

# *City of Las Vegas*

## **PLANNING COMMISSION AGENDA PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

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](http://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 TROWBRIDGE.

CALL TO ORDER: 6:01 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

### **MINUTES:**

**PRESENT:** CHAIRMAN GLENN TROWBRIDGE, MEMBERS STEVEN EVANS, RICHARD TRUESDELL, BYRON GOYNES, LEO DAVENPORT, DAVID STEINMAN AND SAM DUNNAM

**STAFF PRESENT:** MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., ANDY REED – PLANNING & DEVELOPMENT DEPT., JOHN KORKOSZ – PLANNING & DEVELOPMENT DEPT., DOUG RANKIN – PLANNING & DEVELOPMENT DEPT., BART ANDERSON – PUBLIC WORKS, VICTOR BALANOS – PUBLIC WORKS, JAMES LEWIS – CITY ATTORNEY'S OFFICE, YDOLEENA YTURRALDE – CITY CLERK'S OFFICE, CARMEL VIADO – CITY CLERK'S OFFICE

# City of Las Vegas

## **AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

### **SUBJECT:**

Approval of the minutes of the October 5, 2006 Planning Commission Meeting

### **MOTION:**

**EVANS - APPROVED – UNANIMOUS**

### **SUBJECT:**

Approval of the minutes of the November 2, 2006 Planning Commission Meeting

### **MOTION:**

**EVANS – ABEYANCE to 12/21/2006 – UNANIMOUS**

### **MINUTES:**

There was no discussion.

(6:03)

1-75

### **MOTION:**

**EVANS – Motion to WITHDRAW WITHOUT PREJUDICE Item 8 [SUP-16850] and Item 9 [SDR-16849]; HOLD IN ABEYANCE Item 22 [VAR-17732], Item 23 [SDR-17730], Item 30 [SUP-17737], Item 31 [SDR-17735] and Item 35 [SUP-17739] to the 12/21/2006 Planning Commission Meeting; and Item 36 [ROC-17721] and Item 37 [SDR-17720] to the 2/08/2007 Planning Commission Meeting – UNANIMOUS**

### **MINUTES:**

JOHN KORKOSZ, Planning and Development Department, stated that the applicants for the following items requested the items be held in abeyance or tabled. Letters are on file for each of the requests.

Item 8 [SUP-16850]

WITHDRAWN WITHOUT PREJUDICE

Item 9 [SDR-16849]

WITHDRAWN WITHOUT PREJUDICE

Item 22 [VAR-17732]

Abeyance to 12/21/2006 Planning Commission Meeting

Item 23 [SDR-17730]

Abeyance to 12/21/2006 Planning Commission Meeting

Item 30 [SUP-17737]

Abeyance to 12/21/2006 Planning Commission Meeting

Item 31 [SDR-17735]

Abeyance to 12/21/2006 Planning Commission Meeting

# *City of Las Vegas*

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Discussion Items

## **MINUTES – Continued:**

Item 35 [SUP-17739]	Abeyance to 12/21/2006 Planning Commission Meeting
Item 36 [ROC-17721]	Abeyance to 2/08/2007 Planning Commission Meeting
Item 37 [SDR-17720]	Abeyance to 2/08/2007 Planning Commission Meeting

The applicant requested that Item 8 [SUP-16850] and Item 9 [SDR-16849] be withdrawn without prejudice as another site has been found for this project.

The applicant requested that Item 22 [VAR-17732] and Item 23 [SDR-17730] be held in abeyance to the 12/21/2006 Planning Commission Meeting.

The applicant requested that Item 30 [SUP-17737] and Item 31 [SDR-17735] be held in abeyance to the 12/21/2006 Planning Commission Meeting in order to revise the plans.

The applicant requested that Item 35 [SUP-17739] be held in abeyance to the 12/21/2006 Planning Commission Meeting because the applicant is out of town.

The applicant requested Item 36 [ROC-17721] and Item 37 [SDR-17720] be held in abeyance to the 2/08/2007 Planning Commission Meeting.

(6:03-6:09)

**1-132**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**CHAIRMAN TROWBRIDGE 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 TROWBRIDGE 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.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**CHAIRMAN TROWBRIDGE 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.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER, AICP**  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**TMP-17685 - TENTATIVE MAP - APPLICANT: CLUB 601, LLC - OWNER: CITY OF LAS VEGAS** - Request for a Tentative Map FOR A ONE LOT COMMERCIAL SUBDIVISION on 1.24 acres at 601 Fremont Street (APN 139-34-611-018), C-2 (General Commercial) Zone, Ward 5 (Weekly).

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.	0
City Council Meeting	

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	0
City Council Meeting	

**RECOMMENDATION:**

Staff recommends **APPROVAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation

**MOTION:**

**EVANS – APPROVED subject to conditions – UNANIMOUS**

**This is Final Action**

**MINUTES:**

During the Housekeeping portion of the Agenda, JOHN KORKOSZ, Planning and Development Department, noted that the correct applicant is 601 Freemont LLC.

In response to COMMISSIONER STEINMAN’S inquiry, MR. KORKOSZ stated the application number was correct.

(6:06 – 6:08/6:09 – 6:13)

**1-91/1-255**

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 1 – TMP-17685

**CONDITIONS – Continued:**

- 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, this action is void.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-11026) and the Downtown Centennial Plan Standards.
  3. A Development Impact Notice and Assessment (DINA) will be required prior to submittal of a subsequent Tentative Map, which will establish the condominium lots.
  4. Street names must be provided in accordance with the City's Street Naming Regulations.
  5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and 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. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
  6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. 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.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 1 – TMP-17685

**CONDITIONS – Continued:**

- 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.
8. Coordinate with the Collection System Planning section of the Department of Public Works to determine the necessary vertical clearance to maintain the existing sewer line within the proposed service drive and submit a plan for their approval prior to the submittal of any construction drawings for this site or the issuance of any permits, whichever may occur first. Alternatively, the existing sewer lines in conflict with this site plan must be relocated and an Order of Vacation for the existing sewer easements must be recorded prior to the recordation of a map abutting or overlying the existing sewer easements.
9. The Final Map for this site shall show and label the existing City of Las Vegas sewer easements, unless they an Order of Vacation is recorded prior to recordation of a Final Map for this site.
10. On the Final Map for this site, replace the label of “Utility Easements” on the northeast corner of Carson Avenue and Sixth Street and the southeast corner of Fremont Street and Sixth Street with “Traffic Signal Easements”. In addition, use the words “hereby dedicated” when describing the 10-foot radius.
11. Grant pedestrian access easements for all sidewalks adjacent to public streets that are not located within the public right-of-way.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
13. Site development to comply with all applicable conditions of approval for SDR-11026 and all other site-related actions.
14. 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.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 1 – TMP-17685

**CONDITIONS – Continued:**

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

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ABEYANCE - SDR-16954 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: THE CHONG CO. - OWNER: CFT-TCC NELLIS, LLC - Request for a Site Development Plan Review FOR A 8,345 SQUARE FOOT SHOPPING CENTER on 1.24 acres on the west side of Nellis Boulevard, approximately 1,060 feet south of Bonanza Road (APN 140-32-517-003), C-2 (General Commercial) Zone, Ward 3 (Reese).**

C.C.: 01/03/07

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **APPROVAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – condition conformation letter by Gerald Chong

**MOTION:**

**EVANS – APPROVED subject to conditions Item 2 [SDR-16954] and Item 3 [SUP-17551] – UNANIMOUS**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public and non-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.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 2 – SDR-16954

**MINUTES – Continued:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 2 [SDR-16954] and Item 3 [SUP-17551].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 2 [SDR-16954] and Item 3 [SUP-17551].

(6:13 – 6:15)

**1-355**

**CONDITIONS:**

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, 10/25/06, landscape plan, and building elevations, date stamped 10/19/06, except as amended by conditions herein.
3. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: The provision of ten 24 inch box trees, with a typical spacing of 20 feet on center, within the planter along the west property line; and the provision of 23 24-inch box trees, with a typical spacing of 30 feet on center, within the planters along the north, south and east property lines.
4. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 2 – SDR-16954

**CONDITIONS – Continued:**

5. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. 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.
10. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

12. Coordinate with the City of Las Vegas Engineering Division [Dave Bowers @ 229-6272] regarding what impact, if any, the Las Vegas Wash/Sandhill Sewer Rehabilitation and Nellis Boulevard Sewer projects will have on development of this site. Development of this site shall comply with the recommendations of the City Engineer.
13. 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.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 2 – SDR-16954

**CONDITIONS – Continued:**

14. Provide a copy of a recorded joint access agreement between this site and the adjacent parcel to the south and to the existing private street to the north prior to the issuance of any building permits.
15. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-17551 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FAMOUS UNCLE AL'S HOT DOGS - OWNER: VIRGIN TERRITORY, LLC** - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT IN CONJUNCTION WITH A PROPOSED RESTAURANT at 6020 West Craig Road (APN 138-02-611-006), R-E (Residence Estates) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross).

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **APPROVAL**

**BACKUP DOCUMENTATION:**

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – condition conformation letter by Guy C. Shields

**MOTION:**

**EVANS – APPROVED subject to conditions Item 2 [SDR-16954] and Item 3 [SUP-17551] – UNANIMOUS**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 3 – SUP-17551

**MINUTES – Continued:**

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.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 2 [SDR-16954] and Item 3 [SUP-17551].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 2 [SDR-16954] and Item 3 [SUP-17551].

