code.**

– Motion carried with GOYNES and EVANS voting NO and DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 22 – VAR-5377

MINUTES – Continued:

See Item 21 [ZON-4623] for all related discussion on Item 21 [ZON-4623], Item 22 [VAR-5377] and Item 23 [SDR-4626].

(6:38 – 7:06)

1-1283

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4623), and Site Development Plan Review [SDR-4626].

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.: 23

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-4626 RELATED TO ZON-4623 AND VAR-5377 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: NEVADA HOMES GROUP - OWNER: HUALAPAI NEVADA, LLC - Request FOR A SITE DEVELOPMENT PLAN REVIEW FOR A 19-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane. (APN 125-19-201-001 and 003), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack).

C.C.: 01/19/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	20	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:

NIGRO – APPROVED subject to conditions, amending the following condition:

4. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped *12/09/04*, except as amended by conditions herein.

and adding the following conditions:

- **Lots 1, 2, 4 and 8, as shown on plans date stamped 12/09/04, shall be limited to single story structures.**
- **Retaining walls shall be installed pursuant to plans presented 12/16/04 except as amended for Lot 1, subject to approval of the Public Works department.**

– Motion carried with GOYNES and EVANS voting NO and DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES – Continued:

See Item 21 [ZON-4623] for all related discussion on Item 21 [ZON-4623], Item 22 [VAR-5377] and Item 23 [SDR-4626].

(6:38 – 7:06)

1-1283

CONDITIONS:

Planning and Development

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

2. A Rezoning (ZON-4623) to a R-PD3 (Residential Planned Development) Zoning District approved by the City Council.

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.

4. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped 08/18/04, except as amended by conditions herein.

5. The required open space area shall be redesigned and consolidated into a larger usable area.

6. The setbacks for this development shall be a minimum of 15 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear. Building height shall not exceed two stories or 35 feet, whichever is less.

7. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map.

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.

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

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

CONDITIONS – Continued:

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.

12. 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.

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

14. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

Public Works

15. Private streets and private drives shall be common lots that are offered as a public utility easements (P.U.E), City of Las Vegas public sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.

16. 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.

CONDITIONS – Continued:

17. Landscape and maintain all unimproved rights-of-way adjacent to this site.

18. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.

19. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

20. Site development to comply with all applicable conditions of approval for ZON-4623 and all other subsequent site-related actions.

21. 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. Approval of this Site Development Plan does not constitute approval of any deviations.

22. 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.: 24

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-5547 - VARIANCE - PUBLIC HEARING - APPLICANT: PICERNE DEVELOPMENT CORPORATION - OWNER: PICERNE PROVIDENCE, LLC - Request for a Variance TO ALLOW A 30-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 126 FEET on 15.69 acres adjacent to the southwest corner of Dorrell Lane and Hualapai Way (APN 126-24-610-003), PD (Planned Development) Zone [Medium Density Residential Cliff's Edge Special Land Use Designation], Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05
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
4. Submitted at Planning Commission – Recommendation of Approval Letters - Jeffrey Parker, WAIMEA Family LP and Dave Browning, Assistant Project Manager, LANDTEK, LLC

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 24 [VAR-5547] and Item 25 [SDR-4730].

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated that the application was held in abeyance at the 8/12/2004 Planning Commission meeting due to the need of a residential adjacency variance. One of the buildings was 30 feet from the property line where a 126-foot setback was required per Code. Thereafter, the applicant submitted a companion variance with the site plan, as some changes included the addition of a multi-use non-equestrian trail along Hualapai Way, the position of some proposed lofts have been changed, building types in different locations within the site have been changed and property lines have been relocated. The proposed changes have addressed some of the issues from the initial site plan and are an improvement. The applicant provided staff a copy of a letter from the adjacent property owner regarding the residential adjacency issue. However, based on the Code requirements, staff still recommended denial.

BOB GRONAUER, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He showed photos and gave a brief overview of the proposed project, which is on the corner of Hualapai Way and Dorrell Lane. He pointed out the area owned by the Las Vegas Valley Water District, which is proposed to be a pump station. He added that the area from the south side of Dorrell Lane to the beltway is planned for Medium Density, which is multi-family up to 25 units per acre. In addition, the north side of Dorrell Lane is planned for village commercial.

ATTORNEY GRONAUER continued by stating they have shown the proposed site plan to the property owners of the master planned community, known as Providence. After discussions and reviewing the site plan, representatives from Providence submitted a letter stating their support of the proposed project. Copies of two letters of support were submitted for the record.

He then explained that the variance is warranted because the piece of property that the proposed project is adjacent to is currently zoned Planned Community District (PCD). The PCD zoning allows for various types of uses, including single-family homes. The property owner of the adjacent parcel has informed the applicant that the plan is to build a mini storage facility, so the residential adjacency standards would not apply to this proposed property. He then showed photos depicting the location of the proposed project in relation to the five-acre parcel, which reflected the proposed 30-foot setback. In addition, he pointed out that there are other buildings in the area that are at least 70 feet away from the property line. He also showed photos of the building elevations, which he felt had nice architectural features and breaks within the building itself.

ATTORNEY GRONAUER expounded on the waiver requests. The applicant requested a side yard setback on one building, located off of Dorrell Lane and adjacent to the Las Vegas Valley Water District. The setback requirement is 30 feet, but the proposed project is 10 feet away from

the property line. The reason a three-story building should be 30 feet away is to avoid any impact

MINUTES – Continued:

on residential properties. In addition, another request, as was shown on the diagram, is for a proposed zero foot setback adjacent to the Las Vegas Valley Water District. There would be two-story lofts along this particular property line, so there would be one apartment building above the five garages in this area. This would create the zero foot setback, and the requirement is a 20-foot setback, but there would not be any residential impact in this area. Lastly, he also showed a diagram pointing out one of property lines that would have one-story garages, which would have a zero foot setback to the property line. The applicant proposed an eight-foot block wall along this property line.

He concluded by stating that Gree Picket, the landscape architect for the entire master planned community, has been hired to do the interior landscaping and the trails. In some areas of the site plan, there would not be six feet of landscaping due to the, if approved, requested zero foot setbacks. Otherwise, the site plan would be in compliance with the design guidelines.

VICE CHAIRMAN NIGRO commended the applicant on a well thought out plan. The architectural elevations are upscale, and he supported the waivers because of the limited nature in which the project and the adjacent properties are impacted.

COMMISSIONER STEINMAN stated that this was a unique design, as the proposed buildings are on the property line. He was concerned that the site would have a row of very narrow buildings along the west side of the property. ATTORNEY GRONAUER expounded on one of the building elevations, which is a 1,500 square foot unit on top of the garages, and emphasized with the architectural cuts, the building would not be that of a four-sided box. He added that the proposed project is strictly "for rent" and the developer, Picerne Development, has been doing multi-family rental projects for this past year he has been working with them. COMMISSIONER STEINMAN asked ATTORNEY GRONAUER if he knew what the L-shaped parcel on the map was zoned for. ATTORNEY GRONAUER answered that it was zoned PCD (Planned Community District) and one of the out parcels of the master planned community. It is planned to have Medium density, as it is more appropriate for this area with mixed uses.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 24 [VAR-5547] and Item 25 [SDR-4730].

(7:06 – 7:21)

CONDITIONS – Continued:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-4730].

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.: 25

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-4730 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: PICERNE DEVELOPMENT CORPORATION - OWNER: CLIFF'S EDGE, LLC - Request for a Site Development Plan Review FOR A PROPOSED 392-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT AND A WAIVER OF CLIFF'S EDGE MASTER DEVELOPMENT PLAN AND DESIGN GUIDELINES TO ALLOW 10-FOOT SETBACK ON THE WESTERN PROPERTY LINE FOR THREE-STORY BUILDINGS AND A ZERO-FOOT SETBACK FROM THE EASTERN AND WESTERN PROPERTY LINE FOR ONE AND TWO-STORY BUILDINGS on 15.69 acres adjacent to the southwest corner of Dorrell Lane and Hualapai Way (APN 126-24-601-003), PD (Planned Development) Zone [Medium Density Residential Cliff's Edge Special Land Use Designation], Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions and amending the following condition:

2. All development shall be in conformance with the site plan *dated 11/09/2004* and building elevations *dated 12/16/2004*, except as amended by conditions.

– UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:

See Item 24 [VAR-5547] for all related information on Item 24 [VAR-5547] and Item 25 [SDR-4730].

(7:06 – 7:21)

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 25 – SDR-4730

CONDITIONS:

Planning and Development

1. Approval and conformance to a Variance application for deviation from the Residential Adjacency Standards, prior to issuance of any permits.

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

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.

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

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.] (Apartment complexes require a management company on-site).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

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.

CONTINUED – Continued:

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

11. Any property line wall shall conform to the Cliff's Edge Master Development Plan and Design Guidelines. 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.

Public Works

14. The Special Improvement District Section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to release of the Final Map for this site.

15. If not already constructed by the Master Developer, construct half-street improvements including appropriate overpaving (if legally able) on Dorrell Lane, Hualapai Way and Deer Springs Way 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site.

16. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. A traffic queuing analysis for the proposed access on Dorrell Lane must be submitted to and approved by the City Traffic Engineer prior to the issuance of any permits or the submittal of any construction drawings for this site, whichever may occur first. The access to Deer Springs Way shall be limited to egress only, unless otherwise allowed by the City Traffic Engineer in writing.

17. A Homeowner's Association or Landscape Maintenance 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.

CONDITIONS:

18. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings for this site or the issuance of any permits, whichever may occur first. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

19. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way adjacent to this site concurrent with development of this site.

20. If not obtained at the time of development by the Master Developer, obtain an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.

21. 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.

22. An update to the Master sewer study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved sewer study prior to occupancy of any units within this site. 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.

23. Site development to comply with all applicable conditions of approval for previous zoning actions, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement, MOD-3955 and all other applicable site-related actions.

City of Las Vegas

Agenda Item No.: 26

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-4930 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER: SAHARA PAVILION NORTH U.S., INC. - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED AND FOR WAIVERS OF THE 1,000-FOOT DISTANCE SEPARATION REQUIREMENT BETWEEN SIMILAR USES AND THE 200-FOOT DISTANCE SEPARATION REQUIREMENT FROM RESIDENTIAL USES at 2121 South Decatur Boulevard, Suite #29 (APN 162-06-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 01/19/05
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
4. Submitted at Planning Commission – (3) Letters of Support – Tony Woo, Shawn Henson and Elie Tabachry

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with EVANS voting NO and DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MINUTES – Continued:

GARY LEOBOLD, Planning & Development Department, explained that there was a previous application for Financial Institution Specified in the subject suite. That application number was SUP-2655, which was denied by City Council on 10/01/2003. This was initially scheduled to come before the Planning Commission on 10/21/2004 but it was held in abeyance. As a result, it had been over a year before being heard again by City Council.

He pointed out that the use does not meet the conditions of approval for a Special Use Permit relative to the distance separation requirement from residential development, which is 200 feet. There are two multi-family developments adjacent to subject parcel. Also, this would be the third similar use within a 1,000-foot radius. Staff felt approval of this application would result in an over saturation of the use in the area. MR. LEOBOLD indicated that another justification for staff's recommendation of denial is that enough time has not lapsed since the new ordinance was adopted to be able to evaluate the effects of the standards on surrounding neighborhoods.

BILL CURRAN, Attorney, Curran & Perry, 300 South 4th Street, appeared on behalf of the applicant. He confirmed that there was an application for a different suite in this shopping center just over a year ago. The Planning Commission followed staff's recommendation and approved the application; however, it was denied by the City Council. The owner of the beauty shop adjacent to the proposed location objected to the application, as he thought it would be detrimental for his business to be situated next to this type of use.

ATTORNEY CURRAN stated his client has been in this business for many years at a location on West Charleston Boulevard. The applicant was looking for a more commercial setting for his business, and when he found the subject property, he was not aware of the previous action by the City Council. He entered into a lease with the operators of the shopping center, but they did not disclose to him that he was leasing the exact suite that the previously denied application had proposed to occupy. The applicant applied for a business license with the City and it was approved. Once receiving the new license, the applicant terminated the Charleston Boulevard location and moved into the subject site.

The operator of the beauty shop, who had objected to the previous application, wondered how the use had been allowed within the same suite and contacted the shopping center executives for an explanation. Those individuals have been working with ATTORNEY CURRAN to resolve the situation. The shopping center management group tried to find suitable space within the shopping center that would accommodate the minimum 1,500 square-foot requirement of the ordinance. He added that 1,500 square feet exceeds the necessary amount of space for this use. ATTORNEY CURRAN thought that the business could operate in a suite of approximately 300 to 400 square feet. This use does not rely on flashing lights for clientele; the banks refer most of the applicant's clients.

MINUTES – Continued:

A suitable location was identified. The applicant approached the nearby operators to see if there were any objections to locating the use in that area, there were none. In fact, ATTORNEY CURRAN was able to submit letters of approval from two of the nearby businesses. He said that it has been difficult to get letters of support from the closer businesses because they are national chain stores and it is hard to get out of town headquarters to focus on a small matter such as this one. The owner of the beauty shop has also submitted a letter supporting the new site.

ATTORNEY CURRAN concluded by reiterating the applicant operated at the Charleston Boulevard location for a very long time. He emphasized it is very difficult to find a location anywhere in this area where there is not a violation of the setback standards. The applicant is trying to preserve his business, his employees' jobs and his longstanding relationship with clients. He reminded the Commission that the residential adjacency standard is measured from the far boundary of the entire shopping center; however, the specific location is over 200 feet away from the nearest residential use.

MARGO WHEELER, Deputy Director, Planning & Development Department, confirmed with ATTORNEY CURRAN that the correct suite number of the proposed site is Suite 29. With that knowledge, she informed the Council that the photos shown on the overhead were incorrect. As the photos were of the former suite, she requested they be removed.

COMMISSIONER STEINMAN stated that if the location shown on the overhead was incorrect, he wanted to know where the actual site was. VICE CHAIRMAN NIGRO stated that the overall location was correct, it was just a different suite. COMMISSIONER STEINMAN confirmed with ATTORNEY CURRAN that the old location fronted Decatur Boulevard. DEPUTY CITY ATTORNEY BRYAN SCOTT clarified for the Commissioner that the photos were incorrect and were not of the suite being considered on the application before the Commission. COMMISSIONER STEINMAN then asked ATTORNEY CURRAN to identify the specific location on the map of the proper suite. MS. WHEELER indicated it was on the map and was interior to the site, next to the Mayflower restaurant. COMMISSIONER STEINMAN felt the red dot on the map indicating the proper site was incorrect. VICE CHAIRMAN NIGRO concurred. MS. WHEELER responded that the dot was not accurate but the location was near the dot. COMMISSIONER STEINMAN felt the dot was very misleading. Once the exact location was identified, COMMISSIONER STEINMAN felt he could support the item because it was not impacting residential and was actually on a very busy corner.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:21-7:32)

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 26 – SUP-4930

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified 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. All City Code requirements and design standards of all City departments must be satisfied.

City of Las Vegas

Agenda Item No.: 27

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE - VAC-5030 - VACATION - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC. - Petition to Vacate a 20-foot (20') wide public alley generally located north of Sahara Avenue, west of Paradise Road, Ward 3 (Reese).

SET DATE: 01/05/05
C.C.: 01/19/05

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

RECOMMENDATION:
Staff recommends this item be HELD IN ABYEANCE to the January 27, 2005 Planning Commission meeting.

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

MOTION:
NIGRO – Motion to HOLD IN ABEYANCE to 1/27/2005 Planning Commission meeting – UNANIMOUS with TRUESDELL abstaining as he has an interest in the property adjacent to the proposed site and DAVENPORT and McSWAIN excused

NOTE: At the commencement of the meeting, the initial motion for all abeyance items made by NIGRO, which carried UNANIMOUSLY with DAVENPORT and McSWAIN excused, was rescinded as to Item 27 [VAC-5030] upon motion by NIGRO, which also carried UNANIMOUSLY with DAVENPORT and McSWAIN excused.

MINUTES:
CHAIRMAN TRUESDELL requested to rescind the motion relative to Item 27 [VAC-5030], as he realized he needed to abstain on this item because he has an interest in the property adjacent to the proposed site.

(6:03 – 6:06)

City of Las Vegas

Agenda Item No.: 28

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
MOD-5581 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: OMEGA DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC AND THE CITY OF LAS VEGAS - Request for a Major Modification to the Lone Mountain Master Development Plan TO CHANGE LAND USE DESIGNATIONS FROM: NEIGHBORHOOD COMMERCIAL AND PARK/SCHOOL/RECREATION/OPEN SPACE TO: MULTI-FAMILY MEDIUM on 8.74 acres adjacent to the east side of Hualapai Way, north and south of Gilmore Avenue (APN 138-07-201-001 and 002; 138-07-103-006), U (Undeveloped) Zone [PCD (Planned Community Development) and PR-OS (Parks/Recreation/Open Space) General Plan Designations] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown).

