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cityoflasvegas
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November 4, 2021

Mr. Shalom Bougamin
ASD Group, LLC
3722 South Las Vegas Boulevard, Unit 1903E
Las Vegas, Nevada 89158

**RE: ABEYANCE - 21-0161-ZON1, 21-0161-VAR1, 21-0161-VAR2 AND
21-0161-SDR1
CITY COUNCIL MEETING OF NOVEMBER 3, 2021**

Dear Applicant:

The City Council at a regular meeting held on **November 3, 2021** voted to **APPROVE** the following Land Use Entitlement project requests on 0.71 acres at the southwest corner of Owens Avenue and Henry Drive (APN 140-30-501-001), R-E (Residence Estates), Ward 3 (Diaz).

- **21-0161-ZON1** - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL)
- **21-0161-VAR1** - VARIANCE - TO ALLOW 23 PARKING SPACES WHERE 31 ARE REQUIRED
- **21-0161-VAR2** - VARIANCE - TO ALLOW A SEVEN-FOOT FRONT YARD SETBACK WHERE 10 FEET IS REQUIRED; A ZERO-FOOT SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED, A ZERO-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED; AND SIX FEET IN BETWEEN BUILDINGS WHERE 10 FEET IS REQUIRED
- **21-0161-SDR1** - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 16-UNIT, TWO-STORY MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

21-0161-ZON1 approval is subject to no conditions:

21-0161-VAR1 approval is subject to the following conditions:

Planning

1. Approval of a Rezoning (21-0161-ZON1) and approval of and conformance to the Conditions of Approval for Variance (21-0161-VAR2) and Site Development Plan Review (21-0161-SDR1) shall be required, if approved.

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2. A Variance is hereby approved, to allow 23 parking spaces where 31 are required and 48 percent compact where 30 percent is allowed.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

21-0161-VAR2 approval is subject to the following conditions:

Planning

1. Approval of a Rezoning (21-0161-ZON1) and approval of and conformance to the Conditions of Approval for Variance (21-0161-VAR1) and Site Development Plan Review (21-0161-SDR1) shall be required, if approved.
2. A Variance is hereby approved to allow an eight-foot front yard setback where 10 feet is required.
3. A Variance is hereby approved to allow an eight-foot rear yard setback where 20 feet is required.
4. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

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6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

21-0161-SDR1 approval is subject to the following conditions:

Planning

1. Approval of Rezoning (21-0161-ZON1) and approval of and conformance to the Conditions of Approval for Variance (21-0161-VAR1) and Variance (21-0161-VAR2) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan date stamped 08/23/21; and building elevations date stamped 06/21/21, except as amended by conditions herein.
4. A revised site plan shall be submitted to and approved by the Department of Planning Department, prior to the time application is made for a building permit, to reflect:
 - A trash enclosure designed and provided in accordance with Title 19.
5. A Waiver from Title 19.06 is hereby approved, to allow an eight-foot wide landscape buffer adjacent to the north property line where 10 feet is required.
6. A Waiver from Title 19.06 is hereby approved, to allow a zero-foot wide landscape buffer on a portion of the north property line in order to accommodate a 10-foot wide Bus Shelter Pad Easement.
7. A Waiver from Title 19.06 is hereby approved, to allow an eight-foot wide landscape buffer adjacent to the east property line where 10 feet is required.

8. An Exception from Title 19.08 is hereby approved, to allow zero parking lot landscape islands and trees where eight are required.
9. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
10. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
11. 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, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - One, 24-inch box, desert species shade tree shall be planted every 30 feet on center within the north, south, west and east landscape buffers.
 - Four, five-gallon, desert species shrubs shall be planted for every required shade tree within the north and east landscape buffer areas.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Grant a 10-foot wide Bus Shelter Pad Easement on Owens Avenue per Standard Drawing 234.2 prior to issuance of permits.

15. The proposed driveway onto Owens Avenue shall be removed and replaced with curb, gutter, and sidewalk concurrent with the development of this site.
16. Construct all incomplete half-street improvements on Henry Drive meeting current City Standards adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
17. The sidewalk adjacent to this site on Owens Avenue shall meet Public Right-of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement needed to complete this requirement.
18. This site shall connect to the public sewer in Henry Drive at a size and location acceptable to the City of Las Vegas Sanitary Sewer Section.
19. Landscape and maintain all unimproved rights-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
21. 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, the issuance of any building or grading permits for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

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The Notice of Final Action was filed with the Las Vegas City Clerk on November 4, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Floyd', with a stylized flourish at the end.

Seth T. Floyd
Director of Community Development
Department of Planning

STF:PL:clb

cc: Mr. Jaime De La Vega
6944 Erin Circle
Las Vegas, Nevada 89145