(6:10 – 6:13)  
**1-288**

**CONDITIONS:**

Planning and Development

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-17717 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -  
APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC - Request for a Site  
Development Plan Review FOR AN 84,245 SQUARE FOOT SHOPPING CENTER on 7.81  
acres on property adjacent to the northwest corner of Nellis Boulevard and Stewart Avenue,  
(APN 140-32-601-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese).**

C.C.: 01/03/07

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.	0
City Council Meeting	

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	0
City Council Meeting	

**RECOMMENDATION:**

Staff recommends **APPROVAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – condition conformation letter by Richard Salemme

**MOTION:**

**EVANS – APPROVED** subject to conditions and amending Condition 15 as follows:

**15. Dedicate additional right-of-way necessary to complete the taper required for a bus turn out along Stewart Avenue on the southern edge of this site prior to the issuance of any permits. Also, dedicate the appropriate right-of-way adjacent to this site needed for the Las Vegas Wash Trail and grant a 15-foot wide Authorization of Entry (AEP) for the construction of the trail prior to the issuance of any permits.**

**– UNANIMOUS**

To be heard by City Council on 01/03/2007

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 4 – SDR-17717

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

This item was under One Motion/One Vote and was brought forward for discussion at DEPUTY CITY ATTORNEY JAMES LEWIS' request.

During the Housekeeping portion of the agenda, JOHN KORKOSZ, Planning and Development Department, noted Condition 15 needed to be amended and DEPUTY CITY ATTORNEY LEWIS requested Item 4 [SDR-17717] heard separately.

MR. KORKOSZ explained this proposal is for a shopping center at the northwest corner of Nellis Boulevard and Stewart Avenue. He read the amendment for Condition 15, noted the applicant had agreed to the amended condition, and recommended approval.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(6:13 – 6:15)

**1-361**

**CONDITIONS:**

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0015-98), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan date stamped 10/30/06, and the landscape plan and building elevations date stamped 10/24/06, except as amended by conditions herein.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 4 – SDR-17717

**CONDITIONS – Continued:**

- utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
  7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
  8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
  9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
  10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
  11. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
  12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
  13. Applicant shall provide revised site plans to reflect 2 additional loading spaces prior to issuance of building permits.
- Public Works
14. Coordinate with the City of Las Vegas Engineering Division [Dave Bowers @ 229-6272]

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 4 – SDR-17717

**CONDITIONS – Continued:**

regarding what impact, if any, the Las Vegas Wash/Sandhill Sewer Rehabilitation and Nellis Boulevard Sewer projects will have on development of this site. Development of this site shall comply with the recommendations of the City Engineer.

15. Dedicate additional right-of-way necessary to complete the taper required for a bus turn out along Stewart Avenue on the southern edge of this site prior to the issuance of any permits. Also, grant a 20-foot wide trail easement adjacent to this site for the Las Vegas Wash Trail and provide an AEP (Authorization to Enter Property) for the construction of the trail prior to the issuance of any permits.
16. Construct all incomplete half-street improvements on Stewart Avenue (sidewalk) adjacent to this site concurrent with development of this site.
17. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
18. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.
19. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
20. All pad sites within this overall site shall have perpetual common access to all driveways connecting this overall site to the abutting public streets.
21. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 4 – SDR-17717

**CONDITIONS – Continued:**

- construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
23. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
24. Site development to comply with all applicable conditions of approval for Z-15-98 and all other applicable site related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ABEYANCE - VAR-13851 - VARIANCE - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO** - Request for a Variance TO ALLOW A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN WITHIN AN EXISTING COMMERCIAL CENTER TO BE 158.2 FEET FROM RESIDENTIAL PROPERTY WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 240 FEET AND TO ALLOW A SIDE SETBACK OF ZERO FEET WHERE 10 FEET IS REQUIRED on 0.80 acres at 500 South Buffalo Drive (APN 138-34-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter by Mr. Bettens
6. Telephone Protest by Diana Mlesquesky

**MOTION:**

**DAVENPORT – WITHDRAW WITHOUT PREJUDICE – UNANIMOUS**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 5 [VAR-13851], Item 6 [VAR-16021] and Item 7 [SUP-13849].

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 5 – VAR-13851

**MINUTES – Continued:**

JOHN KORKOSZ, Planning and Development Department, announced that the applicant was present to request the withdrawal of the applications.

SHANE HENNESSEY, 3763 Howard Hughes Parkway, appeared on behalf of the applicant and requested the items be withdrawn without prejudice.

COMMISSIONER DAVENPORT requested more information on cellular phone technology and MR. HENNESSEY promised forward that information to him.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 5 [VAR-13851], Item 6 [VAR-16021] and Item 7 [SUP-13849].

(6:18 – 6:21)

**1-522**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ABEYANCE - VAR-16021 - VARIANCE RELATED TO VAR-13851 - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO -**  
Request for a Variance TO ALLOW 42 PARKING SPACES WHERE 46 ARE REQUIRED FOR THE ADDITION OF A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN WITHIN AN EXISTING COMMERCIAL CENTER on 0.80 acres at 500 South Buffalo Drive (APN 138-34-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**2**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter by Mr. Bettens
6. Telephone Protest by Diana Mlesquesky

**MINUTES:**

**DAVENPORT – WITHDRAW WITHOUT PREJUDICE – UNANIMOUS**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

NOTE: See Item 5 [VAR-13851] for all related discussion.

(6:18 – 6:21)

1-522

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ABEYANCE - SUP-13849 - SPECIAL USE PERMIT RELATED TO VAR-13851 AND VAR-16021 - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO - Request for a Special Use Permit FOR A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN WITHIN AN EXISTING COMMERCIAL CENTER at 500 South Buffalo Drive (APN 138-34-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).**

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter by Mr. Bettens
6. Telephone Protest by Diana Mlesquesky

**MOTION:**

**DAVENPORT – WITHDRAW WITHOUT PREJUDICE – UNANIMOUS**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

**NOTE: See Item 5 [VAR-13851] for all related discussion.**

(6:18 – 6:21)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ABEYANCE - SUP-16850 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ST. THOMAS CATHOLIC CHURCH - Request for a Special Use Permit FOR A PROPOSED CHURCH/HOUSE OF WORSHIP located on the south side of Roberta Drive, approximately 1280 feet west of Decatur Boulevard (APN 138-13-801-002), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation], Ward 5 (Weekly).**

**APPLICANT REQUESTS THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends this item be **WITHDRAWN**.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter

**MOTION:**

**EVANS – Motion to WITHDRAW WITHOUT PREJUDICE Item 8 [SUP-16850] and Item 9 [SDR-16849]; HOLD IN ABEYANCE Item 22 [VAR-17732], Item 23 [SDR-17730], Item 30 [SUP-17737], Item 31 [SDR-17735] and Item 35 [SUP-17739] to the 12/21/2006 Planning Commission Meeting; and Item 36 [ROC-17721] and Item 37 [SDR-17720] to the 2/08/2007 Planning Commission Meeting – UNANIMOUS**

**MINUTES:**

The applicant requested that Item 8 [SUP-16850] and Item 9 [SDR-16849] be withdrawn without prejudice as another site has been found for this project.

(6:03-6:09)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ABEYANCE - SDR-16849 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-16850 - PUBLIC HEARING - APPLICANT/OWNER: ST. THOMAS CATHOLIC CHURCH** - Request for a Site Development Plan Review FOR A PROPOSED 11,590 SQUARE FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARD on 2.45 acres located on the south side of Roberta Drive, approximately 1280 feet west of Decatur Boulevard, (APN 138-13-801-002), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation], Ward 5 (Weekly).

**APPLICANT REQUESTS THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends this item be **WITHDRAWN**.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter

**MOTION:**

**EVANS – Motion to WITHDRAW WITHOUT PREJUDICE Item 8 [SUP-16850] and Item 9 [SDR-16849]; HOLD IN ABEYANCE Item 22 [VAR-17732], Item 23 [SDR-17730], Item 30 [SUP-17737], Item 31 [SDR-17735] and Item 35 [SUP-17739] to the 12/21/2006 Planning Commission Meeting; and Item 36 [ROC-17721] and Item 37 [SDR-17720] to the 2/08/2007 Planning Commission Meeting – UNANIMOUS**

**MINUTES:**

The applicant requested that Item 8 [SUP-16850] and Item 9 [SDR-16849] be withdrawn without prejudice as another site has been found for this project.

(6:03-6:09)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ZON-17693 - REZONING - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) on 7.27 acres adjacent to the northeast and southeast corners of Bradley Road and Solar Avenue (APNs 125-13-801-005, 125-13-801-006, and 125-13-802-001), Ward 6 (Ross).**

C.C.: 01/03/07

**PROTESTS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>8</b>
<b>City Council Meeting</b>	

**APPROVALS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>2</b>
<b>City Council Meeting</b>	

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – Abeyance petition with 17 signatures by Patricia Conrad for Items 10 and 11

**MOTION:**

**DUNNAM – ABEYANCE to 1/11/2007 – UNANIMOUS**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [ZON-17693] and Item 11 [SDR-17694].

ANDY REED, Planning and Development Department, stated the setbacks associated with this proposal are out of character for the area and recommended denial. He also noted several late protests and approvals.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 10 – ZON-17693

**MINUTES – Continued:**

RUSSELL SKUSE, 7525 Hickum Avenue, appeared on behalf of the applicant. He stated he had attempted to meet with the Planning Commissioners, City Councilmembers and the neighbors regarding this proposal. He noted this project conforms to the land use designated by the City and welcomed the opportunity to hear the neighbors' opinions.

PATRICIA CONRAD, 5336 Elkhorn Road, appeared to request the items be held in abeyance so the neighbors would have more time to meet with the developer and become better informed about the proposal. She also submitted a petition requesting the items be held. KEN BOULDIN, 5224 Pacific Opal Avenue, concurred. BRENT CONRAD, 5336 Elkhorn Road, concurred and pointed out that the homes surrounding the project have at least one acre of land. DON NEWBY, 5312 Elkhorn Road, concurred with MRS. CONRAD and expressed his concern that his horseman lifestyle will be negatively impacted.

GEORGE TORRES, 7240 Elkhorn Road, expressed his disappointment in the development of the area and noted the quality of his life has declined. SHARON KASRAVI-HINES, 7208 Unicorn Street, concurred.