C.C.: 01/19/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	2	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. Submitted at Meeting – Petition (opposition) with signatures

MOTION:
NIGRO – APPROVED subject to conditions – Motion carried with STEINMAN voting NO and DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 28 [MOD-5581] and Item 29 [SDR-5579].

GARY LEOBOLD, Planning & Development Department, stated that regarding the request for the modification, the subject property is located immediately to the west of the large detention

MINUTES – Continued:

basin and undeveloped land that the City has an interest in as a future park site. To the west, across Hualapai Way, there are existing multi-family developments at similar densities. The lower portion of the site that is currently designated for Neighborhood Commercial would be removed from that category to allow the development to take place; however, there is Neighborhood Commercial located about a half a mile to the south, along Hualapai Way and Cheyenne Avenue. Staff felt these reasons make the request for the modification appropriate.

MR. LEOBOLD indicated that staff is now asking applicants for Major Modifications to host neighborhood meetings in a similar fashion as is done for Special Use Permits. The applicant will hold such a meeting on January 11th, which is prior to the January 19th date of when the item will be heard by City Council.

Regarding the Site Plan approval, MR. LEOBOLD explained that the proposed project is for a 136-unit condominium project with a density of approximately 15-½ dwelling units per acre. There would be 17 two-story buildings with eight two-bedroom units in each building. There are two proposed building models. The site would have three access points to Hualapai Way and all parking would be exterior to the buildings. Staff recommended some additional landscaping be installed along the perimeters of the site and some other site amenities that are addressed through the conditions for approval. MR. LEOBOLD informed the Commission that at the time the report was prepared, there were no protests; however, since that time, a petition was submitted protesting the modification. Staff recommended approval of both requests subject to conditions.

MICHAEL McDONALD, 4175 Cameron Street, appeared on behalf of the applicant with his associate DAVE BROWN, also at 4175 Cameron Street. MR. BROWN thanked staff for their recommendation and concurred with all conditions. He indicated that the request downzones the property from Neighborhood Commercial to Medium Density Residential. MR. McDONALD pointed out that as of earlier the same day, he found out that there might be a problem with the January 11th neighborhood meeting conflicting with a neighborhood meeting being held by COUNCILMAN BROWN. The applicant does not wish to cause a conflict and would be happy to move the meeting to the 12th if necessary. He also offered that if COUNCILMAN BROWN would like the applicant to attend his meeting, they would be happy to do so.

VITO IPPOLITO, 3810 Juno Beach Street, appeared and stated he lives directly across the street from the subject property. He voiced two concerns over the proposed project. The first related to the triangular portion that is currently planned for the park and recreation area. He said that the Legends/Lone Mountain Condominiums that are located across the street is a gated community. The only access gate for pedestrians is directly across the street from that piece of property. There are several families and children that would be utilizing the park that should have been directly across the street from that gate. If this development were approved, those

MINUTES – Continued:

park users would have to circumvent the proposed complex to access the park. MR. IPPOLITO said that there are several residential units with the nearest commercial at Cheyenne Avenue and Rampart Boulevard. The commercial parcel just to the south of subject site represented by the applicant would be a much smaller commercial site that indicated and would be preferable to the large residential development proposed.

DEENA IPPOLITO, 3810 Juno Beach Street, stated her concern is that there are condos proposed just to the north of her subdivision and a huge apartment complex is proposed to the south of her home. She felt the addition of the proposed project would box in her subdivision. The park was a huge factor in the decision to purchase their home and taking away the park to build more homes would be the same to her as building a 20-foot wall all around her home. People need a place to go to enjoy life. She asked that the Commission deny the application.

ROY V. SMITH, 3730 John Bailey Street, stated he lives in the Shadow Hills Community and was speaking on his wife's behalf as well. They strenuously object to the proposed modification of the Lone Mountain Development Plan. The proposed change would violate the existing Master Plan and the trust that the homeowners placed in the City of Las Vegas when they purchased their homes. The Smith's purchased their home because of the planned development of the area as a single-family home community with a large, planned open park adjacent for recreation activities. They were looking specifically for a single-family community because of the privacy that assures. The modification would allow multi-story residences would seriously overcrowd the neighborhood and overwhelm the proposed park's usage. He felt it was a quality of life issue and that approval of the modification would alter the developmental goals and the balance of the Shadow Hills Community. It would also have a serious impact on the single-story community.

MR. SMITH found the proposal to be incompatible with the community and would disrupt the existing harmonious balance. He quoted information from the City of Las Vegas website which described the square footage of available park space, per resident, in the City is well below national standards. MR. SMITH commented that the addition of dense housing in this area would further reduce that number. He pointed out three nearby apartment and condominium developments, which are adjacent to the Shadow Hills Community and total over 1,000 units combined. He urged the Commission to take a closer look at the area and recognize that it has been overbuilt and that this application should be denied.

BETTY GOODROE, 3734 John Bailey Street, indicated her property is the closest to the proposed development. She concurred 100 percent with all of MR. SMITH'S statements. She said that a lot premium was required for her property and if she would have known that condominiums could be built she would have purchased a cheaper lot away from the area. MS.

MINUTES – Continued:

GOODROE found it interesting that it was not only objected to by the single-family homeowners but by the condominium owners as well. She stated the area did not need additional traffic and asked for denial.

IVORYRINE GREEN, 10129 James Harbin Avenue, stated that she had concerns regarding traffic congestion the proposal would cause. She felt that there had not been enough detail made in reference to the traffic lights and any necessary street widening. The traffic concerns were important to her because traffic directly affects the children in the community.

FRANK SUTHERLAND, 3709 John Bailey Street, asked the Commission if they received a copy of the petition. MR. LEOBOLD informed the Commissioners that a copy of the petition was provided in the backup materials. MR. SUTHERLAND submitted 23 additional emails to the City Clerk to be entered into the record. He concurred with the statements of the previous speakers and said the density is being increased exponentially with the apartments, townhouses, condominiums and cluster homes. He challenged formula used by the Planning staff to calculate the definition of high density. MR. SUTHERLAND also reiterated MR. SMITH'S concerns about loss of privacy when multi-story homes are built adjacent to single story. He equated it to being in a fish bowl. He said the park has always been planned and it showed on everyone's plans. It should not be taken away. Rezoning the park property for any use other than a park would be a violation of a verbal contract and MR. SUTHERLAND felt doing so would have legal repercussions.

KEITH BROOKS, 3700 John Bailey Street, concurred with the statements made by his neighbors. He spoke for both he and his wife. MR. BROOKS indicated his home is one of the eight that are directly to the west of the proposed project. They purchased within the single-story community for privacy. They purchased in this area because of the park and the neighborhood commercial that was planned and they trusted that information. The SMITH'S paid a large premium for their lot and two-story condominiums and apartments now surround them. Approval of these applications would affect their quality of life.

ARNOLD KOWITT, 3714 Spring Shadow Road, stated the site was supposed to be a park and he wants it to stay that way. He requested denial on both items.

HAROLD RHEA, 10135 Clark Wooldrige Court, stated that the water detention basin is being groomed for a park and recreation area with lighted softball fields with a walking track. As a park and recreation specialist, it did not make sense to MR. RHEA that the City might take that open space and allow a 136 condominium development to occupy it.

MINUTES – Continued:

DAN TRACZK, 10126 James Harbin Avenue, said that he has lived in the neighborhood for three and a half years and during that time, he has seen plans for the properties that surrounded his development and there has been one rezoning after another. The soft commercial properties have been going to condominiums, apartments and cluster homes. He felt the Shadow Hills Development Community has been surrounded by high density. MR. TRACZK suggested that someone from Council should look into this situation because the area is over populated. He pointed out that another commercial property at Cheyenne Avenue and Hualapai Way has recently been rezoned and it could be more cluster homes. He said the he and his wife strongly oppose these applications.

LEE ZALALIS, 3718 John Bailey Street, stated that his backyard abuts the west side of Hualapai Way and that he and everyone else who purchased homes adjacent to his, had to pay a premium for the view and the quiet and solitude afforded by the location. He said this application would result in additional traffic and they will lose their view of the proposed park. MR. ZALALIS felt mislead by the information he was offered when purchasing his home and suggested that he was mislead by people who knew this type of change was in the works and failed to inform the buyers about it. MR. ZALALIS said that at several of COUNCILMAN BROWN'S neighborhood meetings, the residents were told the property would be a park district with a one-story park field or a one-story commercial area with a 500-foot frontage on East Haulapai Way. He stated that that has changed several times now. It looked to MR. ZALALIS suggested work is already being done on the site and questioned why the owner is doing work before the board took the vote. He requested the board deny the rezoning. He also requested that if the City had some form of an ethics review board, that they investigate this situation.

NICK CAPUTO stated that he recently moved from New York to get away from what is happening now in his new neighborhood. Speaking for himself and his wife, he asked that the applications be denied.

SUSAN MARTIN, 10125 James Harbin Avenue, said that this property has always been designated as a park and that something strange is going on if suddenly a condominium or apartment complex is allowed in the middle of the park.

CHAIRMAN TRUESDELL wanted to clarify a couple items before the applicant was given his rebuttal period. He stated that in looking at the Master Plan for the area and reviewing the history of the site, the south side of the property, from the drainage channel south, has always been designated Neighborhood/Commercial. The application is not a large change in that regard. The commercial has always been there. The north side, is a remnant parcel created by the alignment of the road and it has been a problem area that the City has had to address. This issue is not a new one. CHAIRMAN TRUESDELL was offended by the implications that the

MINUTES – Continued:

Commissioners are doing anything unethical regarding this property. He pointed out that the only work he knew was being done on the site was gravel work related to the detention basin in the park. He let the applicant take time for a rebuttal.

MR. McDONALD said that he understood the neighborhoods apprehension regarding this project. He acknowledged that a home investment is the biggest investment many people make and protecting that home is always important. He wanted to give some history on the project. A private party purchased the parcel that was designated as Neighborhood Commercial in 1967. As the area began to grow, the Master Plan was changed several times. In 1997, the City of Las Vegas designed the Master Plan as it is with the park and the property owner at that time had requested Neighborhood/Commercial.

MR. McDONALD stated that the days of the acre estates might be gone with the hike in real estate prices and the current water shortage. Development is building upward and condominiums are the new affordable housing in the valley. He clarified that the park is not going away. COUNCILMAN BROWN was very active in park building and MR. McDONALD felt everyone could be assured about the retention of green space. In fact, it will not be a park, it will be lighted softball fields which will be located on the parcel that they are digging at this time. The gravel being dug from that basin is being placed on the subject site and that could be the work that MR. ZALALIS referenced. He assured the Commission that the applicant had not touched the parcel as far as staking what is proposed for construction.

Regarding Hualapai Way, MR. McDONALD explained that it was a major arterial that runs north and south. Looking at the history of how this road was cut for the Warmington Community, it can be seen that the subject property was created as somewhat of a remnant piece. Regarding MR. SMITH'S comments regarding two-story development impeding on the privacy of the single-family homeowners, MR. McDONALD pointed out that commercial development could build up to 35 feet and the proposed condominiums would only be built to 32-½ feet, which would be lower.

The applicant wanted to acquire the northern piece of property from the City because they want the site to be harmonious. The applicant will have to install a lift station and access to the drainage channel so they are trying to box the area in so it is slightly for the neighborhood. They want to be sure everyone in the community is proud of the development.

MINUTES – Continued:

Regarding the lot premiums, MR. McDONALD acknowledged that the homebuilder might have told the buyers there was a lot premium but the designation across the street has remained Neighborhood/Commercial since 1997. It has not been like a golf course where there may be a box culvert to overlook. The residents with the single-story homes could look onto a 35-foot tall commercial building if the designation is not changed to allow these lower condominiums.

MR. BROWN clarified that the proposed development would be a reduction in traffic. The commercial would generate more trips than the condominiums would. Also, the people in the condominiums would not be able to see into the backyards of the single-family homes because of the difference in gradient of where the finished floors are going to be and the fact that a 100-foot arterial will separate them.

COMMISSIONER EVANS asked MR. LEOBOLD to list some of the conceivable uses allowed within the Neighborhood/Commercial designation. MR. LEOBOLD replied that list was long but the uses would be fewer than what would be available in C-1 but some of those would require Special Use Permits not required in C-1. To compare within the plan, MR. LEOBOLD explained that there are two categories, Village/Commercial and Neighborhood/Commercial. This site is designated with the lesser of the two in regards to impact. The only development built at the Village/Commercial level is located at Shady Timber and Cheyenne Avenue. MR. McDONALD offered to provide the Commissioner with a list of allowed uses. He also stated that the neighbors were provided with that list as well. The list was passed forward for review; however, it was not made a part of the record.

COMMISSIONER STEINMAN said that if he had moved into the neighborhood to the west and was informed he would be looking at a park at one part and a commercial property on the other part, he would have said, the park portion will be open and that will retain the view but that view would include a drainage channel and lights. He would have assumed that the commercial part to be only one story. Not how tall it was, but the number of stories. The Commissioner could sympathize with the residents and what their expectations would have been. He did not have a problem with the plan change relative to the commercial; however, he did with the land that was anticipated to be a park. He acknowledged that the City might not have the money to ever make that land into a park. The designation of a park does not mean the funding is in place to make it into a park. He said that if staff had any knowledge regarding the need for parking for the softball fields, he would like to be made aware of it.

COMMISSIONER STEINMAN said the situation is really one of "what's worse" and he had concern over putting 32-foot tall buildings across the street from these properties when they were not anticipated.

MINUTES – Continued:

MR. McDONALD explained that the parking for the park was laid out and designed previously and it is designated for the area south of the subject site. The traffic would be coming off of Hualapai Way to access that lot. He also pointed out that the single-family homes are across from the parcel that was always zoned commercial. Those were the people who say they were charged a lot premium; however, that property has been commercial since the homes were in. MR. BROWN added that a single-story commercial structure with façade would most likely be around 28 feet tall.

VICE CHAIRMAN NIGRO asked for clarification regarding how the parcel was created and how it related to the road alignment. MR. BROWN replied that Hualapai Way curves to the east and the parcel that resulted was not considered part of the area designated as a park. MR. McDONALD recollected that when the City first designed the zoning for this area, several neighbors did not want commercial zoning on the site; however, the subject site was already commercial so that is how it went it. The pioneers of the Lone Mountain Master Plan implemented a blanket overlay for the park and once Hualapai Way was cut through and Warmington went in the parcel was created. MR. LEOBOLD confirmed that the smaller parcel was property of the City that was acquired for the roadway alignment. VICE CHAIRMAN NIGRO confirmed that the City acquired the land because it needed to determine where the road was going to go and have enough property for that road. MR. LEOBOLD confirmed his statement and referenced the Poggemeyer drawing, which indicated that there would not be any park activity on the subject site.

VICE CHAIRMAN NIGRO wanted to be sure that that point was made clear, that the facts are straight relative to how this parcel came about. He did not think it was a situation where park property was being taken for the project. It was more a case of dealing with a remnant piece of property that was adjacent to commercial property, which leaves the decision to be made of whether residential was a better use for that commercial piece. He agreed with staff in looking at compatibility between the park and the single-family homes. It cannot be a strip retail center with parking lots and lights and be complementary to the neighbors. Also, the difference between 32 feet and 35 feet is negligible. At either height, there is no view except for the view that would have been over the top of a commercial building. He felt the residents would be much better off with residential than commercial adjacent to the site. He would support the application.

MR. McDONALD stated that he could not recall the City ever selling a piece of property that was designated as park property. He asked that staff correct him if he was wrong. He reiterated that the Mayor and Council have developed more green space than any other Council in the City's history.

MINUTES – Continued:

COMMISSIONER GOYNES asked for clarification over the neighborhood meeting. He was concerned that there had not been one. MR. McDONALD replied that the meeting could be held on the 11th or the 12th of January depending on when COUNCILMAN BROWN was having his neighborhood meeting and whether or not he wanted MR. McDONALD'S group present for that meeting. His goal was to not interfere with the Councilman's meeting. The meeting for this project was scheduled to be held at the YMCA and it can be moved to the 12th to accommodate that. The Commissioner felt that perhaps the neighbors had not been fully informed about the project. He felt it was important that the neighbors have their due diligence at a neighborhood meeting. COMMISSIONER GOYNES was not sure if he would support moving forward on the item without the meeting being held already. He stressed the importance of communication with residents through neighborhood meetings.

COMMISSIONER STEINMAN stated that he agreed with COMMISSIONER GOYNES and that he was a big advocate for neighborhood meetings. He did not think that City rules provided for enough of them. The Commissioner felt it was very necessary and that it was not an appropriate time to vote since they did not hold the meeting first. He thought it was being done backwards.

CHAIRMAN TRUESDELL wanted to make it very clear that it is important to look at the history of items that have come before the Planning Commission. On November 4th, the Site Development Plan and Zone change was approved for the Alexander/Hualapai Softball complex, which was a public hearing and meetings were held to display the planned park to the neighborhood. One of those plans that was reviewed, showed the park development as it was proposed and it very clearly shows these parts as remnants outside of the parks. He wanted everyone to know that what the Commission has always seen coming through the meetings since the alignment of the road has always been with regards to not a part on the remnant parcel. If that representation was made to someone, he cannot speak for; however, he could attest to the fact that the subject parcels were always remnants and that was consistent with the plans for the park.

