



**LAS VEGAS
CITY COUNCIL**

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Mayor Pro Tem

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CEDRIC CREAR

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OLIVIA DIAZ

JORGE CERVANTES
City Manager

January 20, 2022

LVG #5, LLC
9550 South Eastern Avenue, Suite #253
Las Vegas, Nevada 89123

**RE: 21-0659-VAR1, 21-0659-VAR2, 21-0659-SUP1 AND 21-0659-SDR1
CITY COUNCIL MEETING OF JANUARY 19, 2022**

Dear Applicant:

The City Council at a regular meeting held on **January 19, 2022** voted to **APPROVE** the following Land Use Entitlement project requests on 2.40 acres located at the southeast corner of Charleston Boulevard and Jones Boulevard (APNs 163-01-112-001 and 002), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen).

- **21-0659-VAR1** - VARIANCE - TO ALLOW A FIVE-FOOT CORNER SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED
- **21-0659-VAR2** - VARIANCE - TO ALLOW NO LOADING ZONE SPACE WHERE ONE IS REQUIRED
- **21-0659-SUP1** - SPECIAL USE PERMIT - FOR A PROPOSED 3,535 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A 292-FOOT SEPARATION FROM AN EXISTING CHURCH/HOUSE OF WORSHIP AND SCHOOL WHERE 400 FEET IS REQUIRED
- **21-0659-SDR1** - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 3,535 SQUARE-FOOT GENERAL RETAIL STORE [CONVENIENCE STORE WITH FUEL PUMPS] WITH A WAIVER OF PERIMETER LANDSCAPE DEVELOPMENT STANDARDS

21-0659-VAR1 approval is subject to the following conditions:

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (21-0659-VAR2), Special Use Permit (21-0659-SUP1) and Site Development Plan Review (21-0659-SDR1) shall be required, if approved.

DEPARTMENT OF PLANNING

SETH T. FLOYD

DIRECTOR OF
COMMUNITY DEVELOPMENT

CITY HALL

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cityoflasvegas
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2. Conformance to the approved conditions for Rezoning and Plot Plan Review (Z-0029-91) and Site Development Plan Review [Z-0029-91(1)].
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.

21-0659-VAR2 approval is subject to the following conditions:

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (21-0659-VAR1), Special Use Permit (21-0659-SUP1) and Site Development Plan Review (21-0659-SDR1) shall be required, if approved.
2. Conformance to the approved conditions for Rezoning and Plot Plan Review (Z-0029-91) and Site Development Plan Review [Z-0029-91(1)].
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.

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6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

21-0659-SUP1 approval is subject to the following conditions:

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Beer/Wine/Cooler Off-Sale Establishment use.
2. Approval of and conformance to the Conditions of Approval for Variance (21-0659-VAR1), Variance (21-0659-VAR2) and Site Development Plan Review (21-0659-SDR1) shall be required, if approved.
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. A Waiver from Title 19.12 is hereby approved, to allow a 292-foot separation from an existing church/house of worship and school where 400 feet is required.
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.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
7. Approval of this Special Use Permit does not constitute approval of a liquor license.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

21-0659-SDR1 approval is subject to the following conditions:

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (21-0659-VAR1), Variance (21-0659-VAR2) and Special Use Permit (21-0659-SUP1) shall be required, if approved.
2. Conformance to the approved conditions for Rezoning and Plot Plan Review (Z-0029-91) and Site Development Plan Review [Z-0029-91(1)].
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 development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/20/21, except as amended by conditions herein.
5. A Waiver from Title 19.08.070 is hereby approved, to allow a five-foot landscape buffer along a portion of the north perimeter and zero-foot buffer along a portion of the west perimeter where 15 feet is required.
6. A Waiver from Title 19.08.070 is hereby approved, to allow a five-foot landscape buffer along a portion of the east perimeter where eight feet is required.
7. An Exception from Title 19.08 is hereby approved, to allow two interior parking lot islands and end caps with 24-inch box trees where six are required.
8. An Exception from Title 19.08 is hereby approved to allow 13 24-inch box trees within the perimeter landscape buffers where 21 trees 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.

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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.
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. Prior to the issuance of building permits the applicant shall submit an agreement satisfactory to the City Attorney that provides cross-access, ingress and egress and/or parking throughout the commercial subdivision and to the proposed trash enclosure located on Lot #2 of the record of survey (File: 224, Page: 25).
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. The sidewalks along Charleston Boulevard and Jones Boulevard adjacent to this site 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, if any, needed to complete this requirement.
16. Concurrent with development of this site, connect the proposed building to the existing public sewer line in Charleston Boulevard.
17. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-2338 or emailed at ece@lasvegasnevada.gov.

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18. 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.
19. Submit a License Agreement for landscaping and private improvements in the Charleston Boulevard and Jones Boulevard public rights-of-way, if any, prior to the issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property within the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).
20. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all driveways or other private improvements in the Jones Boulevard public right-of-way adjacent to this site prior to constructing any improvements within NDOT jurisdiction, if any.
21. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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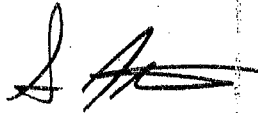
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22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide 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.

The Notice of Final Action was filed with the Las Vegas City Clerk on January 20, 2022.

Sincerely,



Seth T. Floyd
Director of Community Development
Department of Planning

STF:PL:clb

cc: LVG #5 LLC
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