MR. SKUSE pointed out this proposal had not been required to have neighborhood meetings because it conformed to the City's land use plan, but requested the items be heard at the 12/21/06 Planning Commission meeting in an attempt to work with the neighbors. MARGO WHEELER, Director of Planning and Development, stated two weeks would be insufficient time to hold a neighborhood meeting and revise the plans. COMMISSION DUNNAM could not support an abeyance for two weeks and stated he would support holding the items for one month.

COMMISSIONER STEINMAN noted that less time would be wasted if neighborhood meetings were a standard requirement during the planning process.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 10 [ZON-17693] and Item 11 [SDR-17694].

(6:21 – 6:33)

**1-601**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-17694 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17693 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS - Request for a Site Development Plan Review FOR A 58 LOT SINGLE FAMILY DEVELOPMENT on 7.27 acres adjacent to the northeast and southeast corners of Bradley Road and Solar Avenue (APNs 125-13-801-005, 125-13-801-006, and 125-13-802-001), R-E (Residence Estates) Zone [PROPOSED: R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)], Ward 6 (Ross).**

**C.C.: 01/03/07**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**9**

**Planning Commission Mtg.**  
**City Council Meeting**

**2**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – Abeyance petition with 17 signatures by Patricia Conrad for Items 10 and 11

**MOTION:**

**DUNNAM – ABEYANCE to 1/11/2007 – UNANIMOUS**

**MINUTES:**

**NOTE: See Item 10 [ZON-17693] for all related discussion.**

**(6:21 – 6:33)**

**1-601**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ZON-17697 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES** - Request for a Rezoning FROM: U (UNDEVELOPED) Zone [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] under Resolution of Intent to R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), Ward 6 (Ross).

C.C.: 01/03/07

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter by Mr. & Mrs. Mesa
6. Submitted at meeting – Neighborhood meeting notice by Russell Skuse for Items 12 and 13

**MOTION:**

**DAVENPORT – DENIED – UNANIMOUS**

To be heard by City Council on 01/03/2007

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 12 [ZON-17697] and Item 13 [SDR-17698].

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 12 – ZON-17697

**MINUTES – Continued:**

JOHN KORKOSZ, Planning and Development Department, briefly described the project and noted a portion of the property is separated from the main development. The separate parcel would not have access to the open space and would essentially be a separate sub-division. He suggested an amended condition if the applications were approved.

RUSSELL SKUSE, 7525 Hickum Avenue, explained this project was approved under a different developer and stated these applications were an attempt to meet the conditions of approval. He noted that the only change from the original plan was the breaking up of the open space. MR. SKUSE added that he had set up a neighborhood meeting and had spoken with the neighbors at COUNCILMAN ROSS' request. He also submitted the notice he had used to advertise the neighborhood meeting.

TODD FARLOW, 240 North 19<sup>th</sup> Street, appeared in opposition due to the inefficient energy design of the single story homes.

TED RUSSELL, Las Vegas resident, observed that Las Vegas would run out of land to develop within the next 10 years.

MR. SKUSE stated that the open spaces would be connected by a 3.5 foot sidewalk, ensuring all the properties would have access to the open space.

In response to CHAIRMAN TROWBRIDGE'S inquiry, MR. SKUSE stated the majority of the homes would be single story.

COMMISSIONER DAVENPORT stated the City meant for the open space requirement to consist of a single usable unit rather than small pieces distributed throughout the development and expressed his preference for a single park. MR. SKUSE explained that the unity of the open space had been sacrificed in order to meet the single story requirement of the homes adjacent to the Rural Estate (R-E) zoning.

COMMISSIONER DUNNAM agreed with COMMISSIONER DAVENPORT and noted the changes to the site plan could potentially make the previous conditions of approval irrelevant. COMMISSIONER DUNNAM expressed his dissatisfaction with MR. SKUSE'S explanation of the changes to the site plan and with MR. SKUSE'S handling of the neighborhood meeting. MR. SKUSE was not able to produce any signatures of support from the neighbors when asked by COMMISSIONER DUNNAM, but noted the lack of opposition from the neighbors to this proposal.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 12 – ZON-17697

**MINUTES – Continued:**

COMMISSIONER STEINMAN stated he could not support the applicant's use of flag lots and was not convinced by MR. SKUSE'S explanation that the larger lots would limit the impact on adjacent neighbors.

COMMISSIONER TRUESDELL observed that the plan had drastically changed from what was previously approved and noted the previous plan had shown greater respect for the Planning Commissioners', staff and the neighbors' requests. He stated he could not support the changes.

CHAIRMAN TROWBRIDGE also expressed concern for the open space's lack of connectivity and observed the four lot cul-de-sac accessing Ann Road is unsafe and inappropriate.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 12 [ZON-17697] and Item 13 [SDR-17698].

(6:33 – 6:52)

**1-1000**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-17698 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17697 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES -** Request for a Site Development Plan Review of A 32 LOT RESIDENTIAL SUBDIVISION on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)], Ward 6 (Ross).

C.C.: 01/03/07

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter by Mr. & Mrs. Mesa

**MOTION:**

**DAVENPORT – DENIED – UNANIMOUS**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

NOTE: See Item 12 [ZON-17697] for all related discussion.

(6:33 – 6:52)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ZON-17740 - REZONING - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), Ward 5 (Weekly).**

C.C.: 01/03/07

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Approval Letter by June Boyd

**MOTION:**

**STEINMAN – APPROVED subject to conditions – Motion carried with EVANS, GOYNES and DUNNAM voting NO**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 14 [ZON-17740], Item 15 [VAR-17741], Item 16 [VAR-17742], Item 17 [VAR-17743], Item 18 [VAC-17744] and Item 19 [SDR-17745].

ANDY REED, Planning and Development Department, stated the proposed project is too intense for the subject site and incompatible with the area. He recommended denial.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 14 – ZON-17740

**MINUTES – Continued:**

STEVE BIAJANY, Reno, Nevada, the developer, was present. He gave a brief description of his background as a developer and noted the success of his City Center Apartments which were recently built in the Downtown area. He explained this proposed apartment building would be income restricted and would provide much-needed affordable workforce housing in the Downtown area. He noted the variance requests are very similar to the variances that were granted for the City Center Apartments. Since the apartments would be income restricted, the majority of the residents would not have vehicles and the parking variance would not negatively impact the neighborhood. He emphasized the property would have landscaping, but since it is in the public right-of-way, it cannot be applied towards the project's required amount of landscaping. MR. BIAJANY pointed out the many ways this project would improve the neighborhood and respectfully requested approval.

TED RUSSELL, Las Vegas resident, appeared in opposition and stated this proposal is out of character for the neighborhood. KRISTEN METCALF, adjacent property owner, appeared in opposition because it would negatively impact her quality of life and privacy. MS. METCALF noted that the City Center Apartments is surrounded by commercial development while this proposed apartment building is surrounded by residential development. She also stated that the City Center Apartments is dealing with a high crime rate and is not a benefit to the neighborhood. An UNIDENTIFIED WOMAN appeared in opposition and stated that the City Center Apartments have negatively impacted her life. JOE WOODS, 220 South 10<sup>th</sup> Street, appeared in opposition and expressed his concern regarding the lack of parking. KIMBERLY RUSKE, 211 South 10<sup>th</sup> Street, concurred and also expressed concern with the lack of landscaping.

LEONARD DIXON, Senior Neighborhood Programs Officer, spoke on behalf of the project and stated that MR. BIAJANY has been working with the City of Las Vegas to bring more affordable housing into the downtown area. He noted that the City Council and the State of Nevada had allocated several million dollars in funding for this project and requested approval.

MR. DIXON informed CHAIRMAN TROWBRIDGE that the apartment building would be monitored to ensure that all the renters met the income requirements and that the rents would be restricted. In response to further inquiries by CHAIRMAN TROWBRIDGE, MR. DIXON stated Neighborhood Services was not aware of any criminal activity at the City Center Apartments, but expressed his willingness to investigate the situation.

TODD FARLOW, 240 19<sup>th</sup> Street, appeared in support and complimented the developer on the City Center Apartments. He stated the City Center Apartments have improved the neighborhood

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 14 – ZON-17740

**MINUTES – Continued:**

and complimented the energy efficient design of the proposed apartment buildings. CHANCE TAYLOR, downtown business owner, appeared in support and stated this project would greatly benefit downtown businesses. He also noted that the City Center Apartments had improved the area.

COMMISSIONER GOYNES stated he could not support this project because it is an attempt to overbuild the site and also because of his concerns with the number of variances requested.

In response to COMMISSIONER TRUESDELL'S inquiries, MR. BIAJANY stated parking has never been an issue at similar apartment buildings and noted the City Center Apartments are featured by the State Housing Division as an example of well-managed affordable housing. He pointed out the many security features within the building's design and emphasized the building would be professionally managed.

CHAIRMAN TROWBRIDGE expressed his concern with the lack of parking and the requested setback variances and observed that the color palette is unattractive and agreed with staff that this proposal is incompatible with the area. He also noted that different departments within the City appeared to have opposite recommendations regarding this project.

Regarding CHAIRMAN TROWBRIDGE'S inquiry about recreational facilities, MR. BIAJANY explained the one-bedroom and studio nature of the apartment building would attract renters without children and while cats were allowed, only service dogs were permitted within the building.

COMMISSIONER DUNNAM observed that MR. BIAJANY is providing much-needed affordable housing by burdening the surrounding neighborhood. He stated he could not support this proposal due to the lack of parking.

MARGO WHEELER, Director of Planning and Development Department, explained that staff's recommendation for denial was based upon the zoning requirements and the number of variances requested and did not take into account the income-restricted nature of the project.