CHAIRMAN TRUESDELL agreed that the applicant should reach out to the neighbors and meet with them for their input and participation but to look at this in a fair light, it has been on record for some time.

COMMISSIONER EVANS asked if the planned meeting was prior to the City Council that these items would be heard at. MR. BROWN confirmed that it was. The Commissioner acknowledged COMMISSIONER GOYNES' and STEINMAN'S concerns with the matter but he was concerned that holding the item to have a meeting would require the residents to come back before Planning and then again to City Council. He thought that as long as the meeting was

MINUTES – Continued:

held prior to the Council meeting, that would be sufficient. COMMISSIONER EVANS thought it was a matter of if the item should be approved and if this the right project. He was reluctant to have people come back repeatedly.

MR. McDONALD stated that even if the matter were to come back before the Commission, the fact of the matter is that everything the neighbors had brought up was addressed. The history of the site was given and each concern such as lot premiums and quality of life were addressed. Someone had made a misrepresentation to the neighbors that property was going to be taken away from the park but staff has indicated that the property was never designed as part of the park. It was an overlay district. He appreciated their comments and wanted to hear from them and that is one of the reasons he did not want the neighborhood meeting to conflict with COUNCILMAN BROWN'S meeting.

VICE CHAIRMAN NIGRO agreed with COMMISSIONER EVANS that the neighbors had a strong opinion on the topic and they will make themselves heard at the neighborhood meeting and at City Council. The applicant has made an effort to contact the Councilman's office to discuss the meetings and the need for the meetings. He found the Site Plan to be relatively simple; there was nothing that the City has not evaluated before. The issue would be the use of commercial as opposed to residential. The Commission heard the concerns of the residents and the communication would continue at the neighborhood meeting.

COMMISSIONER EVANS stated that he felt that residential was a better fit than commercial and the commercial is not going away on the one parcel that has been designated as such since 1997.

COMMISSIONER GOYNES agreed that the commercial was a better fit as well but he wanted to be sure the neighbors have a chance to understand that point as well. He felt that it would be the proper buffer. The meeting could assist the residents in seeing what the worst case scenarios are for the parcels and make an educated decision. He believed the residents would eventually see the residential as a better fit and then they could have input on the design and landscaping, which he felt the applicant would be open to. COMMISSIONER GOYNES indicated that to him, the neighborhood appeared to be in total shock. They expected one thing and something else has materialized.

In response to a comment made by MR. ZALALIS, COMMISSIONER GOYNES also wanted to reiterate the comments made at the City Council meeting of 12/15/2004 by COUNCILMAN WOLFSON that there is no such thing as a done deal before going through the City Council.

MINUTES – Continued:

CHAIRMAN TRUESDELL stated that the commercial had been well represented and the remnant piece was an integral part of what the City has and has been there. The park remains as designed. To mislead anyone that any vacant piece of dirt will be a park is wrong of whoever may say that. That concept is not doable and not part of the Master Plan. The Chairman found the modification appropriate and the request for the public hearing is an appropriate way to look at it. He acknowledged that he typically does see commercial as a solution to many types of problems; however, in this case the residential use is appropriate to him. Approving and moving the item on would not affect the neighbor's input as the item goes forward. The applicant has very clearly set the meetings.

COMMISSIONER STEINMAN stated that he liked what was shown and he would like to be able to abstain but has no reason to do so. He would be voting for denial; however, he wanted to explain that it was not against the project, it is against the order in which the item was being handled.

COMMISSIONER GOYNES indicated that he would support the item but wanted the assurance of the applicant that the neighborhood meeting would be conducted and that the applicant would thoroughly give due diligence to the residents.

MR. McDONALD stated that when the final date was established, he could notify COMMISSIONER GOYNES in case he wanted to attend. The Commissioner agreed because he knows that his main concern is for the neighbors and their investments and what has been done. If he were invited, he would attend. His main objective was to ensure that the residents got to have their say on this issue.

Subsequent to the vote on both applications, CHAIRMAN TRUESDELL asked the applicant to get the names of the residents in the audience to make sure they are noticed for the meeting. MR. McDONALD replied that they are also working with COUNCILMAN BROWN'S liaison so that they can contact the individuals who signed the petition as well.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 28 [MOD-5581] and Item 29 [SDR-5579].

(7:32 – 8:25)

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 28 – MOD-5581

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified 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. All City Code requirements and design standards of all City departments must be satisfied.

City of Las Vegas

Agenda Item No.: 29

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-5579 RELATED TO MOD-5581 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: OMEGA DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC AND THE CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 136-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT on 8.74 acres adjacent to the east side of Hualapai Way, north and south of Gilmore Avenue (APN 138-07-201-001 and 002; 138-07-103-006), U (Undeveloped) Zone [PCD (Planned Community Development) and PR-OS (Parks/Recreation/Open Space) General Plan Designations] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown).

C.C.: 01/19/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	2	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:
NIGRO – APPROVED subject to conditions – Motion carried with STEINMAN voting NO and DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:
See Item 28 [MOD-5581] for all related discussion on Item 28 [MOD-5581] and Item 29 [SDR-5579].

(7:32 – 8:25)

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 29 – SDR-5579

CONDITIONS:

Planning and Development

1. Approval of a Major Modification to the Lone Mountain Master Development Plan (MOD-5581) 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 date stamped 12/08/04, except as amended by conditions herein.

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

Standards	Dimensions
Min. Setbacks • Front • Side • Corner • Rear • Space between buildings	 20 feet 5 feet 5 feet 10 feet 10 feet
Max. Building Height	2 Stories / 35 feet

5. The site plan shall be revised to show compliance with the standards above, the provision of handicapped parking spaces, and other conditions of approval stated herein and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map or a building permit, whichever comes first.

6. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map or a building permit, whichever comes first, to reflect the following:

   - A multi-use transportation trail that complies with the design specifications of the "Master Plan Transportation Trails Elements" shall be constructed along Hualapai Way. Provision shall be made for a crossing of the path to the north side of Alexander Road. Street trees spaced 30 feet on center shall be provided within the minimum five-foot amenity zone along the backside of the trail path. A detailed section of the transportation trail and landscaping shall be provided on the landscape plan.

CONDITIONS – Continued:

- Perimeter landscaping with 24 inch box trees, 30 feet on center shall be provided along the rear and side property lines and shall be planted within a six-foot wide planting area. The landscaping shall be shown on the landscape plan.

- Trees shall be provided within the parking area and comply with the Parking Area standards of the City's "Landscape, Wall, and Buffer Guidelines." The parking area trees shall be shown on the landscape plan.

- A detail of the perimeter walls, including the design and materials shall be illustrated on the landscape plan. All property line walls shall be decorative block walls, with at least 20 percent contrasting materials, and they shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet. The front wall along Hualapai Way shall consist of a combination of a two-foot 10-inch high solid wall with a wrought iron fence in between solid pilasters with a cap.

- The total amount of open space, to consist of a minimum of 330 square feet per dwelling unit, shall be designated on the landscape plan.

7. Landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner.

8. The elevation drawings and floor plans shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map or a building permit, whichever comes first, to reflect the following:

   - Notation of the total square footage for each type of unit.

   - Elevation drawings with details of the architectural embellishments and colors.

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.

CONDITIONS – Continued:

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

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. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level shall be defined as removal of debris and surface grading once every calendar year. Should the common interest community, or members thereof, request additional maintenance activities, the associated costs shall be assessed to the common interest community and/or members thereof.

Public Works

16. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

CONDITIONS – Continued:

17. Dedicate an area acceptable to the Flood Control Section of the Department of Public Works for the existing flood control channel shown on the submitted site plan as "Drainage Right-of-Way" with the Final Map for this site.

18. Coordinate with the City of Las Vegas Engineering Design Section of the Department of Public Works to determine any impacts to this site from the Hualapai Way SID Project #1493, if any, prior to the submittal of any construction drawings for this site.

19. Vacate all rights-of-way in conflict with this site prior to the recordation of a Final Map for this site, unless otherwise allowed by the City Engineer.

20. The proposed site plan is acceptable for a multi-family condominium development, however does not comply with private street code requirements for a townhome development; if townhomes are proposed, the site must be re-designed to comply with Title 18 requirements unless a waiver of such is approved by City Council.

21. Landscape and maintain all unimproved right-of-way adjacent to this site.

22. Submit an Encroachment Agreement for all landscaping and private improvements located in the Hualapai Way and drainage channel public rights-of-way adjacent to this site prior to occupancy of this site.

23. 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.

24. The proposed entrance driveway shall align with the existing driveway on the west side of Hualapai Way and shall be designed, located and constructed in accordance with Standard Drawing #222a. Driveway throat depth shall be a minimum of 120-feet unless otherwise allowed by the City Traffic Engineer.

25. An update to the Master 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

CONDITIONS – Continued:

Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

26. 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.

27. Site development to comply with all applicable conditions of approval for Z-33-97, the Lone Mountain Master Plan and all other applicable site-related actions.

City of Las Vegas

Agenda Item No.: 30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ZON-5566 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: SHANDER INTERNATIONAL, LLC - Request for a Rezoning FROM: R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE) TO: R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE) on 12.58 acres at 5800 West Charleston Boulevard (APN 138-36-401-012 through 020; 138-36-406-001 and 009), Ward 1 (Moncrief).

C.C.: 01/19/05

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 DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 30 [ZON-5566] and Item 31 [SDR-5568].

STEVE SWANTON, Planning & Development Department, explained that approval of the rezoning would allow for the addition of a six-unit multi-family building to an existing apartment complex. The added units would bring the total number of units to 188. The increase in density would not affect the General Plan Designation for the site. The development, which has been in existence since 1990, has demonstrated compatibility with the nearby uses and the increase in density should have little to no negative impact on these uses.

MINUTES – Continued:

MR. SWANTON continued by saying the conditions of approval for the accompanying Site Plan Review would insure that the development meets the current zoning Code standards to maintain compatibility with the surrounding area and the elevations of the new building would match the existing apartment buildings on the site; therefore, staff recommended approval of both applications.

MICHAEL LIVINGSTON, Architect, 1350 Town Center Drive, Suite #3032, appeared on behalf of the applicant and concurred with all conditions on both applications. He offered to answer any questions and he requested approval.

COMMISSIONER STEINMAN confirmed with MR. LIVINGSTON that the proposed building would be constructed in an area that is currently open space with a pool. The Commissioner questioned staff about the effect of the deletion of the open space. MR. SWANTON replied that staff did ask the applicant to provide open space totals for the project as proposed and it would still meet the open space requirement with the deletion of the open space at the subject site. MR. LIVINGSTON pointed out that there were three swimming pools in the complex so two would remain after construction of the proposed addition. He thought that information was included in the report.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 30 [ZON-5566] and Item 31 [SDR-5568].

(8:25 – 8:30)

2-1991

CONDITIONS:

Planning and Development

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

2. A Site Development Plan Review application (SDR-5568) 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, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

CONDITIONS – Continued:

4. 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 or the submittal of any construction drawings. Provide and improve all drainageways as recommended in the approved drainage plan/study.

5. Site development to comply with all applicable conditions of approval for Z-100-88 and all other subsequent site-related actions.

City of Las Vegas

Agenda Item No.: 31

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-5568 RELATED TO ZON-5566 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SHANDER INTERNATIONAL, LLC - Request for a Site Development Plan Review FOR A PROPOSED ADDITION OF A SIX-UNIT MULTI-FAMILY BUILDING TO AN EXISTING APARTMENT COMPLEX on 12.58 acres at 5800 West Charleston Boulevard (APN 138-36-401-012 through 020; 138-36-406-001 and 009), R-PD14 (Residential Planned Development - 14 Units Per Acre) [PROPOSED: R-PD15 (Residential Planned Development - 15 Units Per Acre)], Ward 1 (Moncrief).

C.C.: 01/19/05

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 DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:

See Item 30 [ZON-5566] for all related discussion on Item 30 [ZON-5566] and Item 31 [SDR-5568].

(8:25 – 8:30)

2-1991

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 31– SDR-5568

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-5566) to a R-PD15 (Residential Planned Development – 15 Units Per Acre) 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, landscape plan and building elevations date stamped 12/01/04, except as amended by conditions herein. Damaged or missing trees on the perimeter of the site adjacent to public rights-of-way shall be replaced according to the landscape plan.

4. A minimum distance of 10 feet shall be maintained between buildings, and building height shall not exceed two stories or 35 feet, whichever is less, except for buildings abutting single-family residential properties, which shall be single-story.

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 shade trees and a minimum of four five-gallon shrubs for each tree within parking lot planters, per Title 19.12.040.

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

7. Prior to the time application is made for 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. All trash enclosures shall be roofed in conformance with Title 19.08.045.

9. Handicapped parking spaces shall be striped in conformance with Title 19.10.010.G.

10. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

11. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

CONDITIONS – Continued:

12. Site development to comply with all applicable conditions of approval for Z-100-88, ZON-5566 and all other applicable site-related actions.

City of Las Vegas

Agenda Item No.: 32

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VAR-5548 - VARIANCE - PUBLIC HEARING - APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APTS. I, LLC - Request for a Variance TO ALLOW A ZERO REAR YARD SETBACK WHERE THREE FEET IS REQUIRED FOR ACCESSORY STRUCTURES (FOUR COVERED PARKING GARAGES) AND A VARIANCE TO ELIMINATE THE SIX-FOOT WIDE LANDSCAPE PLANTER AND REQUIRED TREES IN THE LOCATION OF THE ACCESSORY STRUCTURES IN CONJUNCTION WITH A PROPOSED MULTI-FAMILY RESIDENTIAL DEVELOPMENT adjacent to the east side of Rainbow Boulevard, approximately 350 feet south of Lone Mountain Road (APN 138-02-101-001 and 013), R-E (Residence Estates) and C-2 (General Commercial) Zones under Resolution of Intent to R-3 (Medium Density Residential), Ward 6 (Mack).

C.C.: 01/19/05

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

RECOMMENDATION:
Staff recommends this item be HELD IN ABEYANCE to the January 13, 2005 Planning Commission meeting.

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

MOTION:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 32 [VAR-5548] and Item 64 [VAR-5548] to 1/13/2005 Planning Commission meeting; Item 58 [SDR-5503], Item 59 [SDR-5517] and Item 61 [SDR-5519] to 1/27/2005 Planning Commission meeting; Item 44 [VAC-5569], Item 45 [VAR-5567] and Item 46 [SDR-5565] to 2/10/2005 Planning Commission meeting; STRIKE Item 51 [SUP-5502]; TABLE Item 63 [TXT-5037] and WITHDRAW WITHOUT PREJUDICE Item 52 [SUP-5558] – UNANIMOUS with DAVENPORT and McSWAIN excused

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 32 – VAR-5548

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

City of Las Vegas

Agenda Item No.: 33

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VAR-5572 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525 - Request for a Variance TO ALLOW 41 PARKING SPACES WHERE A MINIMUM OF 110 PARKING SPACES IS REQUIRED on 1.95 acres at 760 North Lamb Boulevard (APN 140-30-803-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 01/19/05
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:
EVANS – APPROVED subject to conditions – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 33 [VAR-5572] and Item 34 [SDR-5571].

GARY LEOBOLD, Planning & Development Department, explained that regarding the Variance, the total amount of spaces required on the site is 110 and only 41 would be provided as designed. This represents a 63 percent reduction in parking. Many of those spaces would go towards meeting the requirements for the assembly area within the building because in addition to office space, the building will function as a union hall. Keeping this in mind, staff acknowledged the parking spaces would be underutilized most of the time; however, the spaces

MINUTES – Continued:

would be needed in the evenings when the applicant would have meetings. Because of this, staff felt there could be some impact on surrounding areas due to spillover parking. MR. LEOBOLD informed the Commission that the same applicant owns the abutting parcel to the west and the applicant has indicated that it is necessary to keep the two parcels separate. There is shared parking and access along the shared line so the applicant will need to submit a cross access agreement in addition to a shared parking agreement if that is how the parking issue is to be remedied. The hardship is considered self-imposed as there is no basis for it by law and staff recommended denial.

Regarding the Site Plan, MR. LEOBOLD explained that the structure is proposed as a two-story, 19,000 square-foot building. There are waivers being requested for building placement and parking lot landscaping. Staff is requesting that some of the project be redesigned as "if approved" conditions. Staff does find the waiver request from perimeter buffering on the rear property line acceptable due to the shared driveway area. Due to the associated variance, staff is recommending denial on the Site Plan Review as well.

CARON RICHARDSON, Richardson Partnership, 815 Pilot Road, Suite E, Las Vegas, appeared on behalf of the applicant and indicated that her firm was the architect on the project. She stated that hearing the parking reduction described as 60 percent sounds bleak; however, the applicant felt the reduction was not as bad as it sounded and felt it could be further clarified. MS. RICHARDSON explained that there are two parcels and they are separate, which creates the need for the Variance request. She pointed out that adjacent to the subject site, there is a vacant area that was not developed in the first phase of the construction of the Plumbers and Pipefitters training facility. That area is approximately four acres and it is available for future development of additional parking. It is possible that there could be an increase in the size of the training facility onto that parcel as well.