In response to COMMISSIONER EVANS' inquiry, MR. BIAJANY stated the parking lot could be reconfigured to provide 50 additional spaces and reiterated that landscape buffers would be constructed along the public rights-of-way.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 14 – ZON-17740

**MINUTES – Continued:**

BART ANDERSON, Public Works Department, explained that since this building will not change the existing curb-line, the applicant would be required to landscape and maintain several feet of property within the right-of-way, which is consistent with existing downtown development.

COMMISSIONER STEINMAN observed that the City is constantly struggling to provide affordable housing for its citizens and noted that similar affordable housing projects share the parking deficiency proposed by this project. After visiting the site, he stated on-street parking was available and pointed out the residents of affordable housing typically do not own vehicles and depend on public transportation. He complimented MR. BIAJANY on the success of the City Center Apartments and its high occupancy rate.

PETER POULOS, 903 Bridger Avenue, applicant, noted the blighted nature of the property and emphasized the positive impact this project would have on the area.

COMMISSIONER TRUESDELL stated he would support the project if the applicant agreed to increase the parking by 50 spaces. MR. BIAJANY agreed and assured COMMISSIONERS STEINMAN and GOYNES that the spaces would meet Code and would be provided by reconfiguring the parking lot. MS. WHEELER crafted the additional condition, increasing the parking requirement for Item 15 [VAR-17741].

MS. WHEELER assured COMMISSIONER DAVENPORT that the landscape buffers would be provided but explained that since they are located within the public right-of-way, they cannot be counted towards the project's landscape requirement.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 14 [ZON-17740], Item 15 [VAR-17741], Item 16 [VAR-17742], Item 17 [VAR-17743], Item 18 [VAC-17744] and Item 19 [SDR-17745].

(6:52 – 7:45)

**1-1723**

**CONDITIONS:**

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-17745) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 14 – ZON-17740

**CONDITIONS – Continued:**

Public Works

3. Coordinate with the City Surveyor regarding recordation of a Reversionary Map for this site; comply with the recommendations of the City Surveyor.
4. Dedicate a 10-foot radius on the northeast corner of Bridger Avenue and 9th Street and a 10-foot radius on the northwest corner of 10th Street and Bridger Street prior to the issuance of any permits.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. Construct all incomplete half-street improvements on Bridger Avenue, 9th Street and 10th Street adjacent to this site concurrent with development of this site.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-17741 - VARIANCE RELATED TO ZON-17740 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW 150 PARKING SPACES WHERE 425 SPACES ARE REQUIRED IN CONJUNCTION WITH A PROPOSED APARTMENT DEVELOPMENT on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly).**

**C.C.: 01/03/07**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**4**

**Planning Commission Mtg.**  
**City Council Meeting**

**3**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Approval Letter by June Boyd
6. Protest Letter by John Thorndal

**MOTION:**

**STEINMAN – APPROVED subject to conditions and adding the following condition:**

- To provide 50 additional parking spaces which meet Title 19 standards.
- Motion carried with EVANS, GOYNES and DUNNAM voting NO

**To be heard by City Council on 01/03/2007**

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 15 – VAR-17741

**MINUTES:**

See Item 14 [ZON-17740] for all related discussion.

(6:52 – 7:45)

**1-1723**

**CONDITIONS:**

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-17740), and Site Development Plan Review (SDR-17745), if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-17742 - VARIANCE RELATED TO ZON-17740 AND VAR-17741 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE EIGHT FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 198 FEET AND TO ALLOW TRASH ENCLOSURES TO BE 10 FEET FROM RESIDENTIALLY ZONED PROPERTY WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly).**

**C.C.: 01/03/07**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Approval Letter by June Boyd

**MOTION:**

**STEINMAN – APPROVED subject to conditions – Motion carried with EVANS, GOYNES and DUNNAM voting NO**

**To be heard by City Council on 01/03/2007**

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 16 – VAR-17742

**MINUTES:**

See Item 14 [ZON-17740] for all related discussion.

(6:52 – 7:45)

**1-1723**

**CONDITIONS:**

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-17740), and Site Development Plan Review (SDR-17745), if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-17743 - VARIANCE RELATED TO ZON-17740, VAR-17741 AND VAR-17742 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE ZERO FEET FROM THE WEST PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE EAST PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE SOUTH PROPERTY LINE WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A BUILDING HEIGHT OF 66 FEET WHERE 55 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly).**

**C.C.: 01/03/07**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

- 1. Location Map
- 2. Conditions and Staff Report
- 3. Supporting Documentation
- 4. Justification Letter
- 5. Approval Letter by June Boyd

**MOTION:**

**STEINMAN – APPROVED subject to conditions – Motion carried with EVANS, GOYNES and DUNNAM voting NO**

**To be heard by City Council on 01/03/2007**

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 17 – VAR-17743

**MINUTES:**

See Item 14 [ZON-17740] for all related discussion.

(6:52 – 7:45)

**1-1723**

**CONDITIONS:**

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-17740), and Site Development Plan Review (SDR-17745) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAC-17744 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST -** Petition to Vacate a portion of an existing alley generally located north of Bridger Avenue, 140 feet east of Tenth Street, Ward 5, (Weekly).

C.C.: 01/03/07

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter

**MOTION:**

**STEINMAN – APPROVED subject to conditions – Motion carried with EVANS, GOYNES and DUNNAM voting NO**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

See Item 14 [ZON-17740] for all related discussion.

(6:52 – 7:45)

1-1723

**CONDITIONS:**

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

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 18 – VAC-17744

**CONDITIONS – Continued:**

2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.
4. The limits of this Vacation shall be the southerly portion of the public alley located north of Bridger Avenue, between 9th Street and 10th Street.
5. Submit an alternative alley access plan for approval by the City Engineer providing a legal through-access for this alley and an adequate turning radius. Such alley access shall be dedicated prior to or concurrent with the recordation of an Order of Vacation for this alleyway.
6. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including the property not controlled by the applicant (if applicable), so that an un-maintained “no-man’s land” area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first.
7. A sanitary sewer relocation/abandonment plan must be approved by the Department of Public Works. If relocation is proposed, the relocated sewer lines must be constructed and active prior to the recordation of the Order of Vacation. Alternatively, public sewer easements shall be retained through this Petition of Vacation. If easements are required, this Vacation may record in phases, to allow for future elimination of easements at the discretion of the City Engineer.
8. 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. The drainage study required by ZON-17740 may be used to satisfy this requirement provided that it addresses the area to be vacated.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 18 – VAC-17744

**CONDITIONS – Continued:**

9. 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.
  
10. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-17745 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17740, VAR-17741, VAR-17742 AND VAR-17743 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Site Development Plan Review for a PROPOSED 300 UNIT, 66 FOOT HIGH, SIX STORY APARTMENT BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARDS FOR ZERO FEET OF LANDSCAPING WHERE TEN FEET IS REQUIRED ALONG THE SOUTHERN, EASTERN, AND WESTERN PERIMETER AND TO ALLOW FIVE FEET OF LANDSCAPING WHERE SIX FEET IS REQUIRED ALONG A PORTION OF THE NORTHERN PERIMETER on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly).**

C.C.: 01/03/07

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

- 1. Location Map
- 2. Conditions and Staff Report
- 3. Supporting Documentation
- 4. Justification Letter
- 5. Approval Letter by June Boyd

**MOTION:**

**STEINMAN – APPROVED subject to conditions and deleting Condition 13 – Motion carried with EVANS, GOYNES and DUNNAM voting NO**

**To be heard by City Council on 01/03/2007**

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 19 – SDR-17745

**MINUTES:**

See Item 14 [ZON-17740] for all related discussion.

(6:52 – 7:45)

**1-1723**

**CONDITIONS:**

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-17740), and Variances (VAR-17741, VAR-17742, VAR-17743) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/24/06, except as amended by conditions herein.
4. A Waiver from Section 19.12 is hereby approved, to allow a five-foot wide landscape perimeter along the north property line where six feet is required, zero feet along Ninth Street where ten feet is required, and four feet along Bridger Avenue where ten feet is required.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 19 – SDR-17745

**CONDITIONS – Continued:**

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
13. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC & R's.
14. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. A Petition of Vacation, such as VAC-17744, to eliminate the existing alley right-of-way in conflict with this site plan shall record prior to the issuance of any permits overlying

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 19 – SDR-17745

**CONDITIONS – Continued:**

- the area to be vacated. Dedicate a 20-foot wide alley through Assessor's Parcel No. 139-34-712-041 to connect to Tenth Street (including a radius) acceptable to the City Engineer prior to or concurrent with recordation of the Order of Vacation.
17. The proposed entry on 9th Street shall be designed to accommodate a minimum queue of three vehicles prior to the gate, unless otherwise allowed by the City Traffic Engineer.
  18. Parking spaces located directly off the public alley shall be set back sufficiently to allow a 24-foot wide "aisle" width for vehicles to back out.
  19. A sanitary sewer relocation plan must be submitted to and approved by the Collection Systems Planning Section of the Department of Public Works and the new sewer lines must be constructed and active prior to the recordation of an Order of Vacation of the existing sewer easements. 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.
  20. Landscape and maintain all unimproved rights-of-way, if any, on Bridger Avenue, 9th Street and 10th Street adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
  21. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
  22. Site development to comply with all applicable conditions of approval for ZON-17740 and all other applicable site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-17683 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JAMES M. HANNAWAY AND MARILYN A. HANNAWAY - Request for a Variance TO ALLOW A PROPOSED NON-HABITABLE ACCESSORY STRUCTURE TO BE 20 FEET HIGH WHERE THE MAIN DWELLING IS 14 FEET HIGH AND TO ALLOW THIS STRUCTURE TO BE 1600 SQUARE FEET WHERE 891 SQUARE FEET IS THE MAXIMUM SIZE PERMITTED on 0.55 acres at 4211 Bradley Road (APN 138-01-306-004), R-E (Residence Estates) Zone, Ward 6 (Ross).**

**P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – 5 letters of support by James Hannaway for Items 20 and 21

**MOTION:**

**EVANS – APPROVED subject to conditions – UNANIMOUS**

**This is Final Action**

**NOTE: COMMISSIONER DUNNAM disclosed that he is within the notice area but he would vote.**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 20 [VAR-17683] and Item 21 [SUP-17684].

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 20 – VAR-17683

**MINUTES – Continued:**

JOHN KORKOSZ, Planning and Development Department, stated this proposal is for a non-inhabitable structure that exceeds the height and size permitted by Code and recommended denial.

JAMES HANNAWAY, 4211 Bradley Road, explained the height was needed in order to store his recreational vehicles and also to allow the structure's roof pitch to match the existing home. He stated the proposed structure would match his home in color and materials and submitted letters of support from his neighbors.

WENDELL GENTRY, 5306 Hickam Avenue, appeared in support, stating it is appropriate and compatible with the neighborhood. He also complimented MR. HANNAWAY on the upkeep and maintenance of his property.

COMMISSIONER EVANS noted he usually does not support RV structures because they are generally unattractive, but he commended the applicant for proposing a structure that matches his home.

CHAIRMAN TROWBRIDGE expressed his support since the proposed structure is compatible with the neighborhood and would match the existing home. He also thanked the applicant for providing letters of support from his neighbors.

COMMISSIONER STEINMAN noted no other buildings in the area exceed the height of the main structure by six feet and disagreed with the applicant's contention that this building is compatible with the neighborhood.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 20 [VAR-17683] and Item 21 [SUP-17684].

(7:45 – 8:12)

**2-376**

**CONDITIONS:**

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-17684) and Site Development if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 20 – VAR-17683

**CONDITIONS – Continued:**

3. Conformance to the Site Plan date stamped 11/14/06 and Building Elevations and Floor Plans date stamped 10/23/06.
  
4. Applicant shall not enclose the proposed patio on the accessory structure.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-17684 - SPECIAL USE PERMIT RELATED TO VAR-17683 - PUBLIC HEARING - APPLICANT/OWNER: JAMES M. HANNAWAY AND MARILYN A. HANNAWAY - Request for a Special Use Permit TO ALLOW A PROPOSED NON-HABITABLE ACCESSORY STRUCTURE on 0.55 acres at 4211 Bradley Road (APN 138-01-306-004), R-E (Residence Estates) Zone, Ward 6 (Ross).**

**P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>0</b>	<b>Planning Commission Mtg.</b>	<b>1</b>
<b>City Council Meeting</b>		<b>City Council Meeting</b>	

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – 5 letters of support by James Hannaway for Items 20 and 21

**MOTION:**

**EVANS – APPROVED subject to conditions – UNANIMOUS**

**This is Final Action**

**NOTE: COMMISSIONER DUNNAM disclosed that he is within the notice area but he will vote.**

**MINUTES:**

See Item 20 [VAR-17683] for all related discussion.  
(7:45 – 8:12)  
**2-376**

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 21 – SUP-17684

**CONDITIONS:**

Planning and Development

1. Conformance to the conditions for Variance (VAR-17683) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
4. Conformance to the Site Plan date stamped 11/14/06 and Building Elevations and Floor Plans date stamped 10/23/06.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-17732 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SF INVESTMENTS - Request for a Variance TO ALLOW A PROPOSED BUILDING 20 FEET FROM THE REAR PROPERTY LINE WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 60 FEET; AND TO ALLOW TWO PROPOSED TRASH ENCLOSURES 10 FEET FROM THE REAR PROPERTY LINE WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 2.56 acres at 4700 North Rancho Drive (APN 138-02-102-014), C-2 (General Commercial) Zone, Ward 6 (Ross).**

**P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

- 1. Location and Aerial Maps
- 2. Conditions and Staff Report
- 3. Supporting Documentation
- 4. Justification Letter

**MOTION:**

**EVANS – Motion to WITHDRAW WITHOUT PREJUDICE Item 8 [SUP-16850] and Item 9 [SDR-16849]; HOLD IN ABEYANCE Item 22 [VAR-17732], Item 23 [SDR-17730], Item 30 [SUP-17737], Item 31 [SDR-17735] and Item 35 [SUP-17739] to the 12/21/2006 Planning Commission Meeting; and Item 36 [ROC-17721] and Item 37 [SDR-17720] to the 2/08/2007 Planning Commission Meeting – UNANIMOUS**

**MINUTES:**

The applicant requested that Item 22 [VAR-17732] and Item 23 [SDR-17730] be held in abeyance to the 12/21/2006 Planning Commission Meeting.

(6:03-6:09)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-17730 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-17732 - PUBLIC HEARING - APPLICANT/OWNER: SF INVESTMENTS LLC - Request for a Site Development Plan Review FOR A 16,573 SQUARE FOOT RETAIL CENTER WITH AUTOMATIC AND SELF-SERVE CAR WASHES, AUTOMOBILE VACUUM STATIONS, AND A RESTAURANT WITH DRIVE-THROUGH on 2.56 acres at 4700 North Rancho Drive (APN 138-02-102-014), C-2 (General Commercial) Zone, Ward 6 (Ross).**

**P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

- 1. Location Map
- 2. Conditions and Staff Report
- 3. Supporting Documentation
- 4. Justification Letter

**MOTION:**

**EVANS – Motion to WITHDRAW WITHOUT PREJUDICE Item 8 [SUP-16850] and Item 9 [SDR-16849]; HOLD IN ABEYANCE Item 22 [VAR-17732], Item 23 [SDR-17730], Item 30 [SUP-17737], Item 31 [SDR-17735] and Item 35 [SUP-17739] to the 12/21/2006 Planning Commission Meeting; and Item 36 [ROC-17721] and Item 37 [SDR-17720] to the 2/08/2007 Planning Commission Meeting – UNANIMOUS**

**MINUTES:**

The applicant requested that Item 22 [VAR-17732] and Item 23 [SDR-17730] be held in abeyance to the 12/21/2006 Planning Commission Meeting.

(6:03-6:09)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-17749 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II** - Request for a Variance TO ALLOW 109 PARKING SPACES WHERE 205 SPACES ARE REQUIRED FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly).

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **APPROVAL**

**BACKUP DOCUMENTATION:**

- 1. Location and Aerial Maps
- 2. Conditions and Staff Report
- 3. Supporting Documentation
- 4. Justification Letter

**MOTION:**

**GOYNES – APPROVED subject to conditions – Motion carried with DUNNAM voting NO**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 24 [VAR-17749], Item 25 [VAR-17751] and Item 26 [SDR-17748].

ANDY REED, Planning and Development Department, stated the proposed apartment development is compatible with the area and recommended approval.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 24 – VAR-17749

**MINUTES – Continued:**

CLIFTON MARSHALL, 3320 North Buffalo Drive, appeared on behalf of the applicant and explained the applicant is a developer of affordable housing throughout the country. He explained that the residents typically would not have vehicles and that the parking variance would not create a parking burden on the neighborhood. He thanked staff for their recommendation of approval and requested approval.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 24 [VAR-17749], Item 25 [VAR-17751] and Item 26 [SDR-17748].

(6:15 – 6:18)

**1-430**

**CONDITIONS:**

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-4608), Variance (VAR-17751) and Site Development Plan Review (SDR-17748), if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. A minimum of 44 parking spaces where 82 are required shall be provided in conjunction with Phase 1 of this two phase project.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-17751 - VARIANCE RELATED TO VAR-17749 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Variance TO ALLOW TWO 45 FOOT HIGH APARTMENT BUILDINGS 59 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 135 FEET on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly).**

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends **APPROVAL**

**BACKUP DOCUMENTATION:**

- 1. Location Map
- 2. Conditions and Staff Report
- 3. Supporting Documentation
- 4. Justification Letter

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

See Item 24 [VAR-17749] for all related discussion.

(6:15 – 6:18)

**1-430**

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 25 – VAR-17751

**CONDITIONS:**

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-4608), Variance (VAR-17749) and Site Development Plan Review (SDR-17748), if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-17748 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-17749 AND VAR-17751 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Site Development Plan Review FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly).**

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **APPROVAL**

**BACKUP DOCUMENTATION:**

- 1. Location Map
- 2. Conditions and Staff Report
- 3. Supporting Documentation
- 4. Justification Letter

**MOTION:**

**GOYNES – APPROVED subject to conditions – Motion carried with DUNNAM voting NO**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

See Item 24 [VAR-17749] for all related discussion.

(6:15 – 6:18)

1-430

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 26 – SDR-17748

**CONDITIONS:**

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-4608), and Variances (VAR-17749 and VAR-17751), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/24/06, except as amended by conditions herein.
4. A Waiver from Title 19.12.040B is hereby approved, to allow 48 buffer trees where 56 are required.
5. A Waiver from Title 19.10.010 J11 is hereby approved, to allow nine parking lot trees where 19 are required.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Air conditioning units shall not be mounted on rooftops.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 26 – SDR-17748

**CONDITIONS – Continued:**

11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
15. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

17. 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.
18. Site development to comply with all applicable conditions of approval for SDR-5481 and all other applicable site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**RQR-17518 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: REAGAN NATIONAL ADVERTISEMENT - OWNER: GATEWAY MOTEL, INC. -** Required One-Year Review of an approved Special Use Permit (U-0028-01) WHICH ALLOWED A 24-FOOT X 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 928 Las Vegas Boulevard South (APN 139-34-410-165), C-2 (General Commercial) Zone, Ward 3 (Reese).

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for U-0028-01(1)

**MOTION:**

**DAVENPORT – APPROVED** subject to conditions and amending Condition 1 as follows:

**1.** The Special Use Permit shall be reviewed in two years at which time the City Council may require the Off-Premise Advertising (Billboard) 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.