MS. RICHARDSON stated that there are 162 parking spaces and there will be an agreement between the two owners to share all of those spaces with the additional 40 spaces as proposed for construction with the new union hall. Because of this, the applicant feels there would be adequate parking for both sites.

Regarding the Site Development Plan Review, she stated the area at the front of the parcel would be where the new parking area would be located. Currently, the existing union hall is occupying that site but it is scheduled to be demolished because of asbestos issues and foundation problems. The applicant proposes vacating that area while preparing for the construction of the new building, almost simultaneously. One of the reasons the applicant is setting the building back is because there is a lot of traffic on Lamb Boulevard and there are rumors that Nevada Department

MINUTES – Continued:

of Transportation (NDOT) could be considering increasing Lamb Boulevard into something similar to the Desert Inn Arterial. If that is possible, there is the potential of having right-of-way vacated and if the building was set at the back of the landscaping, there could be future problems of noise and visibility. The building being set back further also increases the visibility at the corner for the area residents. MS. RICHARDSON also informed the Commissioners that the entire site is designed to be a campus environment so bringing the union hall to the training facility would not result in parking conflicts because meetings are not held when training is underway.

MS. RICHARDSON asked for the removal of Condition 4 from both applications and that the first sentence of Condition 7 on Item 34 [SDR-5571], which required landscape islands in the parking area, be removed.

COMMISSIONER GOYNES stated that he could support the item and thought the campus style design would be beneficial. He questioned staff about MS. RICHARDSON'S comments regarding the possible expansion of Lamb Boulevard. GINA VENGLASS, Department of Public Works, replied that she was unaware of any plans by NDOT to do so.

COMMISSIONER STEINMAN asked if the large building to the back of the property was up to Code in regards to parking requirements. MS. RICHARDSON stated that she believed that building did meet Code in relation to parking. She said that if there were a Variance it would have only been for a few spaces but that from memory, she felt it met Code. The Commissioner indicated that he was trying to estimate the square footage inside the building but that it was difficult to do. MS. RICHARDSON told him it was a large building of approximately 30,000 square feet. COMMISSIONER STEINMAN confirmed with MS. RICHARDSON that the vacant parcel to the south of the subject site was available for expansion in the future.

COMMISSIONER EVANS stated that he was very familiar with the area in the past and he agreed with MS. RICHARDSON that seldom would someone see the uses in the halls occurring all at the same time. He suspected that during training, there would not, most likely, be general membership meetings. In his experience, there would be a new parking lot with two or three cars during the day unless there was a special activity going on. He said the usage would be like those discussed in the past such as a movie theatre or a beauty shop that would typically operate at different times.

CHAIRMAN TRUESDELL wanted to clarify that the cross access agreement is a critical component to this project and must be in place. COMMISSIONER EVANS confirmed with MS. RICHARDSON that the agreement is not in place at this time but the sample language is being reviewed. She assured the Commissioner that the agreement would be in place.

MINUTES – Continued:

COMMISSIONER EVANS stated that on Item 34 [VAR-5572], he did not have a problem with the setback of the building because the applicant made a compelling argument. He did voice concern over the request to delete the landscape finger islands in the parking lot. MS. RICHARDSON stated the request was made because the parking lot is already surrounded on three sides by landscaping. In some places that landscaping exceeds 15 feet on Harris Avenue and Lamb Boulevard. The installation of the finger islands would result in the loss of two parking spaces.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 33 [VAR-5572] and Item 34 [SDR-5571].

(8:46 – 8:57)
2-2190

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5571).

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. The applicant shall execute a shared parking agreement with the abutting parcel to the west in accordance with the requirements of Title 19.10.010, subject to review and approval by the City Attorney, prior to the time application is made for a building permit.

City of Las Vegas

Agenda Item No.: 34

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-5571 RELATED TO VAR-5572 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525 - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 19,094 SQUARE-FOOT OFFICE/ASSEMBLY BUILDING AND WAIVERS FOR BUILDING PLACEMENT, PARKING LOT AND PERIMETER LANDSCAPING STANDARDS on 1.95 acres at 760 North Lamb Boulevard (APN 140-30-803-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 01/19/05
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:
EVANS – APPROVED subject to conditions, deleting Condition 4 and amending the following condition:
7. The landscape plan shall be revised and approved by staff of the Planning and Development Department to reflect these changes prior to the time application is made for a building permit.
– UNANIMOUS with DAVENPORT and McSWAIN excused

MINUTES:
See Item 33 [VAR-5572] for all related discussion on Item 33 [VAR-5572] and Item 34 [SDR-5571].

(8:46 – 8:57)

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 34 – SDR-5571

CONDITIONS:

Planning and Development

1. A Variance (VAR-5572) to allow a reduction in the required number of parking spaces 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 date stamped 11/02/04, except as amended by conditions herein.

4. The site plan shall be revised so the new structure is located at the front of the property on Lamb Boulevard, with the parking located to the rear of the site in accordance with Title 19.08.045. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit.

5. The Waiver from the requirement for a perimeter buffer at the rear property line is hereby approved.

6. The landscape plan shall be revised and approved by staff of the Planning and Development Department, 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 planters provided along Harris Avenue and Lamb Boulevard. The use of turf shall be limited to 12.5% of all landscape areas on the site.

7. Trees and landscape islands shall be provided in the parking lot area in accordance with Title 19.12. The landscape plan shall be revised and approved by staff of the Planning and Development Department to reflect these changes prior to the time application is made for a building permit,.

8. The required landscaping and a permanent underground sprinkler system shall be installed as required 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. Provide a copy of a recorded Joint Access Agreement between this site and the abutting parcel to the west prior to the issuance of a building permit.

CONDITIONS – Continued:

10. Prior to the submittal of a building permit, the applicant shall meet with staff of the Planning and Development Department 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.

11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Any on-site trash enclosure shall be walled and roofed in accordance with the requirements of Title 19.08.045, and an illustration of the enclosure shall be shown on the site plan.

12. 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.

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

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

Public Works

15. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southwest corner of Lamb Boulevard and Harris Avenue prior to the issuance of any permits.

16. 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.

17. 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

CONDITIONS – Continued:

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.

18. Site development to comply with all applicable conditions of approval for Z-87-96 and all other subsequent site-related actions.

City of Las Vegas

Agenda Item No.: 35

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SCD-5551 - MAJOR DEVIATION - PUBLIC HEARING - APPLICANT: HARMON ENTERPRISES, INC. - OWNER: CBS I, LLC - Request for a Major Deviation from the Summerlin Development Standards TO ALLOW 546 PARKING SPACES WHERE A MINIMUM OF 591 PARKING SPACES IS REQUIRED FOR A PROPOSED PUB (TAVERN) WITHIN AN APPROVED OFFICE COMPLEX on 4.74 acres adjacent to the northeast corner of Charleston Boulevard and Indigo Drive (APN 137-36-811-018), P-C (Planned Community) Zone, Ward 2 (Wolfson).

C.C.: 01/19/05

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:
EVANS – APPROVED subject to conditions – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 35 [SCD-5551], Item 36 [SUP-5549] and Item 37 [SUP-5550].

STEVE SWANTON, Planning & Development Department, explained that the proposed location of this tavern with gaming is on the site of an approved commercial office complex, which as part of its original approval, had parking calculated based solely on office uses. The addition of the tavern, which is a more intense use, would create a parking deficiency within the complex. This

MINUTES – Continued:

would be most evident during the hours of operation of the office complex. The uses themselves are compatible with the area so staff recommended approval of both Special Use Permit applications but staff could not support the Variance request in this situation.

JENNIFER LAZOVICH, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She said the project is a continuation of a current office project that already exists on the site. The Howard Hughes Corporation has their main office nearby on the corner of Hualapai Way and Charleston Bouelvard. The applicant is proposing the construction of an office building that would mirror the existing building. The new building would have a restaurant with the requested uses on the ground floor.

Regarding the Major Deviation for parking, ATTORNEY LAZOVICH said the overall site with both the existing and proposed buildings having office uses, would require approximately 500 spaces. With the inclusion of the restaurant, the number increased to a requirement of 591 spaces. Between the existing office building and the proposed building, there would be a total of 545 spaces. ATTORNEY LAZOVICH stated that if any of the Commissioners were to drive by the site, they would see that the current parking lot is not very full with the existing office building. The current parking would be doubled with the construction of the proposed building. She also pointed out that during the restaurants peak time, which would be for dinner service, the office uses would be closed leaving additional spaces for the restaurant patrons.

ATTORNEY LAZOVICH explained that the proposed restaurant would have a bistro theme of dark wood, parquet floors and white tablecloths. She showed the architect's rendering of the interior of similar designs. The applicant is hoping to create a product that is unique within Las Vegas. Building the restaurant into the bottom floor of an office complex would do that. It is done in other cities but there is nothing like it in Las Vegas.

ATTORNEY LAZOVICH said a neighborhood meeting was not required for these applications; however, the applicant did hold one and approximately 10 residents were in attendance. The owner of the property and the chef were also there and the concept was well received by the residents.

JAMES VELELLUM, Indigo Drive LLC., stated that he and his partner own the office building that is directly adjacent across the private drive and he questioned the restaurant usage compared to the tavern usage. CHAIRMAN TRUESDELL confirmed for him that the usage was as a tavern. MR. VELELLUM stated that when his property was purchased from Howard Hughes, it was understood that no other usage than office would go onto that parcel. He had the recorded Development and Reciprocal Easement Declaration that specifically prohibited any food or retail operations in the Hughes Plaza Development and he stated representatives of the Hughes Corporation and the North Summerlin Association signed that document.

MINUTES – Continued:

ALLAN SCHWARTZ, Indigo Drive LLC, stated they are primarily concerned about the parking issue the tavern could cause and about how trash issues that could result from the tavern would be handled.

DEPUTY CITY ATTORNEY BRYAN SCOTT said that the document referenced by MR. VELELLUM was a private agreement entered into by the Hughes Corporation and the owner of the lots and the City does not get involved in those types of situations. He suggested that the gentlemen from Indigo LLC., speak to the association that governs those contracts.

ATTORNEY LAZOVICH stated that the Howard Hughes Corporation is aware of this project and supportive of it. The applicant did submit a letter from the Hughes Corporation, which acknowledged the application being put into the system. She could not speak to the reference that there was a restriction against restaurants or retail on the property because she was not aware of such a restriction.

ATTORNEY LAZOVICH indicated that a Shared Access parking agreement was recorded and in place with the existing office project to the east. She explained that she refers to the project as a restaurant because it functions more as a restaurant than most taverns do in the sense that the square footage of the entire restaurant is proposed at 9,000 square feet. The dining portion is approximately 7,500 square feet of that with about 1,500 square feet for the bar area. She also pointed out that taverns in Las Vegas are allowed to be open 24 hours and this use would have hours of operation from 7 a.m. to 2:30 a.m. The applicant is asking to sell alcohol and to have restricted gaming in the bar area such as a tavern would do but beyond that, ATTORNEY LAZOVICH felt this was very different from a typical tavern usage. She reiterated that the reduction is of only 45 spaces and offered to answer any questions the Commissioners had.

COMMISSIONER EVANS asked for clarification regarding the restaurant uses taking place primarily in the evening when there would be less office generated parking. ATTORNEY LAZOVICH replied that the restaurant would be open for breakfast, lunch and dinner with the anticipated hours mentioned; however, the applicant estimates that the bulk of the traffic generated from outside the development would occur during dinnertime. In that case, the majority of the offices would generally be closed by that time.

COMMISSIONER EVANS questioned staff as to whether the primary reason for denial on all three applications was the parking deficiency. GARY LEOBOLD, Planning & Development Department, replied that the denial is on the deviation and the uses are recommended as approval. He added that if the building were occupied strictly by office uses, the parking requirement would be met. He also wanted to point out that Planning staff did have a letter on file from the Howard Hughes Corporation, dated November 2, 2004, which stated the use was approved with up to 15

MINUTES – Continued:

gaming machines and the sale of alcoholic beverages. The letter also stated the hours of operation would be approved as 7:00 a.m. to 2:30 a.m., seven days a week. A Vice President of the Hughes Corporation signed the letter.

COMMISSIONER EVANS asked ATTORNEY LAZOVICH why the applicant applied for a tavern permit if the use is primarily as a restaurant. She replied that the developer has built other projects in town such as Sedonia and the soon to be opened Agave. These other facilities do primarily function as restaurants but they do have the inclusion of the machines. The applicants are familiar with the usage, they are long time Nevadans and it is what they are asking for. ATTORNEY LAZOVICH felt that it was appropriate for the area.

COMMISSIONER EVANS concluded by acknowledging that although the Commission does not have any jurisdiction regarding the contract that the gentlemen from Indigo LLC., referenced, he personally thought that it seemed disingenuous that they had a signed agreement that was not honored.

COMMISSIONER STEINMAN pointed out to staff that the backup referenced the hours of operation as 7:00 a.m. to 2:30 p.m. He wanted to be sure that it was clear that the hours referenced by ATTORNEY LAZOVICH were 7:00 a.m. to 2:30 a.m. and that the letter from the Hughes Corporation approved 7:00 a.m. to 2:30 p.m.

COMMISSIONER STEINMAN asked why staff was recommending approval on the restaurant and gaming uses knowing that those are what raised the parking requirement to a point that staff had to recommend denial on the deviation. MR. LEOBOLD replied that staff has no problems with the uses and they would be appropriate for the location; however, the variance had not been adequately defended under state law. Staff acknowledged that the applicant was trying to construct a building that would mirror the existing building but doing so is not required. The applicant could design a slightly smaller building and keep the proposed uses and meet Code or, they could build a mirror image of the existing building but then the proposed uses would not be accommodated as far as parking requirements go. State law determines the parameters in which staff can work regarding recommendations. If the hardship is self imposed and manageable in nature, staff cannot recommend approval of the application.

COMMISSIONER STEINMAN commented that he did not want to get into the legal issues of the gentlemen of Indigo LLC., but he wanted them to know that he has lived in cities where restaurants could be found in office buildings similar to this situation. The Commissioner stated that such a situation is a positive for attracting tenants to the park. He felt the gentlemen raised a good point about how the trash and delivery situation would be addressed since there was not a Site Development Review with these applications. CHAIRMAN TRUESDELL said that he was

MINUTES – Continued:

familiar with the Summerlin Design Standards and they were, in some regards, more stringent than the City's Title 19 requirements for trash enclosures. The Summerlin Standards require more of a building-like enclosure with stringent maintenance requirements. COMMISSIONER STEINMAN confirmed with CHAIRMAN TRUESDELL that no additional conditions needed to be added to the Special Use Permit applications to ensure compliance. MARGO WHEELER, Deputy Director, Planning & Development, indicated that those standards are already required and additional conditions are not required.

CHAIRMAN TRUESDELL voiced concerns he had due to the nature of roof mounted systems for restaurants. Although it is not part of the design, he wanted to be sure that the screening of those items was not lost in the shuffle of the application process. Also, he was concerned with the reduction in parking because it is a self-created hardship. He felt the master plan design of the overall park was designed to create a good interaction with parking. He knew the developers have been diligent in trying to maintain what they need to have the properties function. He would support the uses.

COMMISSIONER EVANS asked what the acronym SCD stood for since it represented what was being called a major deviation. MR. SWANTON informed him that SCD stood for Summerlin Community Deviation.

MS. WHEELER informed the Commission that Condition 1 of both Item 36 [SUP-5549] and Item 37 [SUP-5550] would be deleted if the Commission approved Item 35 [SCD-5551]. She also reminded everyone that if the item were approved, the corrected hours of operation would need to be added as a condition on both SUP applications as well.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 35 [SCD-5551], Item 36 [SUP-5549] and Item 37 [SUP-5550].

(8:57 – 9:21)

2-2739

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permits [SUP-5549 & SUP-5550] and Site Development Plan Review [CRG-4414].

2. Conformance to Summerlin Development Standards, "Shared Parking", Section 3 h.

3. This Major Deviation 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.: 36

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-5549 RELATED TO SCD-5551 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HARMON ENTERPRISES, INC. - OWNER: CBS I, LLC - Request for a Special Use Permit FOR A PROPOSED PUB (TAVERN) on 4.74 acres adjacent to the northeast corner of Charleston Boulevard and Indigo Drive (APN 137-36-811-018), P-C (Planned Community) Zone, Ward 2 (Wolfson).

IF APPROVED: C.C.: 01/19/05
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, deleting Condition 1 and adding the following condition:
- **The hours of operation shall be 7:30 a.m. to 2:30 p.m.**

– UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:
See Item 35 [SCD-5551] for all related discussion on Item 35 [SCD-5551], Item 36 [SUP-5549] and Item 37 [SUP-5550].

(8:57 – 9:21)

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 36 – SUP-5549

CONDITIONS:

Planning and Development

1. The proposed use shall meet the parking requirements as defined in the Summerlin Development Standards.

2. Conformance to Summerlin Development Standards, "Shared Parking", Section 3 h.

3. Proposed exterior building mounted signage must be approved by the developer and the Summerlin Architectural Review Committee prior to obtaining sign permits.

4. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [CRG-4144], Major Deviation [SCD-5551] and Special Use Permit [SUP-5550].

5. 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.

6. Approval of this Special Use Permit does not constitute approval of a liquor license.

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

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

City of Las Vegas

Agenda Item No.: 37

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-5550 RELATED TO SCD-5551 AND SUP-5549 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HARMON ENTERPRISES, INC. - OWNER: CBS I, LLC - Request for a Special Use Permit FOR A PROPOSED GAMING USE on 4.74 acres adjacent to the northeast corner of Charleston Boulevard and Indigo Drive (APN 137-36-811-018), P-C (Planned Community) Zone, Ward 2 (Wolfson).

IF APPROVED: C.C.: 01/19/05
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, deleting Condition 1 and adding the following condition:
- **The hours of operation shall be 7:30 a.m. to 2:30 p.m.**

– UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:
See Item 35 [SCD-5551] for all related discussion on Item 35 [SCD-5551], Item 36 [SUP-5549] and Item 37 [SUP-5550].

(8:57 – 9:21)

2-2739

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 37 – SUP-5550

CONDITIONS:

Planning and Development

1. The proposed use shall meet the parking requirements as defined in the Summerlin Development Standards.

2. Conformance to Summerlin Development Standards, "Shared Parking", Section 3 h.

3. Proposed exterior building mounted signage must be approved by the developer and the Summerlin Architectural Review Committee prior to obtaining sign permits.

4. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [CRG-4144], Major Deviation [SCD-5551] and Special Use Permit [SUP-5549].

5. 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.

6. The proposed gaming use shall be restricted to not more than fifteen (15) slot machines, which are incidental to the primary business at the establishment, and no other game or gaming devices.

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

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

City of Las Vegas

Agenda Item No.: 38

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-5554 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SCOTT ASHJIAN - OWNER: W.I.T. BRO, INC. D/B/A A & A ASPHALT PAVING COMPANY - Request for a Special Use Permit FOR A PROPOSED AUTO DETAIL FACILITY at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05
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 because the adjacent property is owned by an individual who is his partner in a real estate transaction and DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 38 [SUP-5554] and Item 39 [SDR-5553].

GARY LEOBOLD, Planning & Development Department, explained that the Special Use Permit application is for a proposed auto detail facility to be located on the back portion of the subject property. The use would consist of one building with a detailing shop inside the structure and two tents, one for vacuuming and one for washing the vehicles. The tents are arranged so that the vehicles would enter through the wash tent and leave from the detailing shop.

MINUTES – Continued:

He indicated that there is a mini-storage facility to the west of the site, a veterinary clinic to the south and a single-family dwelling to the north. The site is designated as O (Office) and the use is approximately 210 feet from the residential dwelling. Staff did not identify any issues in connection with the proposed development as far as the Use Permit was concerned.

MR. LEOBOLD stated that regarding the Site Plan Review, there was originally a request for parking and perimeter landscaping waivers but after the plan's revision, only the perimeter-landscaping waiver remains for an area of the property line on the west edge of the property, adjacent to the mini-storage facility. The wall of that mini-storage facility comes up to the property line. Because of this, staff feels the request to waive landscaping in that area is appropriate due to concerns about watering up against that wall.

JACK LOHMAN, Manager, Poggemeyer Design Group, 2601 North Tenaya Way, appeared on behalf of the applicant and concurred with all conditions and the recommendations. He requested approval on both applications.

COMMISSIONER STEINMAN asked if an area shown in blue on the site map was going to be completely paved. MR. LOHMAN confirmed that it would be. The Commissioner then asked about the tents. He wanted to know how tall they would be and if they were visible from outside the property. MR. LOHMAN deferred the question to the property owner. SCOTT ASHIJAN, 4485 North Rainbow Boulevard, explained to COMMISSIONER STEINMAN that the tents would serve to provide shade for the interior of the property. He stated that there is an existing 18-foot wall on the mini storage side of the property, the veterinarian clinic on the other and that the land to the north is undeveloped.

COMMISSIONER STEINMAN confirmed with MR. LEOBOLD that the tents would be considered temporary structures by Code and that they could remain there forever. MR. LEOBOLD reminded the Commissioner that in the past, it has been said that there is nothing more permanent than a temporary structure.

MR. LOHMAN replied that with an 18-foot wall on the north property line it would not be likely that much of the tent would be visible from the north. The mini-storage facility would also prevent the tent from being seen from the back as well. To the south, the veterinary clinic's large building would shield the tent from view and to the front, there is the existing facility. In his opinion, the tents would not be obtrusive. MR. ASHIJAN pointed out that his office would be in the building in front of the tent and there is a gate in the back that when closed, prevents anyone from seeing into the yard from that direction.

MINUTES – Continued:

COMMISSIONER STEINMAN stated he did not want to see a garishly colored tent from Rainbow Boulevard. MR. LOHMAN assured him it would be a relatively low-key facility.

MARGO WHEELER, Deputy Director, Planning & Development Department, informed the Commission that if Item 39 [SDR-5553] were to be approved, Condition 3 would require an amendment. The verbiage indicated plans date stamped 11/01/2004 and the correct date would be 12/08/2004.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 38 [SUP-5554] and Item 39 [SDR-5553].

(9:21 – 9:27)

3-230

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5553.

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.

City of Las Vegas

Agenda Item No.: 39

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-5553 RELATED TO SUP-5554 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SCOTT ASHJIAN - OWNER: W.I.T. BRO, INC. D/B/A A & A ASPHALT PAVING COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 2,220 SQUARE-FOOT AUTO DETAIL FACILITY AND WAIVERS OF PARKING LOT AND PERIMETER LANDSCAPING STANDARDS AND FOUNDATION LANDSCAPING STANDARDS on 1.21 acres at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05
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 and amending the following condition:

3. All development shall be in conformance with the site plan and building elevations date stamped *12/08/04*, except as amended by conditions herein.

– UNANIMOUS with TRUESDELL abstaining because the adjacent property is owned by an individual who is his partner in a real estate transaction and DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 39 – SDR-5553

MINUTES:

See Item 38 [SUP-5554] for related discussion on Item 38 [SUP-5554] and Item 39 [SDR-5553].

(9:21 – 9:27)

3-230

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-5554) 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 date stamped 11/01/04, except as amended by conditions herein.

4. A request for a Waiver in the Landscape, Wall and Buffer Standards of Title 19 for the perimeter landscaping along the westerly property line shall be approved.

5. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the relocation of the dumpster to a location more than 50 feet from the north property line and meet the design standards of Title 19.

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 the following:
   - Seven minimum 24-inch box trees provided for the parking area.
   - Bushes planted within a minimum six-foot wide planter area along the west property line.

7. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the 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. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. 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 Title 19.12.050.

11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and it shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.

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. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the

CONDITIONS – Continued:

last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level shall be defined as removal of debris and surface grading once every calendar year. Should the common interest community, or members thereof, request additional maintenance activities, the associated costs shall be assessed to the common interest community and/or members thereof.

Public Works

16. 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.

17. Provide proof to the City that this site has a sewer connection to the existing sewer line in Rainbow Boulevard. If such proof cannot be provided, this site shall be required to connect to the City sanitary sewer system in Rainbow Boulevard prior to the issuance of any permits or the issuance of a Business License whichever may occur first.

18. 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 drainage ways as recommended.

19. Site development to comply with all applicable conditions of approval for Z-29-99, ZON-1112 and all other subsequent site-related actions.

City of Las Vegas

Agenda Item No.: 40

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-5564 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION - Request for a Special Use Permit FOR A PROPOSED CAR WASH (SELF-SERVICE) AND WAIVER TO ALLOW BAY OPENINGS AND VACUUM BAYS TO FACE THE PUBLIC RIGHT-OF-WAY at 4141 Rancho Drive (APN 138-02-814-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05
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:
NIGRO – APPROVED subject to conditions and deleting Condition 3 – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 40 [SUP-5564] and Item 41 [SDR-5562].

STEVE SWANTON, Planning & Development Department, stated that all the Code requirements had been met for the Special Use Permit with the exception of one, which prohibited the wash bay openings from facing the public right-of-way. Staff favored the waiver because the bays would be set back far enough on the property to not be visually intrusive. A recent revision to the Site Plan, which had occurred within the previous few days, showed the vacuum bays placed behind the car wash facility; therefore, the need to waive the condition

prohibiting the vacuum bays from facing Rancho Drive should be removed. MR. SWANTON

MINUTES – Continued:

indicated that to do so, Condition 3 of Item 40 [SUP-5534] should be deleted.

Regarding the Site Plan Review, MR. SWANTON explained that all of the Code requirements were met, including the parking requirement generated by the car wash use. He noted that if approved, Item 41 [SDR-5562] would need Condition 4 amended. The date referenced in that condition is listed as 11/02/2004 and the corrected date would be 12/15/2004.

MARK BANGAN, L.R. Nelson Consulting Engineers, 6765 West Russell Road, appeared on behalf of the applicant and confirmed MR. SWANTON'S comments regarding the revised Site Plan. The revision was prompted by the concerns of the Planning Department staff regarding the placement of the vacuum bays. Those bays were originally located adjacent to Rancho Drive and to address staff's concerns, they were relocated to an area behind the car wash. Regarding the Rancho Drive setback, for the wash bay itself, the setback is over 84 feet where only 20 feet is required.

COMMISSIONER GOYNES asked about the proximity of the new location of the vacuums to the neighbors who reside on Jory Trail. He wondered if they would be able to hear the noise generated by the car wash. MR. BANGAN indicated the car wash is fully enclosed with roll up garage doors for security at night. He assured the Commissioner that the unit was state of the art and touchless. COMMISSIONER GOYNES confirmed with MR. BANGAN that the vacuums would not be enclosed. MR. BANGAN offered to install a screen wall along the back to help manage noise. The hours of operation would be in conjunction with the Pep Boys store located on the same property and that the store is open until 10 p.m. at night. COMMISSIONER GOYNES was concerned that the nearby neighbors would be able to hear quarters dropping and vacuum motors revving in the evening from their back yards. MR. BANGAN stated he did not foresee that happening.

COMMISSIONER STEINMAN stated he did not understand why Pep Boys was reducing their parking in the front of the store to add a car wash; however, after the discussion regarding vacuums, he felt that noise might have been one of the reasons to locate it in that area. He was also surprised to find out that the City would permit the entire north side of building to not have thru access. COMMISSIONER STEINMAN acknowledged the common road that branched off of the driveway, which serves the property to the rear. He found it unusual that the entire side of the site was just cut off. He asked if from a safety standpoint, this situation was acceptable. GARY LEOBOLD, Planning & Development Department, informed COMMISSIONER STEINMAN that staff did not identify any difficulties with the proposal from a safety aspect. There is the common road there as indicated so in terms of Fire safety and access, there is the availability to get all the way around the building.

MINUTES – Continued:

COMMISSIONER STEINMAN confirmed with MR. BANGAN that this Pep Boys location is the first in the Nation to add a car wash on their property. CHAIRMAN TRUESDELL asked if the addition of car washes to existing Pep Boys locations was the direction the Pep Boys Corporation was considering. MR. BANGAN confirmed that the Corporation is considering it as an additional service to offer to their client base. CHAIRMAN TRUESDELL wanted to make it clear that support of this application would not indicate support for each location. Each store which may apply to offer this service would have to be judged on its' own merit.

MR. BANGAN pointed out that if approved, not only should Condition 3 be removed from Item 40 [SUP-5564], but also Condition 3 from Item 41 [SDR-5562] because the vacuum bays that the condition pertains to have already been relocated. MARGO WHEELER, Deputy Director, Planning & Development Department agreed that the condition is no longer required. MR. BANGAN then asked if Condition 5 was still mandatory. Condition 5 pertained to a revision of the Site Plan to accommodate all imposed conditions. It was his opinion that the Site Plan date stamped 12/15/2004 addressed all issues because it is the final Site Plan.

MR. LEOBOLD stated that he thought the condition was a residual from the prior plan, which showed the vacuums bays at the front of the property. He did not feel the condition was mandatory since those bays have been relocated.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 40 [SUP-5564] and Item 41 [SDR-5562].

(9:27 – 9:37)

3-422

CONDITIONS:

Planning and Development

1. Approval of a Site Development Plan Review [SDR-5562] approved by the City Council.

2. The request for a Waiver of base condition #2 of a Car Wash (Self Service) use in Title 19.04 shall be approved.

3. The request for a Waiver of base condition #8 of a Car Wash (Self Service) use in Title 19.04 shall be denied.

CONDITIONS – Continued:

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.

6. 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: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-5562 RELATED TO SUP-5564 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION - Request for a Site Development Plan Review FOR A PROPOSED CAR WASH (SELF SERVICE) on 1.86 acres at 4141 Rancho Drive (APN 138-02-814-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05
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:
NIGRO – APPROVED subject to conditions and deleting Condition 3 and Condition 5 and amending the following condition:
4. All development shall be in conformance with the site plan, landscape plan, and building elevations date stamped *12/15/2004*, except as amended by conditions herein.
– UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:
See Item 40 [SUP-5564] for all related discussion on Item 40 [SUP-5564] and Item 41 [SDR-5562].

(9:27 – 9:37)

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 41 – SDR-5562

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-5564) 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 vacuum bays shall be relocated to some other less visible and congested location on the site.

4. All development shall be in conformance with the site plan, landscape plan, and building elevations date stamped 11/02/04, except as amended by conditions herein.

5. The site plan shall be revised and approved by staff of the Planning and Development Department staff prior to the time application is made for a building permit to reflect the conditions herein.

6. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit, to reflect the proposed number and species of 24-inch box trees and bushes.

7. Landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the 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. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.

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

City of Las Vegas

Agenda Item No.: 42

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VAR-5557 - VARIANCE - PUBLIC HEARING - APPLICANT: ROGER ANDERSON - OWNER: SYUFY ENTERPRISES, A CALIFORNIA LIMITED PARTNERSHIP - Request for a Variance TO ALLOW 179 PARKING SPACES WHERE A MINUMUM OF 234 PARKING SPACES IS REQUIRED on 3.8 acres adjacent to the south side of Charleston Boulevard, approximately 500 feet east of Wilshire Street (APN 163-01-502-005, 006, 007, and 008), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 01/19/05
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:
NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with DAVENPORT and McSWAIN excused

To be held in abeyance to the 1/13/2005 Planning Commission meeting.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 42 [VAR-5557] and Item 43 [SDR-5556].

STEVE SWANTON, Planning & Development Department, explained that at this time, the uses that will occupy the buildings are unknown. The plan does reflect restaurant uses and those types of uses are anticipated; therefore, the applicant is calculating parking based on restaurant and retail uses for each building. Without any restaurant uses the Code requirement would be 169 spaces, which the applicant could meet. If one restaurant is included, the requirement would

MINUTES – Continued:

exceed the provided parking spaces. The applicant has added some compact spaces to improve the discrepancy.

Staff felt that it was unlikely that the development would have strictly retail uses because the plan shows restaurant uses that the design could accommodate. Because of this, the possibility of the zoning Code being met is an unlikely possibility so, staff is recommending denial of both applications. If the applications were to be approved, MR. SWANTON indicated the waivers being requested would be appropriate and acceptable.

ROGER ANDERSON, 1909 Reliza Court, explained that the site was formerly the Red Rock movie theater on Charleston Boulevard. The theater was torn down about three years ago. MR. ANDERSON stated that he intended to improve the neighborhood by constructing a 42,000 square-foot retail center on the site. He said the property was being built on spec and the uses were unknown. The applications include a request for a parking variance and MR. ANDERSON reminded the Commissioners that the Sav-On drug store across the street was recently granted the same type of variance.

MR. ANDERSON brought three-dimensional renderings of the proposed shopping center. He informed the Commissioners that he would be installing new sidewalks in front of the center, a dedicated right-turn lane as required by Nevada Department of Transportation (NDOT) and a new bus stop. The site currently has four or five ingress/egress locations that would be reduced to one, which will have a signal light that the applicant would provide. NDOT is very happy about the property having only one wide entrance.

MR. ANDERSON indicated that the neighbors are happy with the project, as is COUNCILWOMAN MONCRIEF. The Councilwoman has met with neighborhood residents to discuss the project and everyone agrees it would be a big improvement to the area. He pointed out that the site is located within the Revitalization District. MR. ANDERSON explained that the site would have custom awnings on the buildings. The sidewalk in front of the shops would be constructed with brick pavers not just concrete. There will be old-fashioned light fixtures and brick facades. The project would be unique to the area.

The project is being designed as three buildings, the inline shops and two pad sites. The inline spaces would be constructed first. MR. ANDERSON showed renderings of both pad buildings. He stated that he is currently negotiating with Washington Mutual Bank for one of the pad sites. The site looks like it could accomodate a restaurant use because of the drive thru; however, the bank is considering the drive thru to service ATM customers.