**and adding the following condition:**

- The entirety of the sign’s perimeter shall be outlined with neon lighting, subject to the approval of the Planning and Development Department staff. Permits shall be obtained and the installation of the neon be completed within 90 days of final review.

– Motion carried with TRUESDELL voting NO

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 27 – RQR-17518

**MOTION – Continued:**

**To be heard by City Council on 01/03/2007**

**NOTE: COMMISSIONER TRUESDELL disclosed he owns property within the downtown area directly south of the notice area; however, he would vote on this motion.**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, noted this is the fourth review for this billboard and recommended denial because the billboard is no longer appropriate considering the redevelopment taking place in the area.

ATTORNEY JAY BROWN, 520 South 4<sup>th</sup> Street, and ANDY BILANZICH, 1775 North Warm Springs Road, appeared on behalf of the applicant. ATTORNEY BROWN pointed out the billboard has been approved at its previous reviews and has been well-maintained. He requested approval.

TODD FARLOW, 240 North 19<sup>th</sup> Street, appeared in opposition and concurred with staff's analysis. He suggested annual reviews if the Commissions did approve the application. COMMISSIONER EVANS noted a one-year review is already a condition of approval.

TED RUSSELL, Las Vegas resident, appeared in opposition and stated the existing billboard is problematic for the area.

COMMISSIONER EVANS stated he had not support this billboard in the past, but could support it if some neon were integrated into the billboard design. He observed that well-maintained billboards can be a vital part of the City's visual character when located in appropriate areas.

In response to CHAIRMAN TROWBRIDGE'S inquiry regarding sign development in this area, MARGO WHEELER, Director of Planning and Development, explained billboards are not permitted within the Scenic Byway and was one reason why staff recommended denial. CHAIRMAN TROWBRIDGE observed that the applicant's selection of advertisements and billboard design could be more attractive.

ATTORNEY BROWN informed CHAIRMAN TROWBRIDGE and COMMISSIONER DAVENPORT that neon had not been installed because the advertisements changed frequently and also because of the temporary nature of the billboard's Special Use Permit. ATTORNEY BROWN suggested that neon could be installed in the billboard if the Commissioners would grant approval of the Special Use Permit for two years rather than one year.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 27 – RQR-17518

**MINUTES – Continued:**

In response to COMMISSIONER EVANS' inquiry regarding the reinvestment of billboard revenue into the property, MR. BILANZICH described his company's efforts to maintain and improve the properties receiving income for his company's billboards. COMMISSIONER TRUESDELL stated that reinvestment of billboard income back into a property varied depending on the property owner and that the presence of a billboard did not guarantee a well-maintained property.

In response to COMMISSIONER STEINMAN, DEPUTY CITY ATTORNEY JAMES LEWIS stated removing the billboard would not be prevented by the history of approvals for the billboard's Special Use Permit and explained that legislature had been enacted to assist jurisdictions in removing billboards that were no longer appropriate.

COMMISSIONER STEINMAN observed that the subject property will eventually be redeveloped and that the applicant may be forced to remove the billboard.

When COMMISSIONER DAVENPORT suggested adding a condition requiring the removal of the billboard when the property is redeveloped, DEPUTY CITY ATTORNEY LEWIS explained that such a condition would be more appropriate within the conditions of a Site Development Plan Review. DEPUTY CITY ATTORNEY LEWIS also suggested the wording of the additional condition pertaining to the inclusion of neon on the billboard. MS. WHEELER crafted the amended and additional conditions to COMMISSIONER DAVENPORT'S satisfaction.

In response to ATTORNEY BROWN'S inquiry regarding alternate conditions in the event installing neon is not feasible, CITY ATTORNEY LEWIS explained the applicant would have to return to the Planning Commission for a review of conditions.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(8:12 – 8:32)

2-686

**CONDITIONS:**

Planning and Development

1. The Special Use Permit shall be reviewed in one year at which time the City Council may require the Off-Premise Advertising (Billboard) 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.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 27 – RQR-17518

**CONDITIONS – Continued:**

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 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.
5. The chain-link fence enclosure shall be properly maintained, until removed.
6. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-17729 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Special Use Permit TO ALLOW A MIXED-USE DEVELOPMENT adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese).**

C.C.: 01/03/07

**PROTESTS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>3</b>
<b>City Council Meeting</b>	

**APPROVALS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>0</b>
<b>City Council Meeting</b>	

**RECOMMENDATION:**

Staff recommends **APPROVAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter by Thomas Trinaystich

**MOTION:**

**DAVENPORT – DENIED – Motion carried with EVANS, TRUESDELL and STEINMAN voting NO**

**NOTE: An initial motion by EVANS to APPROVE subject to conditions failed with TROWBRIDGE, GOYNES, DAVENPORT and DUNNAM voting NO**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 28 [SUP-17729] and Item 29 [SDR-17731].

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 28 – SUP-17729

**MINUTES – Continued:**

JOHN KORKOSZ, Planning and Development Department, stated this mixed-use proposal is an appropriate use in the area and recommended approval.

MARK JAGET, 8440 West Lake Mead Boulevard, appeared on behalf of the applicant. He noted staff had expressed concern with the sign which was proposed to be in three pieces and stated the sign could be constructed as one piece instead.

TOM TRINAYSTITCH, 722 South 3<sup>rd</sup> Street, appeared in opposition and expressed concern with the lack of parking, noting the current scarcity of parking. ATTORNEY DON TINGEY, 723 South 3<sup>rd</sup> Street, concurred and suggested that access be from the alley only.

MR. JAGET observed that construction workers were contributing to the lack of parking in the area and that residents would buy with the understanding that living in the downtown community would require walking and using public transportation. He explained each residential unit would have one assigned parking space and stated a coffee shop was intended for the proposed retail area.

In response to CHAIRMAN TROWBRIDGE'S inquiry, MR. JAGET explained the proposed sign's design had been intended to be unique and interesting.

MR. JAGET informed COMMISSIONER STEINMAN that the numbers on the sign was the address of the building. MR. JAGET admitted to COMMISSIONER STEINMAN that he would sell units to anyone who wished to buy, but MR. JAGET noted initial interest was from Las Vegas residents who were interested in moving downtown. COMMISSIONER STEINMAN observed that Las Vegas residents are vehicle-dependant and asked MR. JAGET for his solution to that situation. MR. JAGET noted that any residents would understand the parking limitations of the buildings and stated that the retail area would consist of 2000 square feet.

In response to COMMISSIONER GOYNES' question, MR. JAGET stated the smallest unit would be 711 square feet and the largest unit would be approximately 2200 square feet.

COMMISSIONER DUNNAM noted the many parking variances being approved in the downtown area were creating a problem for the City and stated he could not support this project.

COMMISSIONER EVANS acknowledged the parking issue, but stated requiring mixed-use projects to provide two parking spaces per unit is unreasonable. He agreed with MR. JAGET'S

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 28 – SUP-17729

**MINUTES – Continued:**

statement that residents understood parking limitations in urban areas and noted these projects encourage community grocery stores and other pedestrian-oriented amenities. He admitted that parking would have to be addressed in the future but expressed his support and hope that this project would be built.

MR. JAGET explained to COMMISSIONER DAVENPORT that the retail space would have very few employees, but COMMISSIONER DAVENPORT pointed out that those employees and some customers would still need parking. MR. JAGET responded that parking would become more available once construction workers stopped monopolizing the available on-street parking.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 28 [SUP-17729] and Item 29 [SDR-17731].

(8:32 – 8:55)  
**2-1372**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-17731 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-17729 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Site Development Plan Review FOR A FIVE STORY MIXED-USE DEVELOPMENT WITH 30 APARTMENTS AND 2,200 SQUARE FEET OF RETAIL AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEPBACK REQUIREMENT on 0.31 acres adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese).**

**C.C.: 01/03/07**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **APPROVAL**

**BACKUP DOCUMENTATION:**

- 1. Location Map
- 2. Conditions and Staff Report
- 3. Supporting Documentation
- 4. Justification Letter
- 5. Protest Letter by Thomas Trinaystich

**MOTION:**

**DAVENPORT – DENIED – Motion carried with EVANS, TRUESDELL and STEINMAN voting NO**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

See Item 28 [SUP-17729] for all related discussion.

(8:32 – 8:55)

**2-1372**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-17737 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: DURANGO STRUCTURES, LLC - Request for a Special Use Permit FOR A DRIVE-THRU RESTAURANT on 3.82 acres at the northeast corner of Centennial Parkway and Durango Drive (APN 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).**

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.	0
City Council Meeting	

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	0
City Council Meeting	

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter

**MOTION:**

**EVANS – Motion to WITHDRAW WITHOUT PREJUDICE Item 8 [SUP-16850] and Item 9 [SDR-16849]; HOLD IN ABEYANCE Item 22 [VAR-17732], Item 23 [SDR-17730], Item 30 [SUP-17737], Item 31 [SDR-17735] and Item 35 [SUP-17739] to the 12/21/2006 Planning Commission Meeting; and Item 36 [ROC-17721] and Item 37 [SDR-17720] to the 2/08/2007 Planning Commission Meeting – UNANIMOUS**

**MINUTES:**

The applicant requested that Item 30 [SUP-17737] and Item 31 [SDR-17735] be held in abeyance to the 12/21/2006 Planning Commission Meeting in order to revise the plans.