MINUTES – Continued:

MR. ANDERSON requested approval of the applications with the necessary waivers and he also asked that one condition be removed. That condition pertained to a requirement for the applicant to install a brick wall along an alleyway behind the structure. The applicant felt the wall would create a tunnel in the alleyway that would promote crime and draw homeless people. He indicated that there were individuals at the City who felt the wall would be a bad idea. CHAIRMAN TRUESDELL replied that it probably was not City staff who felt that way. MR. ANDERSON also stated that he could not agree to Condition 4 because there is an existing tavern on the site. The tavern has existed on this site for over 30 years. The owner has a ground lease and there are a few years left on that lease.

CHAIRMAN TRUESDELL asked the applicant to point out on the plan, the location of the tavern. MR. ANDERSON pointed out the location and indicated that one of the buildings could not be constructed because of the tavern being in the way. Once the tavern is relocated, the construction could commence. Until then, they would build around him. CHAIRMAN TRUESDELL confirmed with MR. ANDERSON that there are talks regarding moving the tavern into the center but nothing has been finalized yet.

RON LABAR, Labar Architecture, 10444 American Falls Lane, stated he is architect for the project. He stated the tavern, called the Rice Paddy, has approximately a year and a half left on the lease. MR. LABAR took this information into account when designing the project and the site does allow for circulation around the tavern and the site would still function. CHAIRMAN TRUESDELL asked what the affect on the net parking would be if the pads were not built out and the parking was not striped or paved out. MR. LABAR answered that the site would be over parked because there would be available parking spaces without any demand from the buildings that were not constructed. He offered that there could be additional paving and some temporary parking if necessary. MR. ANDERSON pointed out that not building the two pad sites would reduce the square footage of the center by 7,000. Because the two pad buildings have the heavy restaurant demand on them, without being built, the parking would not be an issue. CHAIRMAN TRUESDELL stated there would still be a restaurant use in the center because of the tavern. MR. ANDERSON told him the tavern is not a restaurant. The Chairman replied that it must still be treated as such.

MARGO WHEELER, Deputy Director, Planning & Development Department, clarified that Condition 4 is a statement of Code; it is not something that could be waived by the Commission. Once the existing, non-conforming tavern is demolished, the owner would have to reapply for a new Special Use Permit and license to be able to relocate the tavern on the site. CHAIRMAN TRUESDELL asked what would happen if the tavern never was demolished because it is located in the major part of the parking field.

MINUTES – Continued:

MR. LEOBOLD stated that in terms of parking spaces, of the applicant did not build the 7,000 square feet of the two pads, the parking requirement would be reduced by 28 to 30 spaces. The 2,000 square feet of the tavern requires 25 spaces so it is almost a wash.

CHAIRMAN TRUESDELL stated that he liked the idea of development along this corridor because the property has been there for a long time; however, if the development of the site is not done with the right steps, there would be a potential project approved with 50 percent of the available parking and several dead end corners. MR. LABAR suggested that by the time the project is designed, through the permitting process and civils are approved, there would not be much time left in the year and a half lease on the tavern. He felt that MR. ANDERSON was asking that Condition 4 be eliminated to accommodate the tavern owner relocating once the lease has expired. CHAIRMAN TRUESDELL stated that the Commission could not condition forward on a non-conforming use. The board could consider options in the event the tavern stayed where it exists.

MR. LABAR asked if the condition was stating that in a year and a half, the applicant could not ask to move the tavern into the center. MS. WHEELER replied that the applicant would have to apply for a brand new tavern permit and Code standards would have to be met. Once the old tavern is demolished, there would not be a tavern to move and therefore, application for a new tavern must be filed.

VICE CHAIRMAN NIGRO indicated that his interpretation of the condition language stated that once the site is redeveloped, the tavern use must be discontinued. MR. ANDERSON said that he interpreted the condition the same way. DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed that the Vice Chairman interpreted the Code correctly. MR. LABAR asked if it took a year and half to build out the back building, could the tavern remain until that construction was finished. VICE CHAIRMAN NIGRO said that once development on the project commences, the tavern use must cease. It cannot remain. MR. ANDERSON stated that when he met with staff at the City that was not the way the Code was interpreted.

VICE CHAIRMAN NIGRO then asked how the Commission was supposed to approve a Site Plan that did not reflect an existing building that is situated on the property. The Site Plan did not show the building and therefore, the ingress/egress and parking situations were not visible. This information would be valuable in the instance that the tavern use never ceases. The lease could be continued indefinitely and the Site Plan would not show that use on the property. MR. LABAR suggested a condition could be imposed that would restrict the extension of the lease. VICE CHAIRMAN NIGRO responded that he was not sure about conditioning that the use must cease when there is a legal entitlement to it.

MINUTES – Continued:

DEPUTY CITY ATTORNEY SCOTT informed the Commissioners that he attended a meeting with the applicant and at that time, MR. ANDERSON was informed that if the parcel was redeveloped or expanded, the tavern use would have to cease. MR. ANDERSON said that he did not understand the condition and Code to mean the tavern use would cease upon commencement of development. DEPUTY CITY ATTORNEY SCOTT replied that during the one-hour meeting, they had discussed options for keeping the tavern in existence. No solution was found during the meeting because under Code, there is currently no way to allow it. MR. ANDERSON said that he understood it as the tavern's redevelopment would be the trigger, not the entire site.

VICE CHAIRMAN NIGRO stated that there were confusing issues regarding the tavern and on what could be approved if the tavern were to stay. He suggested holding the item for a short period of time to get some clarification. CHAIRMAN TRUESDELL concurred. A two-week abeyance was suggested; however, the next Planning Commission meeting would be 30 days away due to the holidays. MR. ANDERSON asked if the item could be forwarded to City Council because several of the Council members were very supportive of the item. CHAIRMAN TRUESDELL said that forwarding the item to the Council would contradict the procedures the board is to follow when considering Site Development Plan Reviews.

MR. LABAR asked what options were available if Condition 4 were to remain on the application. VICE CHAIRMAN NIGRO replied that Condition 4 states the tavern use must cease if the property is redeveloped and that is not debatable since the City Attorney interpreted the Condition the same way. VICE CHAIRMAN NIGRO also said that he was not comfortable acting on the item not knowing how it is intended to be developed over the next year and a half. Before knowing the tavern was going to stay he did have some comments to make on the project but he liked the design and felt it was a great project. After learning about the tavern issue, he found the situation too confusing to act upon.

MR. LABAR asked specifically when the tavern would have to close. If it took one year to get the plans approved and the applicant was ready to pull permits, at what point would the tavern have to shut down. VICE CHAIRMAN NIGRO said these are the types of questions that would have to be clarified during the abeyance period. DEPUTY CITY ATTORNEY SCOTT indicated the condition reads "following redevelopment" so, it is unclear as to whether that means when redevelopment is started or if it could be done when permits need to be pulled or once the project is completely finished. That would need to be discussed with Planning & Development staff. Either way, the tavern cannot remain open once the site is developed. MR. LABAR thought that if the tavern could stay until the buildings were ready for Certificates of Occupancy the timing would be correct. CHAIRMAN TRUESDELL interjected and said the

Commission does not want to condition it that way. He wanted the item taken care of up front and properly.

MINUTES – Continued:

CHAIRMAN TRUESDELL felt it would be best for the applicant and the Commission to abey the item and get the answers that would allow good decisions to be made.

VICE CHAIRMAN NIGRO said that he did not think the item would have come so far if staff was made aware of the existing tavern and knew it was remaining. The Site Plan is being put forward in a manner indicating the tavern would be gone. There must have been some confusion as to what the City was saying relative to what MR. ANDERSON thought was being said. The Site Plan should have shown the building. MR. LABAR said the building is considered gone because that is the intention but it would not make sense to have the tavern close today when the project cannot break ground for a year and a half and that is the remaining time on the lease. MR. ANDERSON confirmed that the building would be demolished when the lease is up. VICE CHAIRMAN NIGRO said that timing the closure of the tavern would be another question to be addressed during the abeyance.

COMMISSIONER STEINMAN confirmed with MR. ANDERSON that he holds the ground lease on the tavern and that there are no extensions available. MR. ANDERSON said the building was constructed 35 years ago. The owner of the tavern was given a ground lease at that time with no options.

COMMISSIONER STEINMAN then stated that another problem he had with the site was that half of the parking is located behind the building. He said that in counting spaces, about 100 spaces are behind the front of the building. The Commissioner did not know how the center would attract tenants with much of the parking in the back. MR. ANDERSON disagreed with the Commissioner's assessment.

CHAIRMAN TRUESDELL asked that the item be held in abeyance. MR. LABAR asked if the next Planning Commission meeting was prior to the upcoming City Council meeting. CHAIRMAN TRUESDELL explained that the next Planning Commission meeting was 1/13/2005. COMMISSIONER EVANS reminded everyone that the meeting of 1/13/2005 already had a very large agenda. CHAIRMAN TRUESDELL replied that the abeyance time would allow for all the questions to be addressed so the item should move along quickly.

COMMISSIONER EVANS wanted to be sure the applicant and staff knew the direction issued by the board. VICE CHAIRMAN NIGRO indicated that the direction is that the applicant meet with staff and the City Attorney's office to clarify the questions regarding the tavern. CHAIRMAN TRUESDELL added that the direction includes the ability to show a Site Plan that reflects what the steps are.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 42 [VAR-5557] and Item 43 [SDR-5556].

(9:37– 10:03)

City of Las Vegas

Agenda Item No.: 43

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-5556 RELATED TO VAR-5557 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: ROGER ANDERSON - OWNER: SYUFY ENTERPRISES, A CALIFORNIA LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A PROPOSED 42,160 SQUARE-FOOT RETAIL CENTER, WAIVER OF THE COMMERCIAL DEVELOPMENT STANDARDS FOR A 15-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED, AND FOR A WAIVER OF THE REQUIRED FOUNDATION LANDSCAPING AND SCREEN WALL REQUIREMENTS on 3.8 acres south of Charleston Boulevard, approximately 500 feet east of Wilshire Street (APN 163-01-502-005, 006, 007, and 008), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 01/19/05
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:
NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with DAVENPORT and McSWAIN excused

To be held in abeyance to the 1/13/2005 Planning Commission meeting.

MINUTES:
See Item 42 [VAR-5557] for all related discussion on Item 42 [VAR-5557] and Item 43 [SDR-5556].

(9:37– 10:03)

City of Las Vegas

Agenda Item No.: 44

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VAC-5569 - VACATION - PUBLIC HEARING - APPLICANT: KB HOME NEVADA, INC. - OWNER: RITTER CHARITABLE TRUST - Petition to Vacate U.S. Government Patent Easements located south of Alexander Road, west of Cliff Shadows Parkway, Ward 4 (Brown).

SET DATE: 01/05/05
C.C.: 01/19/05

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:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 32 [VAR-5548] and Item 64 [VAR-5548] to 1/13/2005 Planning Commission meeting; Item 58 [SDR-5503], Item 59 [SDR-5517] and Item 61 [SDR-5519] to 1/27/2005 Planning Commission meeting; Item 44 [VAC-5569], Item 45 [VAR-5567] and Item 46 [SDR-5565] to 2/10/2005 Planning Commission meeting; STRIKE Item 51 [SUP-5502]; TABLE Item 63 [TXT-5037] and WITHDRAW WITHOUT PREJUDICE Item 52 [SUP-5558] – UNANIMOUS with DAVENPORT and McSWAIN excused

MINUTES:
GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

City of Las Vegas

Agenda Item No.: 45

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-5567 RELATED TO VAC-5569 - VARIANCE - PUBLIC HEARING - APPLICANT: KB HOME NEVADA, INC. - OWNER: RITTER CHARITABLE TRUST - Request for a Variance TO ALLOW 9,285 SQUARE FEET OF OPEN SPACE WHERE 9,900 SQUARE FEET IS THE MINIMUM REQUIRED FOR A PROPOSED 30-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.13 acres adjacent to the southwest corner of Alexander Road and Cliff Shadows Parkway (APN 137-12-101-002), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown).

IF APPROVED: C.C.: 01/19/05
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:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 32 [VAR-5548] and Item 64 [VAR-5548] to 1/13/2005 Planning Commission meeting; Item 58 [SDR-5503], Item 59 [SDR-5517] and Item 61 [SDR-5519] to 1/27/2005 Planning Commission meeting; Item 44 [VAC-5569], Item 45 [VAR-5567] and Item 46 [SDR-5565] to 2/10/2005 Planning Commission meeting; STRIKE Item 51 [SUP-5502]; TABLE Item 63 [TXT-5037] and WITHDRAW WITHOUT PREJUDICE Item 52 [SUP-5558] – UNANIMOUS with DAVENPORT and McSWAIN excused

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 45 – VAR-5567

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

City of Las Vegas

Agenda Item No.: 46

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-5565 RELATED TO VAC-5569 AND VAR-5567 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: KB HOME NEVADA, INC. - OWNER: RITTER CHARITABLE TRUST - Request for a Site Development Plan Review FOR A PROPOSED 30-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.13 acres adjacent to the southwest corner of Alexander Road and Cliff Shadows Parkway (APN 137-12-101-002), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown).

IF APPROVED: C.C.: 01/19/05
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:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 32 [VAR-5548] and Item 64 [VAR-5548] to 1/13/2005 Planning Commission meeting; Item 58 [SDR-5503], Item 59 [SDR-5517] and Item 61 [SDR-5519] to 1/27/2005 Planning Commission meeting; Item 44 [VAC-5569], Item 45 [VAR-5567] and Item 46 [SDR-5565] to 2/10/2005 Planning Commission meeting; STRIKE Item 51 [SUP-5502]; TABLE Item 63 [TXT-5037] and WITHDRAW WITHOUT PREJUDICE Item 52 [SUP-5558] – UNANIMOUS with DAVENPORT and McSWAIN excused

MINUTES:
GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

City of Las Vegas

Agenda Item No.: 47

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VAR-5575 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: INFIELD DEVELOPMENT II, LLC - Request for a Variance TO ALLOW 79 PARKING SPACES WHERE 86 SPACES IS THE MINIMUM REQUIRED FOR A PROPOSED INDOOR COMMERCIAL RECREATIONAL FACILITY at 3930 Leon Avenue (APN 138-12-110-021), O (Office) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	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:
NIGRO – DENIED – UNANIMOUS with DAVENPORT and McSWAIN excused

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 47 [VAR-5575] and Item 48 [SDR-5573].

GARY LEOBOLD, Planning & Development Department, explained that this item was before the Commission on 10/21/2004 and those applications included the lot to the north. At that time, there was an office project on the north lot and a batting cage facility and office-like building on the subject site. Denial was recommended on those applications, which were ZON-5183, GPA-5182 and SDR-5184. At the City Council meeting of 12/01/2004, the applicant withdrew without prejudice the Zoning and GPA applications for the north half of the property as well as

MINUTES – Continued:

the Site Plan request for the subject site. The remaining GPA and Zoning requests were held to the 1/19/2005 City Council meeting. If approved, the two applications being considered during the current Planning Commission meeting, a Variance and a Site Plan Review application, would be forwarded to the 1/19/2005 City Council meeting to join the other applications.

The current applications were short approximately eight parking spaces. Previously, the parking could be blended because the lot to the north could be incorporated into the plans. Without that north property included on the plans, there is a parking deficit. The Code would not allow a shared parking agreement. In staff's opinion, the site is overbuilt and that is how the reduction in parking was created. A smaller building would require less parking and the requirement could be met. Staff also found the request for commercial zoning and the proposed land to be inappropriate given the context of the area.

BILL CURRAN, Attorney, Curran & Perry, 300 South 4th Street, appeared on behalf of the applicant. He stated the procedural history given by MR. LEOBOLD was slightly confusing; however, he felt the project was fairly simple and he would address it in simple terms. ATTORNEY CURRAN recognized the items were headed for City Council and that there were a few more steps that would have to be taken before the Council date.

ATTORNEY CURRAN showed renderings of the proposed project. He described the project as an attractive, utilitarian building that was well landscaped and consistent with the nearby residential uses. He assured the Commissioners that it would not look like a converted warehouse or mini storage. ATTORNEY CURRAN also showed the Commission the revised Site Plan and pointed out that the batting cage facility had been relocated to the southwest corner of the property, against the C-2 Commercial properties on Rancho Road. The parking has been moved to the east, adjacent to the residential uses. Other measures have been taken after discussions with the area residents such as the elimination of access directly onto Leon Avenue. Access will be taken on Alexander Road.

Regarding the parking, ATTORNEY CURRAN felt the Commission need not be concerned with overflow parking because there would be a block wall with ornamental iron rising to six feet tall. This wall will be adjacent to Leon Avenue and would prevent people from parking on Leon Avenue and walking onto the property. Secondly, the batting cages would be primarily used by school children after school and on the weekends. Finally, there is very light usage because there is a lot of open space. There are 14 batting cages, which would have one batter in the cage and a batting coach outside the cage analyzing the swings. The hours of operation are such that there would be ample parking from the office to the north, which is jointly being developed, that will operate Monday through Friday during regular business hours. The batting cages are not focused during those times.