(6:03-6:09)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-17735 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-17737 - PUBLIC HEARING - APPLICANT/OWNER: DURANGO STRUCTURES, LLC - Request for a Site Development Plan Review FOR A 42,790 SQUARE FOOT RETAIL SHOPPING CENTER WITH WAIVERS OF THE BUILD-TO-LINE REQUIREMENT AND TO ALLOW 15 FEET OF PERIMETER LANDSCAPE BUFFER ADJACENT TO A DRIVE-THRU AISLE WHERE 25 FEET IS REQUIRED on 3.82 acres at the northeast corner of Centennial Parkway and Durango Drive (APN 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).**

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg. 0**  
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg. 0**  
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

- 1. Location Map
- 2. Conditions and Staff Report
- 3. Supporting Documentation
- 4. Justification Letter

**MOTION:**

**EVANS – Motion to WITHDRAW WITHOUT PREJUDICE Item 8 [SUP-16850] and Item 9 [SDR-16849]; HOLD IN ABEYANCE Item 22 [VAR-17732], Item 23 [SDR-17730], Item 30 [SUP-17737], Item 31 [SDR-17735] and Item 35 [SUP-17739] to the 12/21/2006 Planning Commission Meeting; and Item 36 [ROC-17721] and Item 37 [SDR-17720] to the 2/08/2007 Planning Commission Meeting – UNANIMOUS**

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 31 – SDR-17735

**MINUTES:**

The applicant requested that Item 30 [SUP-17737] and Item 31 [SDR-17735] be held in abeyance to the 12/21/2006 Planning Commission Meeting in order to revise the plans.

(6:03-6:09)

**1-132**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-17534 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: RUTH ANN T. RUIZ** - Request for a Special Use Permit FOR A PROPOSED GROUP RESIDENTIAL CARE FACILITY WITH A WAIVER TO ALLOW A SEPARATION OF 600 FEET FROM AN EXISTING GROUP RESIDENTIAL CARE FACILITY WHERE 660 FEET IS THE MINIMUM SEPARATION REQUIRED AND A WAIVER TO ALLOW A MINIMUM LOT SIZE OF 6,041 SQUARE FEET WHERE 6,500 SQUARE FEET IS REQUIRED on 0.14 acres at 5313 Padua Way (APN 138-36-813-012), R-CL (Single Family Compact-Lot) Zone, Ward 1 (Tarkanian).

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – Copy of certified Residential Facility or Groups license by Ruth Ann Ruiz

**MOTION:**

**DAVENPORT – ABEYANCE TO 12/21/06 – UNANIMOUS**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 32 – SUP-17534

**MINUTES – Continued:**

ANDY REED, Planning and Development Department, stated the proposed use is not compatible with the surrounding land uses, does not meet the minimum lot size requirements and does not meet the minimum distance separation requirements from an existing group care facility. He recommended denial.

RUTH ANN RUIZ explained that she had purchased the care home with the understanding that it was legal and fully licensed. When she attempted to get the permits for an expansion to the home, she discovered that the business would need a Special Use Permit in order to legally operate. She respectfully requested approval.

TODD FARLOW, 240 South 9<sup>th</sup> Street, appeared in opposition and stated the distance separation requirement was intended to prevent a neighborhood from being saturated with a particular type of business.

MS. RUIZ informed CHAIRMAN TROWBRIDGE that she had decided not to expand the home and was focused on obtaining the Special Use Permit after speaking to a staff member. MARGO WHEELER, Director of Planning and Development Department, stated MS. RUIZ had spoken to a staff member in the Building and Safety Department.

In response to further questions by CHAIRMAN TROWBRIDGE, MS. RUIZ explained that the expansion had been intended for additional caregivers. CHAIRMAN TROWBRIDGE warned MS. RUIZ that any proposed expansion would probably not be approved.

COMMISSIONER DAVENPORT observed that this business had an illegal expansion and had operated without its required permits. MS. RUIZ explained she had purchased directly from the owner and had verified that the business was licensed through a care home association. She stated she had not realized that it was operating without its necessary permits.

COMMISSIONER EVANS suggested that the business might have operated before a special use permit was required, but MS. WHEELER noted that no business license had ever been issued for the business. COMMISSIONER EVANS observed the business had operated without complaint and MS. WHEELER concurred.

COMMISSIONER STEINMAN stated the closest operating care home was over a mile away and COMMISSIONER EVANS concurred. COMMISSIONER STEINMAN corrected his statement and pointed out another care home within close proximity to the subject property. MS. RUIZ stated she had not known of the neighboring care home's existence.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 32 – SUP-17534

**MINUTES – Continued:**

COMMISSIONER EVANS suggested the item be held in order to clarify the status of the neighboring care home and whether or not saturation is a problem for the neighborhood.

CHAIRMAN TROWBRIDGE expressed concern with the business's ability to meet all the requirements of a care home and suggested that MS. RUIZ submit proof of a successful inspection. MS. RUIZ stated she could provide the requested documentation and submitted a copy of the business' certified license.

MARGO WHEELER, Director of Planning and Development Department, assured the Commissioners that staff could gather the requested information in time for the 12/21/06 Planning Commission Meeting.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(8:55 – 9:09)

**2-2317**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-17716 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: LYLE LOOB** - Request for a Special Use Permit FOR A PROPOSED HABITABLE ACCESSORY STRUCTURE at 3613 Hillside Court (APN 139-30-616-018), R-1 (Single-Family Residential) Zone, Ward 5 (Weekly).

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>0</b>
<b>City Council Meeting</b>	

**APPROVALS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>1</b>
<b>City Council Meeting</b>	

**RECOMMENDATION:**

Staff recommends **APPROVAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Approval Letter by Joseph Steff

**MOTION:**

**GOYNES – APPROVED subject to conditions and amending Condition 3 as follows:**

3. **Conformance to revised site plan dated 12/06/06.**

**– UNANIMOUS**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, noted the revised plans met the Code requirements for a habitable accessory structure and stated Condition 3 would have to be revised to require conformance to the revised site plan. He recommended approval.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 33 – SUP-17716

**MINUTES – Continued:**

The applicant was present.

COMMISSIONER GOYNES commended the applicant for gaining the approval of his neighbors.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(9:09 – 9:11)

**2-2974**

**CONDITIONS:**

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0002-76), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for building permit, to reflect a three-foot separation distance between the nearest portion of the habitable accessory structure and the property line.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-17724 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: SILVER STATE BANK - Request for a Special Use Permit FOR A PROPOSED DRIVE-THRU FACILITY FOR AN EXISTING FINANCIAL INSTITUTION, GENERAL WITH A WAIVER TO ALLOW A SEPARATION OF 280 FEET FROM A SINGLE FAMILY DWELLING WHERE 330 FEET IS REQUIRED AND TO ALLOW A DRIVE-THRU FACILITY ADJACENT TO THE RIGHT-OF-WAY on 0.63 acres at 7125 North Durango Drive (APN 125-20-117-005), T-C (Town Center) Zone [UC-TC (Urban Center Mixed-Use) Town Center Special Land Use Designation], Ward 6 (Ross).**

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

- 1. Location and Aerial Maps
- 2. Conditions and Staff Report
- 3. Supporting Documentation
- 4. Justification Letter

**MOTION:**

**DUNNAM – APPROVED subject to conditions – UNANIMOUS**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

ANDY REED, Planning and Development Department, stated this proposed use is not appropriate at this location and recommended denial.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 34 – SUP-17724

**MINUTES – Continued:**

RICHARD GALLEGOS, 3005 West Horizon Ridge Parkway, appeared on behalf of the applicant. He explained this application had previously been approved unanimously, but had since been revised to accommodate COUNCILMAN ROSS' request for better screening of the driveway and stated COUNCILMAN ROSS supported the revised plan. He agreed to all conditions and respectfully requested approval.

At COMMISSIONER DAVENPORT'S request, MR. GALLEGOS pointed out the areas where additional screening and landscaping would be provided and noted there were no other changes to the previous plan.

MR. GALLEGOS confirmed COMMISSIONER DUNNAM'S observation that several drive-throughs were currently operating in the area.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(9:11 – 9:14)

**2-3068**

**CONDITIONS:**

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-12901), if approved.
2. This approval shall be void two years from the date of final approval, unless a business license or building permit have been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-17739 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JL PARADISE, LLC - OWNER: MANJEH DANESHFOROOZ - Request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT AND WAIVERS TO ALLOW A DISTANCE SEPARATION OF 180 FEET FROM AN EXISTING MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS THE MINIMUM REQUIRED AND TO ALLOW NO SEPARATION FROM A RESIDENTIAL USE WHERE 400 FEET IS THE MINIMUM SEPARATION REQUIRED at 2205 South Paradise Road (APN 162-03-413-017), C-1 (Limited Commercial) Zone, Ward 3 (Reese).**

**IF APPROVED: C.C.: 01/03/07**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>0</b>
<b>City Council Meeting</b>	

**APPROVALS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>0</b>
<b>City Council Meeting</b>	

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter

**MOTION:**

**EVANS – Motion to WITHDRAW WITHOUT PREJUDICE Item 8 [SUP-16850] and Item 9 [SDR-16849]; HOLD IN ABEYANCE Item 22 [VAR-17732], Item 23 [SDR-17730], Item 30 [SUP-17737], Item 31 [SDR-17735] and Item 35 [SUP-17739] to the 12/21/2006 Planning Commission Meeting; and Item 36 [ROC-17721] and Item 37 [SDR-17720] to the 2/08/2007 Planning Commission Meeting – UNANIMOUS**

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 35 – SUP-17739

**MINUTES:**

The applicant requested that Item 35 [SUP-17739] be held in abeyance to the 12/21/2006 Planning Commission Meeting because the applicant is out of town.

(6:03-6:09)

**1-132**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ROC-17721 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: CARS-DB4, LP** - Request for a Review of Condition #3 of an approved Rezoning (Z-0099-96) WHICH REQUIRES THAT THE NORTH 200 FEET OF THE SITE SHALL BE LIMITED TO THE PARKING OF VEHICLES at 6300 West Sahara Avenue (APN 163-02-801-005), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 01/03/07

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends this item be HELD IN ABEYANCE to the February 8, 2007 Planning Commission meeting.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for Z-99-96

**MOTION:**

**EVANS – Motion to WITHDRAW WITHOUT PREJUDICE Item 8 [SUP-16850] and Item 9 [SDR-16849]; HOLD IN ABEYANCE Item 22 [VAR-17732], Item 23 [SDR-17730], Item 30 [SUP-17737], Item 31 [SDR-17735] and Item 35 [SUP-17739] to the 12/21/2006 Planning Commission Meeting; and Item 36 [ROC-17721] and Item 37 [SDR-17720] to the 2/08/2007 Planning Commission Meeting – UNANIMOUS**

**MINUTES:**

The applicant requested Item 36 [ROC-17721] and Item 37 [SDR-17720] be held in abeyance to the 2/08/2007 Planning Commission Meeting.