MINUTES – Continued:

ATTORNEY CURRAN stated that an important issue to the neighbors is what uses could operate from this site if the batting cages faltered or were discontinued. The applicant has agreed with the neighbors to submit to them and to the City, a restrictive covenant that would be similar to a deed restriction that would say the property could not be used for anything other than offices or this batting cage facility. This measure has satisfied the concerns of residents who spoke in opposition of the project.

ATTORNEY CURRAN stated that this would be the only facility of its kind in this part of town. There are other batting cages such as Scandia and the Jupiter Golf Course but this one would be the place for indoor, all weather access. MR. CURRAN stated he got involved with this project because his daughter plays softball and one of her old coaches is involved in the development of this facility.

ALAN HENDRICKSON, 40 Grand Miramar Drive, Henderson, appeared and stated that he is one of the partners of this development project. He wanted to inform the Commission that the progress made after having three or four meetings with the neighbors is remarkable. The residents in the area across on Leon Avenue are satisfied with the offer of a deed restriction. He noted the challenge that was created in trying to meet Code while trying to appease the resident's concerns. The reversionary language seems to have done so.

DEPUTY CITY ATTORNEY BRYAN SCOTT clarified that a deed restriction normally would be placed on a rezoning application. The applications before the Commission were a Variance and a Site Development Plan Review so the deed restriction would not be applicable.

PHYLLIS McGUIRE, 3909 Leon Avenue, stated she lives across the street from the proposed location of the batting cages. She explained that she did appear previously in opposition of the project; however, after meeting with the developers and gaining assurance that the use would revert back to office if the cages failed, she was in support of the project. MS. McGUIRE complemented the developer on addressing the needs of the neighborhood. She stated that plans were shown to the residents, which show how the building is being constructed so that it could easily be converted to office, should the batting cage use cease. She also said that she supports the batting cages as something positive for children.

LIZ THOMPSON, 3909 Leon Avenue, appeared and confirmed the applicants did call a neighborhood meeting and several neighbors attended. The residents are in agreement that if the Commission approved the deed restriction, they would be in support of the project.

MINUTES – Continued:

VICE CHAIRMAN NIGRO stated that the restriction aspect confused him because there was no rezoning application being considered. DEPUTY CITY ATTORNEY SCOTT confirmed that the Planning Commission had previously denied the rezoning application, which is still scheduled to go before the City Council for a final decision on 1/19/2005. VICE CHAIRMAN NIGRO asked how these applications could be considered if the rezoning was not approved.

CHAIRMAN TRUESDELL suggested staying consistent with previous votes and denying these applications. He confirmed with DEPUTY CITY ATTORNEY SCOTT that the applicant would still retain the ability to meet the deed restriction commitment when the item was heard before Council. DEPUTY CITY ATTORNEY SCOTT said that if the Council chose to do so, they could enter into an agreement with the applicant for a deed restriction. CHAIRMAN TRUESDELL felt it would be more appropriate for the deed restriction to be considered when all of the items came together before Council. DEPUTY CITY ATTORNEY SCOTT concurred and added that it would be done on the rezoning, which would be heard by Council at the same time.

ATTORNEY CURRAN asked that the Planning Commission approve the items and then before being heard by Council, he could get the agreement drawn up and ready to record. VICE CHAIRMAN NIGRO stated the Commissioners are in a tough position to act on these applications because the board already denied the rezoning and there is no application to attach the deed restriction to. To vote to approve the items would be in complete contradiction to the previous votes of the board on this project. ATTORNEY CURRAN stated that in discussions with DEPUTY CITY ATTORNEY SCOTT, he was advised that this would not be the appropriate time for the deed restriction; however, he would ask to have the Commission approve the item because of the work done with the neighbors and the concessions that were made. VICE CHAIRMAN NIGRO appreciated ATTORNEY CURRAN'S remarks but did not feel he could go against the previous denial that he had supported.

MR. LEOBOLD stated that approval of this item might not be completely inconsistent in the sense that the previous applications included the site to the north going to Commercial zoning as well. MR. LEOBOLD thought that perhaps that large block of land being rezoned might have had something to do with the denial vote. Now, only the southern portion is being considered and that is a different situation. VICE CHAIRMAN NIGRO felt it was important to review what was before the Commission and be consistent with those applications.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 47 [VAR-5575] and Item 48 [SDR-5573].

(10:03 – 10:24)

City of Las Vegas

Agenda Item No.: 48

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-5573 RELATED TO VAR-5575 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: INFIELD DEVELOPMENT II, LLC - Request for a Site Development Plan Review FOR A PROPOSED 17,062 SQUARE-FOOT INDOOR COMMERCIAL RECREATIONAL FACILITY (BATTING CAGES), WAIVERS OF THE COMMERCIAL DEVELOPMENT STANDARDS FOR BUILDING PLACEMENT AND TO ALLOW A 10-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED at 3930 Leon Avenue (APN 138-12-110-021), O (Office) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	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:
NIGRO – DENIED – UNANIMOUS with DAVENPORT and McSWAIN excused

This is Final Action

MINUTES:
See Item 47 [VAR-5575] for all related discussion on Item 47 [VAR-5575] and Item 48 [SDR-5573].

(10:03 – 10:24)

City of Las Vegas

Agenda Item No.: 49

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-5582 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA LUZ DEL MUNDO" - Request for a Special Use Permit FOR AN EXPANSION (PARKING LOT) OF AN EXISTING CHURCH/HOUSE OF WORSHIP at 2413 Cedar Avenue and 2412 East Mesquite Avenue (APN 139-35-513-031 through 034), R-1 (Single-Family Residential) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 01/19/05
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 DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 49 [SUP-5582] and Item 50 [SDR-5583].

STEVE SWANTON, Planning & Development Department, explained that the church/house of worship use is permitted in the R-1 zoning district by means of a Special Use Permit. There is an existing permit for the church but since they are expanding the area on which the church site is located, a new permit would be required.

MINUTES – Continued:

Regarding the Site Review, the site is acceptable subject to the conditions imposed by staff. Access to the site will now be from Mesquite Avenue and from an alley that separates the parking from the building. A waiver for perimeter landscaping will be necessary to conform to Code and staff is recommending approval of that waiver because the site is limited by existing structures and the provision of parking to meet Code.

AMINADAB CORONADO appeared on behalf of the applicant and concurred with all conditions and recommendations. He indicated the church was previously located at 230 10th Street until about 9 years ago. The church moved to a larger facility on the subject property because of growth. Now, the congregation has outgrown the facility and they are looking to expand the church instead of moving. The church is happy with the community and would like to stay.

MR. CORONADO showed a plan of the church, which is located on the corner of Eastern Avenue and Cedar Avenue. He explained the unit has a kitchen and restrooms in the back of the small unit. MR. CORONADO also showed rendering of the proposed project. The church hopes to provide a more comfortable and appealing place for the new members.

MR. CORONADO said there would be no parking in the right-of-way and the trash enclosure has been moved at the request of City staff. The new location is more accessible for the trash company. The flood control department signed off on the plans without the requirement of a flood study. Staff has approved the parking situation. The City surveyor said to wait until after the Planning Commission meeting to make a sketch for the City Council.

COMMISSIONER EVANS confirmed that the applicant is in agreement with all of staff's conditions.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 49 [SUP-5582] and Item 50 [SDR-5583].

(10:24 – 10:30)

3-2614

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-5583].

CONDITIONS – Continued:

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. 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: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-5583 RELATED TO SUP-5582 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: IGLECIA DEL DIOS VIVO COLUMNA Y APOYO DE LA VERDAD "LA LUZ DEL MUNDO" - Request for a Site Development Plan Review FOR A PROPOSED EXPANSION OF AN EXISTING CHURCH/HOUSE OF WORSHIP AND PARKING LOT; AND A WAIVER OF PERIMETER LANDSCAPING STANDARDS at 2413 Cedar Avenue and 2412 East Mesquite Avenue (APN 139-35-513-031 through 034), R-1 (Single-Family Residential) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 01/19/05
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 DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:
See Item 49 [SUP-5582] for all related discussion on Item 49 [SUP-5582] and Item 50 [SDR-5583].

(10:24 – 10:30)
3-2614

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 50 – SDR-5583

CONDITIONS:

Planning and Development

1. 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.

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, prior to the time application is made for a building permit, to reflect the relocation of the trash enclosure to a minimum of 50 feet from any protected property.

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 where possible and a minimum of four five-gallon shrubs for each tree within provided planters along Mesquite Avenue, Eastern Avenue and Cedar Avenue.

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.

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

8. A Waiver of perimeter landscaping requirements is hereby approved.

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.

Public Works

15. Grant a Traffic Signal Chord easement at the northwest corner of Eastern Avenue and Cedar Avenue prior to the issuance of any permits. Contact the Right-of-Way section of the Department of Public Works for assistance with preparing the document.

16. Construct all incomplete half-street improvements (sidewalk) on Mesquite Avenue adjacent to this site 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.

17. Remove all substandard public street and alley 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.

18. 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.

19. Landscape and maintain all unimproved rights-of-way on Eastern Avenue, Mesquite Avenue, and Cedar Avenue adjacent to this site concurrent with development.

20. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.

CONDITIONS – Continued:

21. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

22. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility prior to the issuance of any permits.

23. 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.

City of Las Vegas

Agenda Item No.: 51

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-5502 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: LAPOUR GRAND CENTRAL, LLC - Request for a Special Use Permit FOR A PROPOSED 40-FOOT HIGH, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 241 West Charleston Boulevard (APN 162-04-504-011), M (Industrial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 01/19/05
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

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

MOTION:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 32 [VAR-5548] and Item 64 [VAR-5548] to 1/13/2005 Planning Commission meeting; Item 58 [SDR-5503], Item 59 [SDR-5517] and Item 61 [SDR-5519] to 1/27/2005 Planning Commission meeting; Item 44 [VAC-5569], Item 45 [VAR-5567] and Item 46 [SDR-5565] to 2/10/2005 Planning Commission meeting; STRIKE Item 51 [SUP-5502]; TABLE Item 63 [TXT-5037] and WITHDRAW WITHOUT PREJUDICE Item 52 [SUP-5558] – UNANIMOUS with DAVENPORT and McSWAIN excused

MINUTES:
GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

City of Las Vegas

Agenda Item No.: 52

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-5558 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LOVELAND, INC. - OWNER: TONI AILEEN HART - Request for a Special Use Permit FOR A PROPOSED WEDDING CHAPEL AND WAIVERS OF PARKING LOT LANDSCAPE REQUIREMENTS at 525 Park Paseo (APN 162-03-112-035), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 01/19/05
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	2	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:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 32 [VAR-5548] and Item 64 [VAR-5548] to 1/13/2005 Planning Commission meeting; Item 58 [SDR-5503], Item 59 [SDR-5517] and Item 61 [SDR-5519] to 1/27/2005 Planning Commission meeting; Item 44 [VAC-5569], Item 45 [VAR-5567] and Item 46 [SDR-5565] to 2/10/2005 Planning Commission meeting; STRIKE Item 51 [SUP-5502]; TABLE Item 63 [TXT-5037] and WITHDRAW WITHOUT PREJUDICE Item 52 [SUP-5558] – UNANIMOUS with DAVENPORT and McSWAIN excused

MINUTES:
GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

City of Las Vegas

Agenda Item No.: 53

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-5559 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WOODY'S CHICAGO STYLE - OWNER: LOWE'S HIW, INC. - Request for a Special Use Permit FOR PROPOSED OPEN AIR VENDING (HOT DOG CART) at 851 Pavilion Center Drive (APN 137-35-812-012), P-C (Planned Community) Zone, Ward 2 (Wolfson).

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:
EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because his daughter lives directly across the street from the subject site within the notification area and DAVENPORT and McSWAIN excused

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

STEVE SWANTON, Planning & Development Department, explained that a recent ordinance change permits this as a conditional use through Title19; however, this is in Summerlin so there was a dispute over the requirements that applied. Because of the discrepancy, the issue reverts to Title 19 so; it remains permitted as a conditional use. This application was submitted prior to the ordinance being passed so staff has brought the item forward as a Special Use Permit.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 53 – SUP-5559

MINUTES – Continued:

The proposed mobile hotdog vending cart would be located on the sidewalk area, in front of a Lowe's store, near the front entrance. A letter from Summerlin is on file approving the usage. Staff has no objection to the use.

ROBERT ASHCRAFT, 213 Swale Lane, Las Vegas, Nevada, 89144, appeared on behalf of the applicant and agreed to all conditions. He explained that his employer, Woody's Hotdogs, has partnered with Lowe's Home Improvement Stores for the past 10 years. The relationship is excellent and the reputation is a good one.

MR. ASHCRAFT stated the carts are mobile; they do not remain onsite after hours. The cart is only open during the store's hours of operations and would be situated away from the exit door, behind the loading zone. Lowe's has approved the onsite location of the cart and has also provided room for a wrought iron table and chairs. The cart would service not only employees and customers of the Lowe's store but also the nearby tenants, which are Best Buy and Office Max.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(10:30 – 10:34)
3-2932

CONDITIONS:

Planning and Development

1. 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.

2. This business shall operate in conformance with Chapter 6.55 of the City of Las Vegas Municipal Code.

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

City of Las Vegas

Agenda Item No.: 54

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-5578 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SAMCON, INC. - OWNER: GGP IVANHOE II, INC. - Request for a Special Use Permit FOR A PROPOSED GENERAL BUSINESS RELATED GAMING ESTABLISHMENT at 4300 Meadows Lane, Suite #243 (APN 139-31-510-019), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 01/19/05
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 because he represents the applicant in this matter and DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 54 [SUP-5578] and Item 55 [SUP-5580].

GARY LEOBOLD, Planning & Development Department, explained that the applicant proposes a supper club in an internal location at Suite 243 within the Meadows Mall. The justification for the waiver of the separation distance is that the mall site, the parcel the mall is on, is across Meadows Drive from an existing school; however, in a physical sense, there is more than 1,000-

MINUTES – Continued:

foot separation between the location of the supper club and the school. Staff believes the intent of the separation requirement has been met.

MR. LEOBOLD continued by saying the general business related gaming establishment is defined by the Code as a building or structure, which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Chapter 6. In this situation, the supper club would be the use other than gaming.

SEAN HIGGINS, Manager, SamCon Inc, 5195 Las Vegas Boulevard South, appeared and offered to answer any questions.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 54 [SUP-5578] and Item 55 [SUP-5580].

(10:34 – 10:38)

3-3165

CONDITIONS:

Planning and Development

1. Approval of Special Use Permit SUP-5580 by the City Council.

2. Conformance to all Minimum Requirements under Title 19.04.050 for a General Business Related Gaming Establishment use.

3. Conformance with Chapter 6.50 of the City of Las Vegas Municipal Code.

4. Conformance with all other City code requirements and design standards of all City departments.

5. Expiration of this Special Use Permit one year 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.: 55

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-5580 RELATED TO SUP-5578 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SAMCON, INC. - OWNER: GGP IVANHOE II, INC. - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB AND WAIVER OF THE 400 FOOT MINIMUM DISTANCE SEPARATION REQUIREMENT FROM A SCHOOL at 4300 Meadows Lane, Suite #2430 (APN 139-31-510-019), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 01/19/05
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 because he represents the applicant in this matter and DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:
See Item 54 [SUP-5578] for all related discussion on Item 54 [SUP-5578] and Item 55 [SUP-5580].

(10:34 – 10:38)

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 55 – SUP-5580

CONDITIONS:

Planning and Development

1. Conformance with all the requirements under Title 19.04.050 for a Supper Club use.

2. Conformance with all other City code requirements and design standards of all City departments.

3. Approval of this Special Use Permit does not constitute approval of a liquor license.

4. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

5. Waiver of the 400-foot separation requirement from a school is hereby granted.

City of Las Vegas

Agenda Item No.: 56

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
RQR-5544 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: DESERT DODGE, INC. - OWNER: DOUGLAS B. KAYS - Required One-Year Review of an approved Special Use Permit (SUP-2859) FOR AN AUTO DEALER INVENTORY STORAGE at 1717 South Decatur Boulevard (APN 162-06-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 01/19/05
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
4. City Council Approval Letter for SUP-2859

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, explained that this is a required review of SUP-2859. The applicant is using the land to the east of the indoor swap meet for excess inventory auto storage. The applicant was previously conditioned to provide wrought iron fencing around the site and that has been completed. There have not been any aesthetic improvements or landscaping made to the site. Staff did not feel vehicle storage was appropriate for this location when the SUP was previously approved and that sentiment remains unchanged.

MINUTES – Continued:

At that time, there was an implication that the proposed usage would be temporary and now with another one-year review before the Commission, staff is left wondering how temporary the use really is.

CASH WILSON, Gary Guy Wilson Architects, appeared on behalf of the applicant with DAVE WICK of Desert Dodge. He stated that in the previous year, staff and the Commission had several concerns and he was happy to report that all conditioned items were completed. Landscaping was installed on the north side, adjacent to the street and the fence was installed as MR. LEOBOLD mentioned. MR. WILSON explained that there was an issue with the landscaping, specifically with the trees on the north side. The problem has been remedied and the necessary trees are in the planter boxes at this time. He requested approval.