(6:03-6:09)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-17720 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ROC-17721 - PUBLIC HEARING - APPLICANT/OWNER: CARS-DB4, LP.** - Request for a Site Development Plan Review FOR A 41,680 SQUARE FOOT EXPANSION TO AN EXISTING AUTOMOTIVE DEALERSHIP AND A WAIVER TO ALLOW ZERO FEET OF LANDSCAPE BUFFER ALONG THE WESTERN PERIMETER WHERE EIGHT FEET IS REQUIRED on 8.76 acres at 6300 West Sahara Avenue (APN 163-02-801-005), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 01/03/07

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends this item be HELD IN ABEYANCE to the February 8, 2007 Planning Commission meeting.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter

**MOTION:**

**EVANS – Motion to WITHDRAW WITHOUT PREJUDICE Item 8 [SUP-16850] and Item 9 [SDR-16849]; HOLD IN ABEYANCE Item 22 [VAR-17732], Item 23 [SDR-17730], Item 30 [SUP-17737], Item 31 [SDR-17735] and Item 35 [SUP-17739] to the 12/21/2006 Planning Commission Meeting; and Item 36 [ROC-17721] and Item 37 [SDR-17720] to the 2/08/2007 Planning Commission Meeting – UNANIMOUS**

**MINUTES:**

The applicant requested Item 36 [ROC-17721] and Item 37 [SDR-17720] be held in abeyance to the 2/08/2007 Planning Commission Meeting.

(6:03-6:09)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAC-16295 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: ROLAND L. GRAY, ET AL AND FOURTEEN SAC SELF-STORAGE CORPORATION** - Petition to Vacate a 20-foot public right-of-way generally located south of the intersection of Jones Boulevard and Rancho Drive, Ward 6 (Ross).

**SET DATE:** 12/20/06

**C.C.:** 01/03/07

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>0</b>
<b>City Council Meeting</b>	

<b>Planning Commission Mtg.</b>	<b>0</b>
<b>City Council Meeting</b>	

**RECOMMENDATION:**

Staff recommends **DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter

**MOTION:**

**GOYNES – DENIED – UNANIMOUS**

**To be heard by City Council on 01/03/2007**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, stated the applicant has requested to vacate a portion of a public alley. He recommended denial since the Vacation would result in a very long and unsafe dead-end alley.

ROLAND GRAY explained that the alleyway had never been developed or used. JIM WARMER appeared on behalf of Fourteen SAC Self-Storage Corporation, co-

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 38 – VAC-16295

**MINUTES – Continued:**

applicant, and concurred with MR. GRAY. MR. WARMER explained the alley was problematic because it attracted vagrants and vandalism. DAMON PARKER, co-applicant, concurred with previous comments.

In response to CHAIRMAN TROWBRIDGE'S question, MR. GRAY pointed out the properties the applicants own in relation to the site. MR. GRAY noted that adjacent property owners supported this application and described the problems associated with the existing alley.

CHAIRMAN TROWBRIDGE observed that the skating rink would have to deal with a dead-end alley with no way for vehicles to turn around. MR. GRAY replied that the alley is currently a dead-end and that this application would not change the site's current traffic flow.

COMMISSIONER DUNNAM noted that a parcel would be left without legal and physical access if the vacation was approved. He could not support the application, despite MR. PARKER'S assertions that he planned to combine his parcels and ensure adequate access and MR. GRAY'S argument that this portion of the alley had never been developed. COMMISSIONER DUNNAM explained that vacating this alley would not solve any problems, would create an access issue and would unfairly burden neighboring businesses.

CHAIRMAN TROWBRIDGE noted the application might be more successful if all adjacent property owners expressed their support. He also concurred with COMMISSIONER DUNNAM'S statements. MR. GRAY argued that traffic already crosses the skating rink's property and this Vacation would not have impact since the alley had never been developed.

COMMISSIONER DAVENPORT stated he could only support the vacation if MR. PARKER combined his two parcels, ensuring all properties have legal and physical access, but he could not support the application as it is.

BART ANDERSON, Public Works Department, noted that if the vacation is denied, when the properties are eventually developed, the City would require the remaining portion of the alley to be improved and developed as well. MR. GRAY observed that if the alley were developed traffic would empty into Jones Boulevard and could present a traffic hazard.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(9:14 – 9:27)

**2-3260**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ABEYANCE - TXT-17570 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19 of the Las Vegas Municipal Code to revise the standards for Mixed-Use Development, institute Transit-Oriented Development standards, and to revise associated standards accordingly.

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends **APPROVAL**

**BACKUP DOCUMENTATION:**

1. Conditions and Staff Report
2. Submitted after final agenda – PowerPoint Presentation by Flinn Fagg

**MOTION:**

**GOYNES – ABEYANCE TO 01/11/07 – UNANIMOUS**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, gave a PowerPoint presentation. He gave a brief history of this text amendment and noted the areas it would and would not impact. He described the existing standards for mixed-use development and explained the proposed changes. MR. FAGG pointed out the establishment of transit-oriented mixed-use developments and described those standards. He explained the intent of the amended standards and their impact on the City. He submitted and described a mixed-use parking ordinance and gave a history of its development. He also suggested the use of a peak hour traffic study for projects rather than a traffic impact study during the Site Development Plan Review process in order to relieve the financial burden on the developer.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 39 – TXT-17570

**MINUTES – Continued:**

MR. FAGG briefly mentioned other suggested changes regarding construction staging, aesthetic minimum standards, and airport overlay standards and the reasons for those suggestions. MR. FAGG described the committees and the meetings held as part of the development of this text amendment.

In response to COMMISSIONER STEINMAN'S question regarding the heights of mixed-use projects, MR. FAGG explained that the current standards waive the proximity slope requirements in specific situations and stated this text amendment would no longer allow that waiver. COMMISSIONER STEINMAN expressed his support for the proposed mixed-use parking ordinance and commended MR. FAGG on his work, but he could not support doing away with the traffic impact study requirement. He stated the traffic impact studies provide important information and should not be eliminated simply to allow the developer to save money.

COMMISSIONER DUNNAM stated that the information requested by COMMISSIONER STEINMAN could be provided in peak hour traffic study.

COMMISSIONER EVANS noted the difficulty in creating a mixed-use development ordinance, given the variety of neighborhoods within the City. MR. FAGG pointed out that this ordinance would not apply to areas that have an existing master plan. Regarding the mixed-use parking ordinance, COMMISSIONER EVANS noted that most urban dwellers did not expect one parking space per unit and requiring two per unit is an unreasonable demand to developers, given the cost of construction and land.

CHAIRMAN TROWBRIDGE expressed his difficulty in fully understanding the nature of this application in the brief time it had been submitted to him and requested more time in order to better digest it. He also expressed concern with the proposed light rail component suggested within the ordinance, as well as the projects that begin as mixed-use developments and then evolve into under-parked retail shopping centers with no residential components. While he expressed his appreciation for the work done so far, CHAIRMAN TROWBRIDGE stated the ordinance needs more flexibility.

COMMISSIONER TRUESDELL noted that development agreements have greater requirements and higher standards than Site Development Plan Reviews and would be a more appropriate approach to larger mixed-use developments and that this ordinance would be more appropriate for smaller proposals. He emphasized this ordinance is intended for areas without a master plan and should encourage higher quality projects.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 39 – TXT-17570

**MINUTES – Continued:**

MS. WHEELER encouraged the Commissioners to submit any questions or comments to MR. FAGG so he could better address their specific concerns.

COMMISSIONER EVANS commended MS. WHEELER, MR. FAGG and staff for their exceptional work.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(9:27 – 9:53)

**3-197**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**TXT-17827 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER:  
CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04, "Permissible  
Uses," and Title 19.20, "Definitions," to establish standards for Massage, Accessory uses.**

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.	0
City Council Meeting	

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	0
City Council Meeting	

**RECOMMENDATION:**

Staff recommends **APPROVAL**

**BACKUP DOCUMENTATION:**

1. Conditions and Staff Report

**MOTION:**

**EVANS – APPROVED subject to conditions – UNANIMOUS**

**To be forwarded to City Council in Ordinance Form**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

ANDY REED, Planning and Development Department, explained this amendment would allow accessory massage as a secondary use within certain conditions, which he described, and recommended approval.

MR. REED informed CHAIRMAN TROWBRIDGE that the text amendment pertained to therapeutic massage in businesses where massage would not be the primary use.

MARGO WHEELER, Director of Planning and Development Department, confirmed COMMISSIONER EVANS’ observation that this text amendment would allow a massage therapist to work within a doctor’s office without requiring the business to go through the Special Use Permit process.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006  
Planning and Development Department  
Item 40 – TXT-17827

**MINUTES – Continued:**

COMMISSIONER EVANS observed that many massage applicants present themselves as professional therapists, but advertise a very different business after the Special Use Permits are granted. He stated a distinction needs to be made between therapeutic and recreational massage.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(9:53 – 9:57)

**3-1018**

# *City of Las Vegas*

## **PLANNING COMMISSION AGENDA PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006**

### **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:**

TED RUSSELL, Las Vegas resident, announced his return and thanked his friends and family for their support.

**MEETING ADJOURNED AT 9:59 P.M.**

Respectfully submitted:

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YDOLEENA YTURRALDE, DEPUTY CITY CLERK

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CARMEL VIADO, DEPUTY CITY CLERK