COMMISSIONER GOYNES asked about the temporary status of the site. MR. WILSON replied that it is temporary and that the use would last no longer than three years with the first year already completed. MR. WILSON stated that he was unaware of any existing concerns or complaints from neighbors. The wall used to have graffiti on it and the installation of the fence has eliminated that issue. Also, there is now night security at the center that did not exist previously. MR. WICK added that Desert Dodge is in the process of relocating within the next year or two and the additional storage site would no longer be required once the move is completed.

COMMISSIONER EVANS recollected that there was a landscaping issue during the previous year due to landscaping in a concrete sidewalk area. MR. WILSON responded that initially the entire corner had some dilapidated flatwork so the applicant used the existing planter boxes. The trees that were originally in the planter boxes perished due to problems with watering and maintenance; however, the issue has been remedied. MR. WILSON said the owners did clean up the palm trees that continue west from the site so the landscaping that was done did seem to inspire adjacent properties to begin clean up efforts.

COMMISSIONER EVANS stated that he was prepared to motion to authorize another period of review but wanted his colleagues to give some input as to what timeframe should be offered. CHAIRMAN TRUESDELL said the staff was considering one year and the applicant was requesting two years. VICE CHAIRMAN NIGRO suggested bringing it back for a review in one year, as conditioned, with the understanding that it is a three-year application.

MINUTES – Continued:

COMMISSIONER STEINMAN questioned a condition which stated that during the one year review period, Council can require the removal of the off premise sign. He was not aware of such sign and asked for clarification. MR. LEOBOLD indicated that he may have been looking at an older, draft report.

MARGO WHEELER, Deputy Director, Planning & Development Department, informed COMMISSIONER STEINMAN that it has been changed in the current agenda and no reference is made to signage.

MR. LEOBOLD confirmed with MS. WHEELER that Condition 1 did not have to be amended to allow the permit to be extended for the final, additional year. CHAIRMAN TRUESDELL concurred and added that leaving the Condition language as is did not mean in one year the use had to cease. He acknowledged the work done by the applicant but feared the creation of a long term situation when the board is trying to affect other positive changes that are development driven. COMMISSIONER EVANS felt the record would reflect that idea.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:38 – 10:47)

3-3352

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in one year at which time the City Council may require the auto dealer inventory storage use to 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 auto dealer inventory storage use be discontinued.

2. All City Code requirements and design standards of all City Departments shall be satisfied.

City of Las Vegas

Agenda Item No.: 57

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-5482 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: GERALD GARAPICH, AIA, LLC - OWNER: THE LOUIS AND VICKI RICHARDSON TRUST DATED OCTOBER 18, 1996 - Request for a Site Development Plan Review FOR A TWO-STORY, 13,300 SQUARE-FOOT PROFESSIONAL OFFICE BUILDING AND A WAIVER OF PERIMETER LANDSCAPE REQUIREMENTS on 0.92 acres adjacent to the east side of Professional Court, approximately 300 feet north of Smoke Ranch Road (APN 138-15-410-052), C-PB (Planned Business Park) Zone, Ward 4 (Brown).

IF APPROVED: C.C.: 01/19/05
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 DAVENPORT and McSWAIN excused

This is Final Action

NOTE: CHAIRMAN TRUESDELL disclosed that his company does handle the management of the common areas of the Tech Park Phase I. He has not reviewed the item nor does he or his company have any economic interest in the item and therefore, he would be voting.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

STEVE SWANTON, Planning and Development Department, explained that the application has gone through the Las Vegas Tech Center Architectural Review Committee and it was approved with the condition that the parking area adjacent to the 10-foot landscaping buffer on the east side of the property be reduced by 2 spaces in order to mitigate an encroachment onto the landscaping buffer. That request has been incorporated into the staff's conditions of approval as number 4. Staff is requesting this item be made Final Action.

RICHARD GALLEGOS, 10 Commerce Center Drive, appeared on behalf of the applicant and agreed to all of staff's conditions and recommendations.

AL GALLEGO, resident, stated that he is not related to RICHARD GALLEGOS but was asked by one of the adjacent building owners to come and speak on the item regarding the parking. The street shown on the plan is a private street and the traffic generated by the proposed project will create a parking problem. Currently, there is a dirt lot north of the property and MR. GALLEGO felt it would be used as a parking lot. He asked that a condition be imposed that if the lot is used for parking, it must be paved.

In an unrelated discussion, MR. GALLEGO suggested the new Director of Planning, MARGO WHEELER, be provided with a cushion or a taller chair so that she is visible from the audience. MR. GALLEGO stated she could be heard but not seen.

COMMISSIONER STEINMAN was happy the dirt lot had been brought to the Commission's attention because he noticed there were a couple of handicap spaces designated within it. He asked why the handicap spaces would be that far away from the building the spaces are intended to serve.

MR. GALLEGOS said the drawing was incorrect and that the applicant has been conditioned to put up a barrier for that dirt area until it is paved and used for parking. COMMISSIONER STEINMAN asked if it was an access point for parking because of the way it was shown on the plan. CHAIRMAN TRUESDELL informed him that part of the submitted plan from some time showed where the access points were and that he felt the handicap spaces were in a portion of the dirt lot that were intended for a future building to be built on a northern parcel.

COMMISSIONER STEINMAN asked why the property line is shown on the map as going through the handicap spots. CHAIRMAN TRUESDELL said it did appear that way and that it was a commercial subdivision with cross access drives.

MINUTES – Continued:

COMMISSIONER STEINMAN asked when it would be paved. He said it appears it could be used for access even if not used for parking. CHAIRMAN TRUESDELL reiterated that the applicant has agreed to place a barrier there unless the lot is paved. MR. GALLEGOS confirmed that if it is subject to vehicular access, it would be paved. COMMISSIONER STEINMAN was satisfied with that information.

CHAIRMAN TRUESDELL pointed out that having the barrier until the lot is paved would also address the concern made by MR. GALLEGO on behalf of a nearby property owner. MR. GALLEGO asked what the penalty would be if the lot were to be used as a parking lot. MR. GALLEGO questioned if a barrier would be sufficient or if a fence would be a more sound solution.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:47 – 10:54)

3-3930

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 October 19, 2004, except as amended by conditions herein.

3. The proposed development will be limited to the use of 22% reflective glass per Title 19.08.045.

4. 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 the parking area adjacent to the 10' landscape buffer along the east side property line be reduced by 2 spaces to mitigate encroachment on the landscape buffer, and to be replace with landscaping. Furthermore, the site plan shall be revised to illustrate a curb or sufficient barrier as approved by the Las Vegas Technology Center Architectural Review Committee along the northern alignment to prevent vehicle access onto adjacent property.

CONDITIONS – Continued:

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 the materials to be used for trees, shrubs and ground cover.

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.

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.

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. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all

CONDITIONS – Continued:

infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

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

Public Works

16. 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 or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

17. Provide a copy of a recorded Joint Access for use of the private drive known as "Professional Court", prior to the issuance of any permits.

18. 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.: 58

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-5503 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SHAG'S CARWASH - OWNER: HARRY & GERALDINE GORDON REVOCABLE FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED 3,208 SQUARE-FOOT CAR WASH/DRIVE-THROUGH DELI/COFFEE SHOP AND WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN REQUIREMENTS FOR MINIMUM FLOOR AREA RATIO, THE FRONT YARD BUILD-TO REQUIREMENT, MINIMUM GLAZING REQUIREMENT, MINIMUM GROUND-FLOOR RETAIL REQUIREMENT, UNDERGROUND UTILITIES AND SCREENING OF AUTO-RELATED FACILITIES on 0.23 acres adjacent to the east side of Main Street, approximately 175 feet north of Bonneville Avenue (APN 139-34-311-001 and 002), C-M (Commercial/Industrial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 01/19/05
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:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 32 [VAR-5548] and Item 64 [VAR-5548] to 1/13/2005 Planning Commission meeting; Item 58 [SDR-5503], Item 59 [SDR-5517] and Item 61 [SDR-5519] to 1/27/2005 Planning Commission meeting; Item 44 [VAC-5569], Item 45 [VAR-5567] and Item 46 [SDR-5565] to 2/10/2005 Planning Commission meeting; STRIKE Item 51 [SUP-5502]; TABLE Item 63 [TXT-5037] and WITHDRAW WITHOUT PREJUDICE Item 52 [SUP-5558] – UNANIMOUS with DAVENPORT and McSWAIN excused

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 58 – SDR-5503

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

City of Las Vegas

Agenda Item No.: 59

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-5517 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CHARTERED DEVELOPMENT - OWNER: WILLOWS TOWN CENTER, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 188-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 8.81 acres adjacent to the southeast corner of Bath Drive and Fort Apache Road (APN 125-20-301-022), T-C (Town Center) Zone [M-TC (Medium Density Residential - Town Center) Land Use Designation], Ward 6 (Mack).

C.C.: 01/19/05

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:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 32 [VAR-5548] and Item 64 [VAR-5548] to 1/13/2005 Planning Commission meeting; Item 58 [SDR-5503], Item 59 [SDR-5517] and Item 61 [SDR-5519] to 1/27/2005 Planning Commission meeting; Item 44 [VAC-5569], Item 45 [VAR-5567] and Item 46 [SDR-5565] to 2/10/2005 Planning Commission meeting; STRIKE Item 51 [SUP-5502]; TABLE Item 63 [TXT-5037] and WITHDRAW WITHOUT PREJUDICE Item 52 [SUP-5558] – UNANIMOUS with DAVENPORT and McSWAIN excused

MINUTES:
GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

City of Las Vegas

Agenda Item No.: 60

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-5518 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CHARTERED DEVELOPMENT - OWNER: WILLOWS LONE MOUNTAIN, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 98-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 4.57 acres at 3540 North Hualapai Way (APN 138-07-301-001), PD (Planned Development) Zone [Multi-Family Medium Lone Mountain Special Land Use Designation], Ward 4 (Brown).

C.C.: 01/19/05

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:
NIGRO – APPROVED subject to conditions – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

Note: CHAIRMAN TRUESDELL disclosed that his company does handle the management of the common areas of the Tech Park Phase I. He has not reviewed the item nor does he or his company have any economic interest in the item and therefore, he would be voting.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

STEVE SWANTON, Planning & Development Department, explained the existing apartment complex does conform to applicable Title 19 and Lone Mountain Master Plan Design Standards.

MINUTES – Continued:

The parking and landscaping are adequate for the development and a waiver has been previously approved on the original site review for the perimeter landscaping.

RUSS SILLITOE, Civiltec, Inc., 4795 South Sandhill Road, appeared on behalf of the applicant and concurred with staff's conditions and recommendations.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:54 – 10:56)

4-363

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 of Site Development Plan Review [Z-0033-97(23)] except as amended by conditions herein.

3. Prior to the submittal of a Final Map, 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.

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

5. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said

CONDITIONS – Continued:

maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

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

Public Works

7. 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.

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. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map mylar submittal.

10. 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 recordation of a Final Map for this site. Provide and improve all drainageways as recommended in the approved drainage plan/study.

11. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

12. Site development to comply with all applicable conditions of approval for Z-33-97(22), Z-33-97(23) and all other subsequent site-related actions.

City of Las Vegas

Agenda Item No.: 61

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-5519 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CHARTERED DEVELOPMENT - OWNER: PR LONE MOUNTAIN WEST, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 98-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 5.27 acres at 10620 West Alexander Road (APN 137-01-401-010), PD (Planned Development) Zone [Multi-Family Medium Lone Mountain West Special Land Use Designation], Ward 4 (Brown).

C.C.: 01/19/05

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:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 32 [VAR-5548] and Item 64 [VAR-5548] to 1/13/2005 Planning Commission meeting; Item 58 [SDR-5503], Item 59 [SDR-5517] and Item 61 [SDR-5519] to 1/27/2005 Planning Commission meeting; Item 44 [VAC-5569], Item 45 [VAR-5567] and Item 46 [SDR-5565] to 2/10/2005 Planning Commission meeting; STRIKE Item 51 [SUP-5502]; TABLE Item 63 [TXT-5037] and WITHDRAW WITHOUT PREJUDICE Item 52 [SUP-5558] – UNANIMOUS with DAVENPORT and McSWAIN excused

MINUTES:
GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

City of Las Vegas

Agenda Item No.: 62

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-5545 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: DUC DEVELOPMENT, LLC - Request for a Site Development Plan Review FOR A 16,800 SQUARE FOOT MEDICAL CLINIC AND FOR WAIVERS OF THE FOUNDATION AND PARKING LOT LANDSCAPING REQUIREMENTS on 1.72 acres adjacent to the northwest corner of Smoke Ranch Road and Fire Mesa Street (APN 138-15-410-033), C-PB (Planned Business Park) Zone, Ward 4 (Brown).

IF APPROVED: C.C.: 01/19/05
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:
NIGRO – APPROVED subject to conditions – UNANIMOUS with DAVENPORT and McSWAIN excused

This is Final Action

Note: CHAIRMAN TRUESDELL disclosed that his company does handle the management of the common areas of the Tech Park Phase I. He has not reviewed the item nor does he or his company have any economic interest in the item and therefore, he would be voting.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

STEVE SWANTON, Planning & Development Department, explained that the proposed clinic meets all of the applicable development standards with the exception of a waiver of foundation

MINUTES – Continued:

landscaping, which is very minor. The applicant is providing foundation landscaping; however the width varies from greater than 10 feet in some places while in other areas, it comes right up to the building. The parking spaces do not directly abut the sidewalk at one end of the building. Also, if the building were moved to the east to allow more room for foundation landscaping, the building would need a residential adjacency variance and staff would prefer the waiver to the variance in this case.

MR. SWANTON indicated that the applicant is also requesting a variance for the parking lot landscaping standards that require a number of planter fingers and trees. Since the initial submittal there has been a revision and it does meet Code in regards to landscaping therefore, the waiver is no longer necessary.

MARK PETSCH, 5495 South Rainbow Boulevard, appeared on behalf of the applicant and explained he is the architect for the project. He stated the applicant's concurrence with all conditions and recommendations.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:56 – 10:59)

4-417

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, landscape plan and building elevations date stamped 12/08/04, except as amended by conditions herein.

3. The Waiver of the foundation landscaping standard is hereby approved.

4. Prior to the time application is made for 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.

CONDITIONS – Continued:

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 include a minimum of five (5) five-gallon and five (5) one-gallon shrubs per 24-inch box tree provided within the parking area, as required by the Commercial Development Standards.

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. 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 percent of the total landscaped area as turf, if applicable.

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

Public Works

12. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

13. 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

CONDITIONS – Continued:

any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

14. A Traffic Impact Analysis update 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 update 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.

15. Site development to comply with all applicable conditions of approval for Z-87-98 and all other subsequent site-related actions.

City of Las Vegas

Agenda Item No.: 63

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE - RENOTIFICATION - TXT-5037 – TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.14.100 relating to standards for Off-Premise Signs.

THIS ITEM WILL BE FORWARDED TO COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends TABLED.

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

MOTION:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 32 [VAR-5548] and Item 64 [VAR-5548] to 1/13/2005 Planning Commission meeting; Item 58 [SDR-5503], Item 59 [SDR-5517] and Item 61 [SDR-5519] to 1/27/2005 Planning Commission meeting; Item 44 [VAC-5569], Item 45 [VAR-5567] and Item 46 [SDR-5565] to 2/10/2005 Planning Commission meeting; STRIKE Item 51 [SUP-5502]; TABLE Item 63 [TXT-5037] and WITHDRAW WITHOUT PREJUDICE Item 52 [SUP-5558] – UNANIMOUS with DAVENPORT and McSWAIN excused

MINUTES:
GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

City of Las Vegas

Agenda Item No.: 64

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
DIR-5620 - DIRECTOR'S BUSINES - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS – Election of the 2005 Planning Commission Officers.

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 NONE.

BACKUP DOCUMENTATION:
1. Location Map – Not Applicable
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable

MOTION:
NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 32 [VAR-5548] and Item 64 [VAR-5548] to 1/13/2005 Planning Commission meeting; Item 58 [SDR-5503], Item 59 [SDR-5517] and Item 61 [SDR-5519] to 1/27/2005 Planning Commission meeting; Item 44 [VAC-5569], Item 45 [VAR-5567] and Item 46 [SDR-5565] to 2/10/2005 Planning Commission meeting; STRIKE Item 51 [SUP-5502]; TABLE Item 63 [TXT-5037] and WITHDRAW WITHOUT PREJUDICE Item 52 [SUP-5558] – UNANIMOUS with DAVENPORT and McSWAIN excused

MINUTES:
GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

City of Las Vegas

PLANNING COMMISSION AGENDA

PLANNING COMMISSION MEETING OF: DECEMBER 16, 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 GOYNES wished everyone a Merry Christmas and a Happy New Year.

(11:00)
4-524

MEETING ADJOURNED AT 11:00 P.M.

Respectfully submitted:

_____
ARLENE COLEMAN, DEPUTY CITY CLERK

_____
STACEY CAMPBELL, DEPUTY CITY CLERK